

Introduced April 10th, 1979 by
Councilman Caruso; seconded by
Councilman Throop

Item Number 79-4-44

ORDINANCE

NO. 1168

An Ordinance amending Chapter 11, Article 11 of the
Code of Ordinances, and Ordinance 953, adopted November 26, 1974.

Be it ordained by the Slidell City Council, in legal
session convened, that the following changes be made to Ordinance
953, adopted November 26, 1974.

Section 11-40, line 2, after the word goods add the words
junk lumber or other junk building materials.

Section 11-43, line 3, after the word goods add the words
junk lumber or other junk building materials.

Section 11-44, line 4, after the word goods add the words
junk lumber or other junk building materials.

Section 11-46, line 4, delete the words City Clerk and
insert the words Mayor or his designee.

Section 11-46, line 10, after the word requested add
The Mayor or his designee shall enforce this ordinance upon his own
initiative whenever conditions violating this ordinance shall come
to the attention of the Mayor or his designee, or upon request for
an individual citizen or homeowners association. No citizen
requesting enforcement of this ordinance shall be required to submit
his or her name as a condition for enforcement of the ordinance.

Section 11-47, line 3, delete the words City Clerk and
insert the words Clerk of Court.

ADOPTED this 8th day of May, 1979.

DELIVERED 5-10-79
10:00^{PM} to the Mayor
RECEIVED 5-15-79
10:00^{PM} from the Mayor

John Swenson
John Swenson CMC
Clerk of Council

Alvin D. Singletary
Alvin D. Singletary
Councilman-at-Large
President of the Council
M. W. Hart
M. W. Hart
Mayor

ORDINANCE NO. 953

An Ordinance amending Chapter 11, Article II, of the Code of Ordinances of the City of Slidell, Louisiana.

BE IT ENACTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SLIDELL, LOUISIANA, IN LEGAL SESSION CONVENED:

Article II. Garbage, Trash and Junk.

Section 11-40. Findings of Fact.

(a) The storing and keeping of motor vehicles or any parts thereof, machinery, furniture, household goods and household appliances that are inoperable, scrapped, discarded, or junked, on residential, commercial or public lots or tracts of land within the City of Slidell tends to cause said lots or tracts of land to become overgrown with weeds, littered with rubbish and debris, and infested with rats, mosquitos, mice, insects, reptiles and other vermin;

(b) Such conditions tend to attract children and endanger their lives and health; spread disease; invite plundering; attract vagrants; create fire hazards and other safety and health hazards; create, extend, and aggravate urban blight; interfere with the enjoyment of and reduce the value of private property; and interfere with the comfort and well-being of the public; and

(c) Adequate protection of the public health, safety, and welfare requires that the storage of such materials be regulated and controlled.

Section 11-41. Definitions.

As used in this article, the following words and phrases shall have the respective meanings ascribed to them:

(a) Owner. Any person legally vested with the title and ownership of any immovable property situated within the city.

(b) Person. An individual, firm, partnership, corporation or organization of any kind.

(c) Junk and salvage yard. Any premises, establishment, or place of business which is maintained, operated or used for storing, keeping, buying, selling or dismantling motor vehicles or any parts thereof, machinery, furniture, household goods and household appliances that are inoperable, scrapped, discarded, or junked, or any combination of the above described items.

Section 11-42. Public Ways.

It shall be unlawful for any person to abandon, store, leave, place or park any motor vehicles or any parts thereof, machinery, furniture, household goods and household appliances that are inoperable, scrapped, discarded, or junked, upon any public street, park, highway, alley or other public property of the City of Slidell, Louisiana.

Section 11-43. Residential Ways.

It shall be unlawful for any person to store or keep upon any lot or tract of land used for residential purpose motor vehicles or any parts thereof, machinery, furniture, household goods and household appliances that are inoperable, scrapped, discarded, or junked, except when it is contained in a completely enclosed area and is not visible from a public street or an adjacent lot or tract of land, and except when it has met the requirements of the City, Parish and State relative to health, fire and safety.

