

VINTON, LA
February 20, 2018

The Mayor and Council of the Town of Vinton, Louisiana, met in regular session at the regular meeting place of said Mayor and Council, in the Town Hall, Vinton, Louisiana, at 6:00 p.m. on the 20th day of February, 2018, with the following members present:

Kenneth O. Stinson, Mayor
Bliss Bujard, Council Member
Stephanie Hardy, Council Member
William "BB" Loyd, Mayor Pro Tem
Paul Patin, Council Member
Patrick Vice, Council Member

ABSENT: None

ALSO PRESENT: Cade R. Cole, Town Attorney

The following Reports were submitted:

Total Payroll for January, 2018	\$ 117,923.82
Total Receipts for January, 2018	\$1,154,861.13
Total Disbursements for January, 2018	\$1,093,478.16
Total Bills for January, 2018	\$ 383,905.12

Kenneth O. Stinson, Mayor called the meeting to order and Council Member Loyd led in prayer, and then followed the Pledge of Allegiance.

It was moved by Council Member Loyd that the minutes of prior meetings, copies of which were mailed to each council member prior to the meeting, be approved as written. The motion was seconded by Council Member Patin and carried.

Mary Vice, City Clerk gave the monthly Administration Department report.

Bills for the month of January, 2018, were approved and payment authorized upon a motion by Council Member Loyd, seconded by Council Member Hardy and carried.

Mayor Stinson updated the governing authority on pending grants and projects

Mayor Stinson presented a Proclamation to the VMS Girls Basketball Team in honor of their 2017-2018 Undefeated Season.

It was moved by Council Member Bujard to recess the regular meeting for a Public Hearing on the proposed Code Enforcement Ordinance. The motion was seconded by Council Member Patin and carried.

Attorney Cole reviewed the Ordinance and public comment/questions were called for.

Justin Thibodeaux stated he thinks the proposed ordinance will be a good thing. Ms. Leah Sphinx asked if the ordinance would apply to commercial businesses as well as residential. Mr. Les Farnum, Police Juror reminded the public present that the Parish has dump sites open and available to residents for disposal of construction debris at no cost.

There being no further input from the public present, it was moved by Council Member Bujard that the regular meeting be re-convened. The motion was seconded by Council Member Vice and carried.

It was moved by Council Member Bujard that the following Ordinance be adopted. The motion was seconded by Council Member Patin and the vote cast thereon was as follows:

YEAS: Council Members Bujard, Hardy, Loyd, Patin and Vice

NAYS: None

ABSENT: None

ORDINANCE NO. _____

CODE ENFORCEMENT AND RELATED MATTERS.

The ordinances are amended to provide relative to the Town's Code Enforcement, and to provide related to junk.

Be it ordained by the Mayor and Council of the Town of Vinton, as governing authority of the Town of Vinton, in its regular meeting on February 20, 2018, that:

- 1) That the Code of Ordinances, Town of Vinton, Louisiana, be hereby amended to add and insert:**

Section 1-10 - Administrative adjudication and Code Enforcement.

- (a) The *Code* of Ordinances of the Town of Vinton is hereby amended to establish administrative adjudication procedures to *enforce* public health, housing, fire *code*, zoning *code*, building *code*, environmental and historic district ordinances, as well as ordinances related to community or property standards including ordinances regulating junk, weed and grass, or for any other related ordinances, whether currently adopted or hereinafter adopted, and which shall be hereinafter referred to in this Section as "Code Enforcement."
- (b) In addition to all other remedies provided for in this Code of Ordinances, the Town may engage in Code Enforcement in accordance with the provisions of this Section. Enforcement pursuant to this Section shall be cumulative with all other rights of action or options for enforcement, and action pursuant to this Section shall have no effect on the ability to seek redress through any other provision of law or ordinance.
- (c) The Mayor may designate a Town employee as Code Enforcement Officer, with duties designated by the Mayor, and he may receive assistance from other Town employees when approved by the Mayor.
- (d) For the purposes of this Section Alleged violator shall mean the owner of the property and any known tenant or lessee of the property; and any person who has been determined by the *Code Enforcement Officer* to be responsible for a violation of any ordinance covered by this section.
- (e) Except where an explicit lower amount is specified herein, a civil fine may be imposed for a violation of said provisions in the amount otherwise specified in Section 1-8 of the *Code* of Ordinances. Any fine imposed pursuant to this article, for a violation of the above-stated provisions shall be deemed a civil penalty and shall not require criminal prosecution or conviction; and, to this end, any violation of any provision set forth in this article shall be deemed a civil violation. For each separate violation, levy fines, fees, penalties, and hearing costs.
- (f) If the Code Enforcement Officer determines that a violation has occurred it shall give written notice through a personally served notice, or through notice served by registered mail. The notice shall describe the alleged violation and order violators to correct violations within a stipulated time. As directed by the Mayor, the Code Enforcement Office may take necessary and

lawful measures to effect correction of the violation if the violator fails to do so within the time allocated by the hearing officer. Any costs incurred by the Town may be recovered.

