

ORDINANCE NO. 612

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF OAK GROVE AMENDING THE FOLLOWING SECTIONS OF THE CODE OF ORDINANCES OF THE TOWN OF OAK GROVE:

- CHAPTER 4, ARTICLE VII. REMOVAL OF DANGEROUS STRUCTURES, SECTIONS 4-66 THROUGH 4-79; AND,
- CHAPTER 8, ARTICLE I. IN GENERAL, SECTION 8-1 AND SECTIONS 8-13 THROUGH 8-29; AND,
- CHAPTER 8, ARTICLE II. ABANDONED VEHICLES AND OTHER RUBBISH AND JUNK, SECTIONS 8-30 THROUGH 8-39.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF OAK GROVE, LOUISIANA THAT:

§1. CHAPTER 4, ARTICLE VII. REMOVAL OF DANGEROUS STRUCTURES, of the Code of Ordinances of the Town of Oak Grove, Louisiana (the "Code") is amended to read as follows:

Sec. 4-66. Condemnation of buildings authorized.

The Council may condemn and cause to be demolished or removed any building or structure within the Town when it is in a dilapidated and dangerous condition which endangers the public welfare. **La. R.S. 33:4761**

(Code 1976, § 12-3061)

Sec. 4-67. Notice to owner; absent owner; hearing; emergency removal; filing.

- Before the Town Council may condemn any building or structure there must be submitted to it a written report recommending the demolition or removal of the building signed by the building inspector. The mayor shall cause notice to be served on the owner of the building or structure requiring such owner to show cause at a meeting of the council, regular or special, why the building or structure should not be condemned. The date and hour of the meeting shall be stated in the notice, which shall be served at least ten (10) days prior to the date of the hearing, except in case of grave public emergency as hereinafter provided.
- The notice may be served by the chief of police or by any sheriff or deputy sheriff having jurisdiction and power to serve legal process where the owner of the building or structure is found in the state, and the officer shall make return of the service as in ordinary cases. Additionally, the Town will post a notice to a door or main entrance of the premises or in a conspicuous place on the exterior of the premises.
- The notice may be served by mailing it via the United States Postal Service, by either registered or certified mail, return receipt requested, to the owner at the owner's last known address.
- Service by registered or certified mail shall be considered personal service if the certified return receipt or the return form is signed by the addressee. Service by registered or certified mail shall be considered domiciliary service if the certified return receipt or the return form is signed by anyone other than the addressee.
- If the registered or certified mail is returned for failure to obtain a signature on the return receipt form or returned due to refusal of delivery, service may be accomplished by first class mail, with a certificate of mailing. Service by first class mail in accordance with this Subparagraph shall be considered personal service and is effective when mailed.
- If the owner be absent from the state or unrepresented therein, the notice shall be served upon the occupant of the condemned building or structure, if any, and also upon an attorney at law appointed by the mayor to represent the absentee. Domiciliary service may be made as in ordinary cases.

- (g) In case of grave public emergency where the condition of the building is such as to cause possible immediate loss or damage to person or property the council may condemn the building after twenty-four (24) hours notice served upon the owner or the owner's agent or the occupant and attorney at law appointed to represent the absentee owner. Any such notice may be attached to a door or main entrance of the premises or in a conspicuous place on the exterior of the premises and shall have the same effect as delivery to or personal service on the owner, occupant, or attorney at law appointed to represent the absentee owner. **La. R.S. 33:4762(c)**
- (h) The Town shall file any notice served pursuant to this Section with the recorder of mortgages in West Carroll Parish. The filed notice will be deemed notice to all subsequent transferees. Any transferee of such property will take the property subject to all recorded liens, mortgages and notices pertaining to the property. **La. R.S. 33:4762(d)**
(Code 1976, § 12-3062)

*State law reference—Authority and procedure, **La. R.S.33:4761 et seq.**

Sec. 4-68. Decision; order to demolish or repair.

