

AMENDMENT NO. 2 TO
ORDINANCE 97-O-02

AN ORDINANCE AMENDING ORDINANCE 97-O-02 PROHIBITING THE
DEPOSITING OF MUD, DEBRIS OR ANY FOREIGN SUBSTANCES
ON PARISH ROADS AND ROAD RIGHTS-OF-WAY
AND TO PROVIDE FOR PENALTIES FOR VIOLATION OF SAME

BE IT ORDAINED by the Police Jury of Vermilion Parish, in regular session convened on this 18 day of April, 2016 that the Vermilion Parish Police Jury wishes to amend the Parish Ordinance No. 97-O-02 relative to the depositing of mud, debris or any foreign substances on parish roads and road rights-of-way, and to provide for penalties, and that Ordinance No. 97-O-02 be and is hereby amended to provide as follows:

SECTION 1: ACTS PROHIBITED:

It shall be unlawful for any person to place or deposit mud, debris, or any other foreign substance upon parish roads or within parish road rights-of-way;

SECTION 2: REMEDIAL ACTION:

Any person causing mud, debris or any other foreign substances to be placed upon parish roads or within parish road rights-of-way shall remove said substances immediately, and in no event shall foreign substances be allowed to remain on parish roads or parish road rights-of-way beyond sunset.

SECTION 3: SIGNAGE REQUIRED:

Any persons loading or unloading crops or engaged in any agricultural activities near or upon parish roads or parish road rights-of way shall post appropriate signs warning the public of same.

SECTION 4: REMOVAL BY PARISH AUTHORIZED

Any department of the Vermilion Parish Police Jury, or any agency of the Police Jury that responds to an incident shall have the authority to charge any person causing or contributing to the deposition of mud, debris, or any foreign substance, the expenses of undertaking any actions necessary to contain, abate, clean-up, restore or remove the deposition.

SECTION 5: VIOLATOR RESPONSIBLE FOR COSTS

The Vermilion Parish Police Jury, as the governing authority of the parish, shall assess charges for remedial costs and shall furnish a detailed invoice of these charges. In any case, the minimum charge to be assessed shall be Two Hundred Fifty and no/100 (\$250.00) Dollars.

SECTION 6: COLLECTION OF CHARGES

The Vermilion Parish Police Jury, as the governing authority of the parish assessing charges for remedial costs, shall also have the authority, pursuant to the laws of the State of Louisiana, to use any reasonable means to collect and enforce the collection of such costs.

In any such action, the Vermilion Parish Police Jury shall, in accordance with law, be entitled to recover the amount of said costs, together with all costs of court and reasonable attorney fees.

SECTION 7: PENALTY

Anyone convicted of a violation of this Ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than Five Hundred and no/100 (\$500.00) Dollars, or imprisonment for not more than thirty (30) days, or both.

SECTION 8: DECLARATION

If any word, clause, phrase, section or other portion of this Ordinance shall be declared null, void, invalid, illegal or unconstitutional, the remainder of said Ordinance shall remain in full force and effect.

SECTION 9: IMPLEMENTATION

This Amendment shall become effective upon adoption by the Vermilion Parish Police Jury, and promulgation in accordance with law.

BE IT FURTHER ORDAINED that all other provisions of Ordinance No. 2005-O-09 shall remain the same.

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This amendment having been submitted in writing, having been read and adopted at a public meeting of the Police Jury of the Parish of Vermilion, State of Louisiana, was then submitted to an official vote as a whole, the vote was thereon being as follows:

YEAS: Mr. Dane Hebert, Mr. Leon Broussard, Mr. Ronald Darby, Mr. Wayne Touchet, Mr. Mark Poche', Mr. Paul Bourgeois, Mr. Sandrus Stelly, Mr. Kevin Sagrera, Mr. Ronald Menard, Mr. Pervis Gaspard, Mr. Cloris Boudreaux, Mr. Errol Domingues

NAYS:

ABSENT: Mr. Nathan Granger, Mr. Jason Picard

I, Linda Duhon, Administrator of the Vermilion Parish Police Jury, do hereby certify that the above is a true and exact copy of an ordinance adopted by the Vermilion Parish Police Jury, at the regular meeting of April 18, 2016, at which a quorum was present and acting.

LINDA DUHON, Administrator
Vermilion Parish Police Jury