Section 11-44. Commercial Ways.

It shall be unlawful for any person to store or keep upon any premises used for commercial or business purposes or non-residential purposes, any motor vehicles or any parts thereof, machinery, furniture, household goods and household appliances that are inoperable, scrapped, discarded, or junked, provided that this section shall not apply to:

(a) Such materials stored or kept on the premises of a junk or salvage yard, as defined in Section 11-41;

(b) Damaged but salvageable motor vehicles, machinery, furniture, household goods or household appliances awaiting repair or in the process of repair and on the premises of a bona fide repair shop;

but only so long as the storage of the above described items has met the requirements of the City, Parish and State relative to health, fire and safety.

Section 11-45. Junk and Salvage Yards.

Every junk and salvage yard, as defined in Section 11-41, shall be enclosed, except for entrances and exits, with a solid, or otherwise nontransparent vertical wall or fence of a minimum height of eight (8) feet measured from ground level. Entrances and exits shall not be wider or more numerous than reasonably necessary for the conduct of business. However, this requirement shall be waived and modified as to any side or portion of the premises which is adequately screened by natural objects, plants, fences or other appropriate means so as to prevent any materials stored or kept thereon from being visible from adjacent public ways and from adjacent lots or tracts of land.

Section 11-46. Declared Public Nuisance.

Violation of this ordinance is hereby declared to constitute a public nuisance which is enjoined in any court of law in this Parish upon proper application of the City of Slidell or its designated representative. In order to more effectively carry out the intent of this article, the city clerk shall send to the property owner as determined from the latest assessment rolls, or the occupant of the property failing to comply with the requirements of this article, a written notice requiring such property owner to comply therewith within fifteen (15) days from the date of receipt thereof. Such notice shall be posted by registered or certified mail, with return receipt requested. Any costs incurred by the City of Slidell in connection with the obtaining of an injunction or the removal of the item or items which violate this ordinance shall be taxed as costs to the person who violates this ordinance.

Section 11-47. Judicial Determination.

If the owner or occupant of said premises so desires, he may, within said ten (10) day period after service of notice to abate the nuisance, request of the city clerk, either in person or in writing and without the requirement of bond, that a date and time be set when he may appear before the city court for a trial to determine whether he is in violation of this article, and whether or not the location and continued existence of the abandoned, stripped, wrecked, or junked vehicle or materials on his property constitutes a public nuisance.

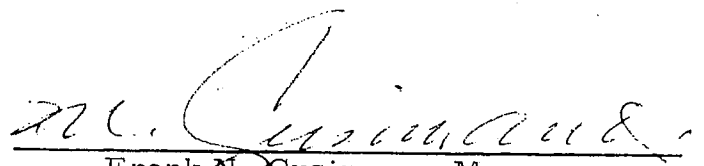
Section 11-48. Penalty.

If there has been no compliance by said property owner or occupant with the requirements of this article within fifteen (15) days of a judgment of the court determining that he is in violation, the owner or occupant shall be guilty of a misdemeanor and on conviction thereof shall be fined a sum not to exceed Two Hundred (\$200.00) Dollars per offense plus the cost of removal of the item or items which violate this article.

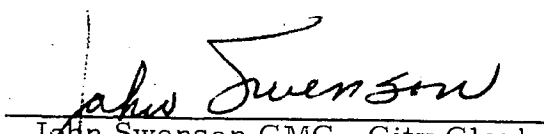
Section 11-49. Existing Businesses.

The provisions of this ordinance shall not affect any legitimate businesses which are operating junk and salvage yards as defined in Section 11-41, on the date this ordinance becomes effective.

INTRODUCED AND ADOPTED this 26th day of November, 1974.


Frank N. Cusimano, Mayor

A TTEST:


John Swenson CMC, City Clerk

ORDINANCE NO. 953

AMENDED BY ORDINANCE 1168 - MAY 8TH, 1979

An Ordinance amending Chapter 11, Article II, of the Code of Ordinances of the City of Slidell, Louisiana.