After the hearing, if, in the opinion of the council, the facts justify it, an order shall be entered condemning the building and ordering that it be demolished or removed within a certain period. If repairs will correct the dilapidated, dangerous or unsafe condition, the council may grant the owner the option of making such repairs, but in such a case the general nature or extent of the repairs to be made, the time thereof, and the defects to be corrected, shall be specified in the decision of the council.

The decision and order of the council shall be in writing and shall be final unless appealed from within five (5) days as hereinafter provided. The Town will post a notice to a door or main entrance of the premises or in a conspicuous place on the exterior of the premises.

(Code 1976, § 12-3063) **La. R.S. 33:4763**

Sec. 4-69. Appeal from decision.

The owner, or the occupant, agent or other representative of the owner may appeal from the decision of the council to the district court having jurisdiction over the property. The appeal shall be made by the filing of a suit against the municipality setting forth the reasons the decision or order of the council is illegal or improper and the issue shall be tried de novo and by preference in the district court. Where a grave public emergency has been declared by the council, the owner of the building who desires to prevent the demolition or removal thereof must file a petition within forty-eight (48) hours and must, at the time of the filing of the petition, furnish such bond as may be fixed by the district judge to cover any damage that might be caused by the condition of the building.

Either party may appeal from the judgment of the district court as in other cases.

(Code 1976, § 12-3064) **La. R.S. 33:4764**

Sec. 4-70. Compliance with decision; demolition by Town where owner fails to comply; notice, assistance of National Guard.

- (a) The owner or the owner's designated agent may proceed to demolish and remove the building, or have it repaired, in accordance with the order of the council, provided the owner or agent executes a contract in writing obligating the owner and agent to have the work done within the required time and files with the mayor a copy of the contract, together with a bond to guarantee performance.
- (b) In the event the owner or agent of the building or structure fails or refuses to comply with the decision of the council and fails to appeal therefrom within the legal period provided herein, the mayor may proceed with the demolition or removal of the condemned building or structure, in which case neither the mayor nor the municipality shall be liable in damages.
- (c) Prior to the demolition or removal of the building or structure by the municipality, the mayor or some official designated by the mayor shall serve notice on the owner, or the owner's agent, and on the occupant of the building, if any there be, or upon the attorney at law appointed to represent the minor, interdict or absentee owner, giving the time work will begin upon the demolition or removal of the building.

(Code 1976, § 12-3065)

- (d) Notwithstanding Paragraph (c) of this Subsection, in cases of grave public emergency, the posting of the notice attached to the door or main entrance of the premises or in a conspicuous place on the exterior of the premises giving the time when work will begin upon the demolition or removal of the building, structure, or public nuisance shall be considered sufficient notice to the owner, occupant or attorney at law appointed to represent the absentee owner.
- (e) The Town Council may request and the adjutant general may assign, subject to the approval of the governor, National Guard personnel and equipment to assist in the removal and demolition of condemned buildings, structures, or public nuisances. The provisions of this Subsection shall be applicable when the budget for the demolition and removal of condemned structures has been expended by the Town Council. However, the request must be accompanied by documentation that all procedural protections and substantive restraints have been adhered to by the Town.
- (f) In the event all procedural protections and substantive restraints have been adhered to by the Town Council, the Town and their personnel and the national guard and their personnel, shall not be liable to the owner of the building, structure, or public nuisance for any damages sustained resulting from the demolition of the building, structure, or public nuisance. **La. R.S. 33:4765**

Sec. 4-71. Lien and privilege for cost recovery by Town.

