

PUBLIC NOTICE

Notification to the Public that the following Ordinance as amended by the Board of Aldermen will be enforced in the Corporate Limits of the City of Opelousas

ORDINANCE NO. 9 OF 2010

AN ORDINANCE TO ADOPT THE ANTI-LITTER AMENDMENTS TO CHAPTER 25, ARTICLE IV OF THE EXISTING LITTER ORDINANCE OF THE CITY OF OPELOUSAS CODE OF ORDINANCES

Article IV, Section 25-55. Littering generally; definitions; prohibitions.

Adding subparagraph (g): "It shall be unlawful for any person to scatter, throw, deposit, blow by mechanical means, drop, allow or permit to allow scattered, spilled, thrown, deposited, dropped, or blown by mechanical means any garbage, trash, leaves, grass clippings, or debris from private property onto any public sidewalk, street, alley, wharf, levee, public right-of-way, gutter, catch basin, or drainage structure within the City of Opelousas".

Article IV, Section 25-57. Enforcement.

Revising Paragraph 2, Line 1: "The Department of Public Works, the Police Department, and the Department of Code Enforcement are hereby empowered, as agents of the City, to issue citations to appear in court to any person believed to be responsible for damaging the City by depositing litter with the City".

Article IV, Section 25-58. Penalty.

Moving Subparagraphs (a - e) to Subparagraph (b - f) and adding a new Subparagraph (a):

(a) "Any person violating the provisions of this article shall be issued one (1) 'warning citation' of the offense. Any subsequent violations will be addressed, and penalty(s) imposed as provided in paragraphs (b), (c), (d), (e) and (f) of this article".

(b) "Any person violating the provisions of this article shall be fined not more than one hundred dollars (\$100.00), ordered to pick up trash or refuse for a period of not more than eight (8) hours, or any combination thereof for a second conviction".

(c) "For a third conviction, such person shall be fined not more than two hundred fifty dollars (\$250.00) dollars, ordered to pick up trash or refuse for a period of not more than twenty (20) hours, or any combination thereof".

(d) "For a fourth or subsequent conviction, such persons shall be fined not more than five hundred dollars (\$500.00) dollars, ordered to pick up trash or refuse for a period of not more than forty (40) hours, or any combination thereof".

(e) "The offender may be cited for the offense by means of a ticket, summons, or other means provided for by law".

(f) "A person may be found guilty and fined under this section although the commission of the offense did not occur in the presence of a law enforcement officer if the preponderance of the evidence presented to the City Council indicates that the defendant has committed the offense. The defendant may appeal the citation before the City Council in a hearing similar to the procedure now being used for condemnation appeals".

Submitted for Publication by:

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Reginald Tatum, Mayor
Opelousas City Council*