BE IT ENACTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SLIDELL, LOUISIANA, IN LEGAL SESSION CONVENED:

Article II. Garbage, Trash and Junk.

Section 11-40. Findings of Fact.

(a) The storing and keeping of motor vehicles or any parts thereof, machinery, furniture, household goods, junk lumber or other junk building materials and household appliances that are inoperable, scrapped, discarded, or junked, on residential, commercial or public lots or tracts of land within the City of Slidell tends to cause said lots or tracts of land to become overgrown with weeds, littered with rubbish and debris, and infested with rats, mosquitos, mice, insects, reptiles and other vermin;

(b) Such conditions tend to attract children and endanger their lives and health; spread disease; invite plundering; attract vagrants; create fire hazards and other safety and health hazards; create, extend, and aggravate urban blight; interfere with the comfort and well-being of the public; and

(c) Adequate protection of the public health, safety, and welfare requires that the storage of such materials be regulated and controlled.

Section 11-41. Definitions.

As used in this article, the following words and phrases shall have the respective meanings ascribed to them:

(a) Owner. Any person legally vested with the title and ownership of any immovable property situated within the city.

(b) Person. An individual, firm, partnership, corporation or organization of any kind.

(c) Junk and salvage yard. Any premises, establishment, or place of business which is maintained, operated or used for storing, keeping, buying, selling or dismantling motor vehicles or any parts thereof, machinery, furniture, household goods and household appliances that are inoperable, scrapped, discarded, or junked, or any combination of the above described items.

Section 11-42. Public Ways.

It shall be unlawful for any person to abandon, store, leave, place or pack any motor vehicles or any parts thereof, machinery, furniture, household goods and household appliances that are inoperable, scrapped, discarded, or junked, upon any public street, park, highway, alley or other public property of the City of Slidell, Louisiana.

Section 11-43. Residential Ways.

It shall be unlawful for any person to store or keep upon any lot or tract of land used for residential purpose motor vehicles or any parts thereof, machinery, furniture, household goods, junk lumber or other junk building materials and household appliances that are inoperable, scrapped, discarded, or junked, except when it is contained in a completely enclosed area and is not visible from a public street or an adjacent lot or tract of land, and except when it has met the requirements of the City, Parish and State relative to health, fire and safety.

Section 11-44. Commercial Ways.

It shall be unlawful for any person to store or keep any premises used for commercial or business purposes or non-residential purposes, any motor vehicles or any parts thereof, machinery, furniture, household goods, junk lumber or other junk building material and household appliances that are inoperable, scrapped, discarded, or junked, provided that this section shall not apply to:

(a) Such materials stored or kept on the premises of a junk or salvage yard, as defined in Section 11-41;

(b) Damaged but salvageable motor vehicles, machinery, furniture, household goods or household appliances awaiting repair or in the process of repair and on the premises of a bona fide repair shop;

but only so long as the storage of the above described items has met the requirements of the City, Parish and State relative to health, fire and safety.

Section 11-45. Junk and Salvage Yards.

Every junk and salvage yard, as defined in Section 11-41, shall be enclosed, except for entrances and exits, with a solid, or otherwise nontransparent vertical wall or fence of a minimum height of eight (8) feet measured from ground level. Entrances and exits shall not be wider or more numerous than reasonably necessary for the conduct of business. However, this requirement shall be waived and modified as to any side or portion of the premises which is adequately screened by natural objects, plants, fences or other appropriate means so as to prevent any materials stored or kept thereon from being visible from adjacent public ways and from adjacent lots or tracts of land.

Section 11-46. Declared Public Nuisance.