- (a) The Town has a privilege and lien upon an immovable and its improvements, and the owner is personally liable for:
 - (1) The cost to the Town of maintenance of the immovable or improvements; and
 - (2) The cost to the Town of demolishing or removing, or both, a building or other structure situated upon the immovable or improvements, and all attorney fees incurred by the Town in connection with such demolition or removal.
- (b) "Maintenance" shall include but not be limited to grass cutting, weed abatement, abandoned motor vehicles, rubbish, junk, and trash and garbage removal.
- (c) The privilege and lien shall be preserved and enforced only after the owner has refused, after notification by the Town and reasonable opportunity to be heard, to pay the costs incurred by the Town.
- (d) The privilege and lien shall be preserved by the filing and recording of an affidavit signed by the mayor or his designee in the mortgage office of West Carroll Parish. The affidavit shall include a description of the property sufficient to reasonably identify the immovable and a statement of facts listing the approximate cost or costs incurred by the Town. (See subsections (h), lien may include attorney's fees and/or costs of court, and (i) interest on amounts secured by the lien as may be authorized by municipal ordinance.)
- (e) The privilege and lien shall be enforced by ordinary process in the district court having jurisdiction of the immovable within three (3) years after it is perfected.
- (f) Alternatively, the privilege and lien may be enforced by assessing the amount of the privilege and lien against the immovable as a tax against the immovable, to be enforced and collected as any ordinary property tax lien to be assessed against the property; said lien and privilege may be collected in the manner fixed for collection of taxes and shall be subject to the same civil penalties for delinquencies.
- (g) After the Town has incurred such costs as constitute the lien and privilege on the property, the mayor and/or any director of any community development department of the Town may send an attested bill of said costs and expenses which constitute the lien and privilege to the tax assessor of West Carroll Parish, who shall add the amount of said bill to the next tax bill of the owner. (See subsections (h), lien may include attorney's fees and/or costs of court, and (i) interest on amounts secured by the lien as may be authorized by municipal ordinance.)
- (h) The lien obtained by the Town pursuant to proper notification and filing shall include not only the costs provided for in subsection (a) of this section but shall include all attorney's fees and/or all costs of court incurred in the locating of the owner, the

notification of the owner and the enforcement and collection of the amount secured by the lien against the immovable and the improvements.

- (i) The Town may also recover interest on the amounts secured by the lien. The interest shall not exceed the rate of legal interest provided in La. R.S. 9:3500 and shall be computed from the date of recordation of the lien until such lien is paid. The Town's privilege and lien shall prime all other liens or privileges against the property filed after the notice to the owner to show cause is filed with the recorder of mortgages pursuant to La. R.S. 33:4762(D), regardless of the date on which the lien and privilege of the Town is perfected, except that the Town's lien and privilege will not prime other tax liens against the property.
- (j) The lien of the Town shall not be cancelled until after payment of all amounts, including costs, attorney fees, and interest.
- (k) In addition to the lien and enforcement procedures authorized under this Section, the Town has a cause of action against the owner personally for the costs incurred by the Town, if such owner is not indigent and has the ability to pay a judgment obtained by the Town. Such action may be brought by ordinary proceeding in any court of competent jurisdiction.
- (l) If property, which may be subject to a lien and privilege granted in favor of the Town under this Section, is owned in indivision and the owners in indivision, with their proportionate share in the property, are listed separately by the Tax Assessor on the ad valorem tax roll for the Town, then the Town shall notify each owner in indivision of the owner's liability under this Section.
 - (1) Upon failure of each owner in indivision to pay his proportionate share of the charges incurred under this Section, that part of the property for which the charges are not paid shall be subject to a lien and privilege in favor of the Town, as provided in this Section.
 - (2) Notwithstanding the provisions of Subsection (h) of this section to the contrary, upon payment by an owner in indivision of their proportionate share listed on the ad valorem tax roll for the Town of the charges, attorney fees and interest incurred under this section, and after certification of such proportionate interest by the Tax Assessor, the lien and privilege granted under this section shall be removed from the proportionate interest of the paying owner in indivision. If outstanding charges levied under this section are added to the annual ad valorem tax bill, the proportionate payment by the paying owner in indivision shall be reflected on the bill and as interest in the property free of such charge shall be distinguished on the tax bill.
 - (3) Notice of the lien and privilege required in this section shall be made upon the owner's indivision at their actual address, or the last known address listed on the West Carroll Parish tax rolls.