- (g) The Notice provided for in paragraph (f) shall provide a notice of a right to request an administrative review for cited Code Enforcement violations within five days of receipt. If requested, a hearing shall be held within ten days of the receipt of the request. The alleged violator shall be notified of the time, date and location of the hearing, and the amount or nature of possible penalties.
- (h) Notices under this Section shall be served upon the alleged violator, and where applicable, upon the owner of the property, by certified mail, addressed to the alleged violator, and where relevant, to the owner of the address listed in the assessor's office, or may be personally served upon the alleged violator, or the owner of the property. The date of the postmark shall be deemed to be the date of delivery. Any notification so sent and returned by the United States Post Office shall be considered as having fulfilled the notification requirement. Any notice of violation subject to this administrative adjudication process may, in addition to the personal or mail service required above, and if said violation is related to an immovable property, a notice of violation may be affixed in a prominent location and shall be in large print on the property on which a violation is alleged.
- (i) If the Code Enforcement Officer upholds the decision of violation, the violator shall be notified in person, or as provided for in paragraph (h), the alleged violator shall be informed that he has forty-eight hours to request an appeal to the Town Council.
- (j) In addition to the remedy set out in R.S. 13:2575(B)(2), the town attorney or his/her designee is authorized to file a civil action in the Justice of the Peace or the district court to *enforce* the orders of the Code Enforcement Officer if the violator fails to pay the fines, costs or penalties fixed, or fails to correct the violation as ordered within the time set by the hearing officer.
- (k) Where the violator fails to abate the violation after being ordered to do so by the hearing officer, the Town may undertake to correct the violation, and the cost of such shall be imposed upon the violator as a cost, • In addition to the remedy set out in other provisions of this article, the recordation shall have the effect of a judicial mortgage against the immovable property described therein and may be *enforced* against the immovable property upon application of the city to the clerk of the 14th Judicial District Court for issuance of a writ in accordance with *Code* of Civil Procedure article 2253.
- (l) It shall be unlawful for any person to interfere with a code enforcement officer or law enforcement officer carrying out official duties and responsibilities provided by the Code. Such interference shall be considered a misdemeanor punishable by a fine of not more than five hundred dollars (\$500.00).

2) That the Code of Ordinances, Town of Vinton, Louisiana, be hereby amended to amend and restate Section 14-3 as follows:

Sec. 14-3. - Same—Removal and disposal.

Said junk, wrecked or used automobiles or motor vehicles, or any part or parts thereof shall be removed and disposed of within ten (10) days after notice is given by the mayor by placing the notice on the vehicle itself, or given by certified mail to the owner, if known. Any vehicle, or prohibited junk, which remains on the public ways or private property after such notice is given shall be considered and deemed the property of the town and shall be disposed of by the town by selling same at private sale.

In the case of other abandoned property set forth in section 14-1, the notice shall be given to the

owner of the lot or parcel of ground upon which said junk is located, and the cost of removing said material shall constitute a special lien and shall be included and form part of the taxes due by the owner of said property, and when collected shall be credited to the general fund of the town.

THE above stated Ordinance was duly adopted by a majority vote of the Town Council at a meeting on the 20th day of February, 2018. THUS DONE AND SIGNED ON THIS 21ST DAY OF FEBRUARY, 2018.

APPROVED:

KENNETH O. STINSON, MAYOR

ATTEST:

MARY O. VICE, CLERK

Chief Ricky Fox gave the monthly Police Department report.

Terry Vice, Public Works Director gave the monthly Public Works and Electrical Department reports.

Chris Vice, Fire Chief gave the monthly Fire and Civil Defense reports.

Ms. Nancy Bohnhoff requested an additional 90 days for her exception to live in the RV at 2203 Fontenot Street while the remodeling job is completed on her house.

It was moved by Council Member Loyd to allow the additional 90 days to Ms. Bohnhoff's exception to live in the RV at 2203 Fontenot Street while the remodeling job is completed on her house. The motion was seconded by Council Member Hardy and carried.

There being no further business to come before the Governing Authority, it was moved by Council Member Hardy that the meeting be adjourned. The motion was seconded by Council Member Loyd and carried.

Kenneth O. Stinson, Mayor

ATTEST:

Mary O. Vice, City Clerk