Violation of this ordinance is hereby declared to constitute a public nuisance which is enjoined in any court of law in this Parish upon proper application of the City of Slidell or its designated representative. In order to more effectively carry out the intent of this article, the Mayor or his designee shall send to the property owner as determined from the latest assessment rolls, or the occupant of the property failing to comply with the requirements of this article, a written notice requiring such property owner to comply therewith within fifteen (15) days from the date of receipt thereof. Such notice shall be posted by registered or certified mail, with return receipt requested. The Mayor or his designee shall enforce this ordinance upon his own initiative whenever conditions violating this ordinance shall come to the attention of the Mayor or his designee, or upon request for an individual citizen or homeowners association. No citizen requesting enforcement of this ordinance shall be required to submit his or her name as a condition for enforcement of the ordinance. Any costs

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2 incurred by the City of Slidell in connection with the obtaining
3 of an injunction or the removal of the item or items which violate
4 this ordinance shall be taxed as costs to the person who violates
5 this ordinance.
6

7 Section 11-47. Judicial Determination.
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9 If the owner or occupant of said premises so desires, he
10 may, within said ten (10) day period after service of notice to
11 abate the nuisance, request of the Clerk of Court, either in person
12 or in writing and without the requirement of bond, that a date and
13 time be set when he may appear before the city court for a trial to
14 determine whether he is in violation of this article, and whether
15 or not the location and continued existence of the abandoned, stripped,
16 wrecked, or junked vehicle or materials on his property constitutes
17 a public nuisance.
18

19 Section 11-48. Penalty.
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21 If there has been no compliance by said property owner or
22 occupant with the requirements of this article within fifteen (15)
23 days of a judgment of the court determining that he is in violation,
24 the owner or occupant shall be guilty of a misdemeanor and on
25 conviction thereof shall be fined a sum not to exceed Two Hundred
26 (\$200.00) Dollars per offense plus the cost of removal of the item
27 or items which violate this article.
28

29 Section 11-49. Existing Businesses.
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31 The provisions of this ordinance shall not affect any
32 legitimate businesses which are operating junk and salvage yards as
33 defined in Section 11-41, on the date this ordinance becomes
34 effective.
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36 INTRODUCED AND ADOPTED this 26th day of November, 1974 and amended
37 (by Ordinance 1168) May 8th, 1979.
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41 Alvin D. Singletary
42 Councilman-at-Large
43 President of the Council
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47 M. W. Hart
48 Mayor
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50 John Swenson CMC
51 Clerk of Council
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Introduced April 10, 1979 by
Councilman Caruso; seconded by
Councilman

Item number 79-4-44

ORDINANCE

NO.

John, your wording is good. This is exactly what I want to accomplish. However, check my note on the next page & let me know whether or not we need that amendment also.

An ordinance amending Chapter 11, Article 11 of the Code of Ordinances, and Ordinance 953, adopted November 26, 1974.

Be it ordained by the Slidell City Council, in legal session convened, that the following changes be made to Ordinance 953, adopted November 26, 1974.

④ Section 11-46, line 4, delete the words City Clerk and insert the words Mayor or his designee.

⑤ Section 11-47, line 3, delete the words City Clerk and insert the words Clerk of Court.

ADOPTED this _____ day of _____, 1979.

① Section 11-40 line 2 after the word Goods add the words lumber or other building materials.

② Section 11-43 line 3 after the word Goods add the words lumber or other building materials.

Alvin D. Singletary
Councilman-at-Large
President of the Council

John Swenson CMC
Clerk of Council

M. W. Hart
Mayor

③ Section 11-44 line 4 after the word Goods add the words lumber or other building materials.

John, Another note; Check what I have written at the bottom of Section 11-46. I definitely want this inserted where I have indicated.

An Ordinance amending Chapter 11, Article II, of the
Code of Ordinances of the City of Slidell, Louisiana.

BE IT ENACTED BY THE MAYOR AND CITY COUNCIL OF THE CITY
OF SLIDELL, LOUISIANA, IN LEGAL SESSION CONVENED:

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It shall be unlawful for any person to abandon, store, leave, place or park any motor vehicles or any parts thereof, machinery, furniture, household goods and household appliances that are inoperable, scrapped, discarded, or junked, upon any public street, park, highway, alley or other public property of the City of Slidell, Louisiana.

* See addendum on next Page. Insert amendment here also if necessary.