(Code 1976, § 12-3066) **La. R.S. 33:4766**

Sec. 4-72. Attorney to represent absentee, minor, or interdict.

In the event the building or structure is unoccupied and its owner is absent from the state and unrepresented therein, or in the event the building is owned by a minor who has no tutor or an interdict who has no curator, the mayor shall appoint an attorney at law to represent the absentee, minor or interdict upon whom the notices and other proceedings provided in this article may be served. The attorney shall be paid a reasonable fee to be taxed as cost.

(Code 1976, § 12-3067) **La. R.S. 33:4767**

Section 4-73. Compliance with Local, State, and Federal Requirements.

The person(s) performing any renovation or demolition work as may be required by this Ordinance shall be responsible for obtaining all local, state, or federal permits, if any, for such work and also shall be responsible for compliance with any local, state, and federal requirements pertaining to the renovation or demolition work.

§2. CHAPTER 8, ARTICLE I. IN GENERAL, of the Code is amended as follows:

Sec. 8-1. Definitions is amended to delete the following definition:

“Rubbish: Nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery, and plastic and similar materials.”

Sec. 8-13 through Sec. 8-29 are amended to read as follows:

Sec. 8-13. Vegetation-Noxious weeds and grass prohibited; declaration of nuisance.

- (a) No person owning or occupying any property within the municipality shall permit any grass or weeds to grow or remain upon such premises so as to exceed a height of twelve (12) inches, except where zoning regulations permit grass to be grown for livestock or other commercial purposes.
- (b) Any grass, weeds or other vegetation growing upon any premises in the municipality in violation of any of the provisions of this ~~section~~ Chapter is hereby declared to be a nuisance and detrimental to the health, safety, cleanliness and comfort of the inhabitants of the municipality.

(Code 1976, § 8-2001) **La. R.S. 33:5062 and La. R.S. 33:362.**

Sec. 8-14. Same - Encroachment upon adjoining properties; interference with traffic.

- (a) No person owning or occupying any property within the municipality shall permit any trees, hedges, bushes or shrubbery, of whatsoever kind or nature, to grow or remain upon such premises, or in the area between the sidewalk and curb abutting such premises so as to encroach upon the adjoining sidewalks, streets, highways or alleys in such manner as to interfere with pedestrians or vehicular traffic lawfully using such sidewalks, streets, highways or alleys, or in such manner as to restrict the clear view of vehicular traffic using such streets, highways or alleys.
- (b) Any trees, hedges, bushes or shrubbery growing upon any premises in the municipality or in the area between any sidewalk and curb abutting any such premises, in violation of any of the provisions of this section is hereby declared to be a nuisance and detrimental to the health, welfare and safety of the inhabitants of the municipality.

(Code 1976, § 8-2002)

Sec. 8-15. Same - Cutting grass on premises; owner's or occupant's duty.

The owner of any premises, as to vacant premises or premises occupied by the owner, and the occupant thereof, in case of premises occupied by other than the owner thereof, shall remove, trim or cut all grass, weeds or other vegetation growing or remaining upon such premises in violation of the provisions of section 8-13.

(Code 1976, § 8-2003)

Cross reference-Prevention of grass fires by commercial enterprises, § 7-4 .

Sec. 8-16. Same - Clearing bushes from premises.

The owner of any premises, as to vacant premises or premises occupied by the owner, and the occupant thereof, in case of premises occupied by other than the owner thereof, shall remove, trim or cut all trees, hedges, bushes or shrubbery, of whatsoever kind or nature, growing or remaining upon such premises, or in the area between the sidewalk and the curb abutting such premises, in violation of the provisions of the section 8-14.

