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SUPREME COURT OF LOUISIANA

NO. 2010-C-2552

PARISH OF ST. CHARLES THROUGH THE DEPARTMENT OF PLANNING
AND ZONING

VERSUS

WANDA FONTENOT, WIFE OF AND DOUGLAS E. BORDELON AND
SOUTHERN CRANE SERVICES, INC.

ON SUPERVISORY WRITS TO THE COURT OF APPEAL,
FIFTH CIRCUIT, PARISH OF ST. CHARLES

PER CURIAM*

The court of appeal's ruling is vacated and the ruling of the trial court is reinstated. Louisiana Revised Statute 9:5625(A)(3) clearly states, "With reference to violations of use regulations all such actions . . . must be brought within five years from the date the parish . . . first had been actually notified in writing of such violation." The statute further states, "The provisions of this Section shall supersede any other provisions of law inconsistent herewith." La. R.S. 9:5625(E). The Parish received written notice of the violation in 1999 and did not file suit until 2007. Thus, the action is prescribed under La. R.S. 9:5625(A)(3).

COURT OF APPEAL RULING VACATED; RULING OF TRIAL COURT IS REINSTATED.

Victory, J., concurs in result.

*Kimball, C.J., not participating.