Section 11-43. Residential Ways.

It shall be unlawful for any person to store or keep upon any lot or tract of land used for residential purpose motor vehicles or any parts thereof, machinery, furniture, household goods and household appliances that are inoperable, scrapped, discarded, or junked, except when it is contained in a completely enclosed area and is not visible from a public street or an adjacent lot or tract of land, and except when it has met the requirements of the City, Parish and State relative to health, fire and safety.

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It shall be unlawful for any person to store or keep upon any premises used for commercial or business purposes or non-residential purposes, any motor vehicles or any parts thereof, machinery, furniture, household goods and household appliances that are inoperable, scrapped, discarded, or junked, provided that this section shall not apply to:

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Section 11-46. Declared Public Nuisance.

Violation of this ordinance is hereby declared to constitute a public nuisance which is enjoined in any court of law in this Parish upon proper application of the City of Slidell or its designated representative. In order to more effectively carry out the intent of this article, the ^{Mayor or his designee} city clerk shall send to the property owner as determined from the latest assessment rolls, or the occupant of the property failing to comply with the requirements of this article, a written notice requiring such property owner to comply therewith within fifteen (15) days from the date of receipt thereof. Such notice shall be posted by registered or certified mail, with return receipt requested. Any costs incurred by the City of Slidell in connection with the obtaining of an injunction or the removal of the item or items which violate this ordinance shall be taxed as costs to the person who violates this ordinance.

INSERT HERE

The Mayor or his designee shall enforce this ordinance upon his own initiative whenever conditions violating this ordinance shall come to the attention of the Mayor or his designee, or upon request of an individual citizen or homeowners association. No further regulating enforcement of this ordinance shall be required to submit his or her name as a condition for enforcement of the ordinance.

Section 11-47. Judicial Determination.

If the owner or occupant of said premises so desires, he may, within said ten (10) day period after service of notice to abate the nuisance, request of the ^{clerk of court} city clerk, either in person or in writing and without the requirement of bond, that a date and time be set when he may appear before the city court for a trial to determine whether he is in violation of this article, and whether or not the location and continued existence of the abandoned, stripped, wrecked, or junked vehicle or materials on his property constitutes a public nuisance.

Section 11-48. Penalty.

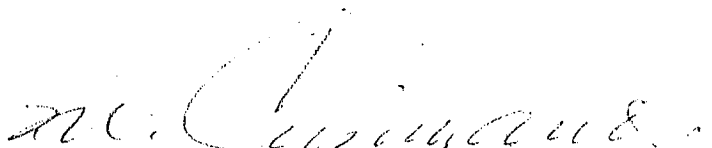
If there has been no compliance by said property owner or occupant with the requirements of this article within fifteen (15) days of a judgment of the court determining that he is in violation, the owner or occupant shall be guilty of a misdemeanor and on conviction thereof shall be fined a sum not to exceed Two Hundred (\$200.00) Dollars per offense plus the cost of removal of the item or items which violate this article.

Section 11-49. Existing Businesses.

The provisions of this ordinance shall not affect any legitimate businesses which are operating junk and salvage yards as defined in Section 11-41, on the date this ordinance becomes effective.

INTRODUCED AND ADOPTED this 26th day of November, 1974.

And amended May 8th 1979


Frank N. Cusimano, Mayor

A TTEST:


John Swenson CMC, City Clerk

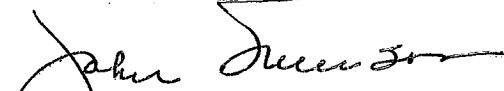
PUBLIC NOTICE

Item No. 79-4-44, a proposed ordinance amending Junk Ordinance No. 953, was introduced at the City Council Meeting on April 10th, 1979.

A Public Hearing will be held at 6:30 P.M. May 8th, 1979, in the Council Chambers, 2055 Second Street on this matter.

The proposed ordinance is printed in full as required by Ordinance 1084.

City of Slidell, Louisiana



John Swenson CMC
Clerk of the Council

4/19-26
5/3