(Code 1976, § 8-2004)

Sec. 8-17. Same – Enforcement; Notice and Abatement.

In the event any owner of property shall fail or neglect to comply with the provisions of Sections 8-13 through 8-16, the Town may perform the required work. No such work shall be undertaken by the Town until the owner of the lot, place, or area where the weeds or growths are to be removed, as shown on the last assessment roll of the Town, has an opportunity of doing the work within at least five days after notice has been given said owner by registered mail, addressed in accordance with the tax rolls of the Town, or by advertisement in the official journal of the Town for two consecutive publications. **La. R.S. 33:5062(c)**

Sec. 8-17.1. Repeat Offenses.

The Town may undertake the cutting, destruction, or removal of noxious weeds or grass or other deleterious, unhealthful, or noxious matters on any property within its jurisdiction on a monthly basis without the notice required in Section 8-17 if the property owner liable has been notified pursuant to said Section at any time during the immediately preceding twelve months and has failed to do the work after opportunity to do so. However, prior to undertaking such work, the Town shall file and record an affidavit, signed by the Mayor or his designee, at the administrative office. Such affidavit shall include the following:

- (1) A description of the property sufficient to reasonably identify it.
- (2) A photograph of the property sufficient to reasonably identify its unsafe or unsanitary conditions and to justify the necessity for cutting, destroying, or removing weeds, grass, or other noxious growths.
- (3) A statement that the property owner liable has within the past twelve months failed to do such work after notification and opportunity to do so pursuant to this Section.

Sec. 8-17.2. Cost Recovery by Town.

- (a) The Town shall send to the property owner, by registered mail, a bill for the actual charges, costs, and expenses incurred by the Town for removal of noxious weeds or grass or other deleterious growth, pursuant to **La. R.S. 33:5062(A)**.
- (b) Upon failure of the property owner to pay the charges within thirty* days of receipt of the bill, the tax collector of the Town shall furnish the owner, as shown on the last assessment roll of the Town, by registered mail a written statement showing the cost or expense incurred for the work, and the place or property on which the work was done. If the said statement is not paid within one month thereafter, the amount thereof shall be included in and form part of the taxes due by the owner of said property, and when collected shall be credited to the general fund of said municipality, pursuant to **La. R.S. 33:5063**.
- (c) The tax collector shall maintain a record of such charges prior to the filing of the tax rolls, which record shall be open to inspection at all times and which shall constitute legal notice to the purchasers of the property, or parties lending money thereon, of the assessment, pursuant to **La. R.S. 33:5064**.
- (d) Alternatively, upon failure of the property owner to pay the charges within thirty days of receipt of the bill, the Town may institute cost recovery as provided by Section 4-71 of this Code. **La. R.S. 33:4766**

Secs. 8-20-8-29. Reserved.

§3. CHAPTER 8, ARTICLE II. Abandoned Vehicles and Other Rubbish and Junk, of the Code is amended as follows:

Section 8-30. Rubbish Abatement.

- (a) Definition.

As used in this article, “rubbish” shall mean trash, debris (any material which is incapable of immediately performing the function for which it was designed), junk (equipment missing parts or otherwise in an obvious state of disrepair), garbage (food waste), discarded or abandoned appliances, machinery, metal, construction materials, or other discarded items.

- (b) Rubbish Prohibited.

Pursuant to **La. R.S. 33:4876**, it is hereby prohibited for any owner or occupant of a lot or tract of ground within the Town to maintain, use, store, or abandon rubbish, as defined in this Chapter, on any vacant lot or tract of ground, or any portion of any occupied lot, tract of ground, neutral ground, street or sidewalk.

(c) Notice of Rubbish Violations.

- (1) The failure by any owner of a lot or tract of ground to keep the premises free of such rubbish shall subject the owner to notice from the Town ordering the removal of such rubbish from the premises and its proper disposal at the sole cost of the owner. The Mayor or Mayor's designee is authorized to issue a notice to such owner to rid his premises of the rubbish.
- (2) The notice shall be given by certified, return receipt mail to the last known address of the owner or, in case no address is known, then such notice shall be posted for a period of ten days upon the premises containing the rubbish to be removed.

(d) Appeals.

Any person desiring to appeal the requirements of the notice shall request a hearing, in writing, before the Oak Grove Town Council within ten days of receipt of the notice. Any person aggrieved by the decision of the Town Council shall have the right to appeal to a court of appropriate jurisdiction within 30 days of the decision by the Town Council.

(e) Removal of Rubbish by Town.

If after ten days from the date of the notice, the rubbish has not been removed, and no appeal has been filed under this Section, the Town shall have the right to enter the premises and remove the rubbish and charge the costs, not to exceed the maximum amount allowed by La. R.S. 33:4876, of such removal to the owner. **La. R.S. 3:4876(C).**

(f) Cost Recovery by Town.

Upon failure of the property owner to pay the charges within thirty days of receipt of the bill, the Town may institute cost recovery as provided by Section 4-71 of this Code. **La. R.S. 33:4766**

*Cross reference-Abandoning or discarding airtight containers, § 8-12.

State law reference-Authority, **La. R.S. 33:4876.**

Section 8-31. Abandoned and Nuisance Vehicles.

(a) Definitions.

Abandoned vehicle means a motor vehicle that has been left more than seventy-two hours, on the street or right-of-way of any street within the Town of Oak Grove, or unattended or illegally on public property, or on private property without the consent of the owner or person in control of the property, as provided in **La. R.S. 32:471.**

Nuisance vehicle means any motor vehicle which is totally inoperable, and is so damaged or dismantled as to be a total loss, which has been left unattended for a period of five (5) days or longer, and is not stored within an enclosed building so that it is not visible from a street or other public or private property.

Total loss means the cost to repair such damaged or dismantled motor vehicle or part exceeds the junk value, as determined by any recognized national vehicle appraisal book. **La. R.S. 33:4876.**

(b) General.

The outside storage of abandoned or nuisance vehicles, as defined in this section, has been found to create conditions that are a hazard to health, safety, and welfare of the residents of the Town, to promote blight and deterioration, to create fire hazards and breeding grounds for pests, to constitute an attractive nuisance, and to tend to reduce the value of property. The presence within the corporate limits of Oak Grove of any abandoned or nuisance vehicle, except where expressly permitted herein, is unlawful, and may be abated by the Town in accordance with the provisions of this Ordinance, pursuant to **La R.S. 32:471 et seq** and **La. R. S. 33:4876.**

(c) Exceptions.

These provisions shall not apply to vehicles which are:

- (1) enclosed within a building in a manner that is not otherwise visible from the street or other public or private property;
- (2) in an appropriate storage place authorized by the zoning ordinance and other regulations;
- (3) licensed by the State as an antique, classic or vintage motor vehicle;
- (4) any motor vehicle stored as the property of a member of the armed forces of the United States who is on active-duty assignment;

(d) Abatement of abandoned vehicles.

- (1) Whenever any motor vehicle is found to be an abandoned vehicle, a notice shall be posted on the windshield of the vehicle directing that the vehicle is to be removed from that location within twenty-four hours, not to include weekends or legal holidays, and directing that the failure to remove the vehicle may result in the vehicle being removed by the Town, or by a tow truck operator on behalf of the Town.
- (2) If the abandoned vehicle is not removed within twenty-four hours, not to include weekends or legal holidays, from date of posting of the notice, the abandoned vehicle may be removed and disposed of by a tow truck operator on behalf of the Town, with all costs of towing and storage to be collected from the vehicle owner or lien holder retrieving the vehicle, or from the sale or disposition of the vehicle, as otherwise provided by law.
- (3) Within ten days of the date the vehicle was removed, notice shall also be provided to the registered owner of the abandoned vehicle and any registered lien holders, if they can be reasonably identified, at the address reflected by the records of the Louisiana Office of Motor Vehicles, by certified U.S. Mail, or by personal service through marshal of the Town or by any sheriff or deputy sheriff or constable having jurisdiction and power to serve legal process. If service by certified mail or personal service is unsuccessful, publication of the notice of the removal one time in the official journal of the Town shall be deemed sufficient.

(e) Abatement of nuisance vehicles.

- (1) Whenever any motor vehicle is found to be a nuisance vehicle, a notice shall be posted on the windshield of the vehicle directing that the vehicle is to be removed within ten days, not to include weekends or legal holidays, and directing that the failure to remove the vehicle may result in the vehicle being removed by the Town, or by a tow truck operator on behalf of the Town.
- (2) If the nuisance vehicle is not removed within ten days, not to include weekends or legal holidays, from date of posting the notice, the nuisance vehicle may be removed and disposed of by a tow truck operator on behalf of the Town, with all costs of towing and storage to be collected from the property owner, vehicle owner or lien holder retrieving the vehicle, or from the sale or disposition of the vehicle, as otherwise provided by law.
- (3) In addition to the notice to be placed upon the windshield of the nuisance vehicle, notice shall also be provided within ten days of the date the vehicle was removed to the property owner at the address reflected on the most recent tax roll or registered owner of the motor vehicle and any registered lien holders, if they can be reasonably identified, at the address reflected by the records of the Louisiana Office of Motor Vehicles, by certified U.S. Mail, or by personal service through marshal of the Town or by any sheriff or deputy sheriff or constable having jurisdiction and power to serve legal process. If service by certified mail or personal service is unsuccessful, publication of the notice of the removal one time in the official journal of the Town shall be deemed sufficient.

(f) Appeals to Nuisance Vehicle Removal.

- (1) The registered owner or registered lien holder of a motor vehicle which the Town has found to be a nuisance vehicle has the right to appeal a notice of removal prior to the actual removal of the nuisance vehicle or for up to ten

days from posting of the notice of removal on the windshield of the nuisance vehicle.

- (2) An appeal is initiated by filing a written objection to the removal with the Mayor. The appeal shall be heard by and decided by the Town Council.
- (3) Any person or persons jointly or severally aggrieved by any decision by the Town Council, may present to the district court having jurisdiction over the vehicle, a petition, duly verified, setting forth that the decision is illegal, in whole or in part, specifying the grounds of the alleged illegality. The petition must be presented to the court within 15 days after the decision by the Town Council.

(g) Cost Recovery by Town.

Upon failure of the property owner to pay the charges within thirty days of receipt of the bill, the Town may institute cost recovery as provided by Section 4-71 of this Code. **La. R.S. 33:4766**

Secs. 8-32-8-39. Reserved.

§4. All other Ordinances, or any parts thereof, which are in conflict with the provisions of this Ordinance, are hereby repealed. To the extent that any provision or provisions of this Ordinance are inconsistent or in conflict with any other provision of the Code of Ordinances or any regulation of the Town of Oak Grove, the provisions of this Ordinance shall be deemed to control.

§5. If any one or more of the provisions of this Ordinance shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Ordinance, but this Ordinance shall be construed and enforced as if such illegal or invalid provisions had not been contained herein. To this end, the provisions of this Ordinance are hereby declared severable.

§6. This Ordinance shall become effective upon final adoption and publication of same in the manner prescribed by law.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL of the Town of Oak Grove, Louisiana, in legal session convened, as follows, to-wit:

Motion made by Councilman Nevels, seconded by Councilman Allen and passed by vote of 4 to 0 to adopt this ordinance amending Chapter 4 and Chapter 8 of the Code of Ordinances of the Town of Oak Grove on this 10^t day of August, 2021.

MAYOR

TOWN CLERK