



1 Louisiana Ave., and finally along Louisiana Ave. (interior side) back to its  
2 intersection with Carondelet St.

3 C. Purpose. The purpose of the district shall be to aid in crime prevention  
4 by providing security for district residents and to serve the needs of the residents of  
5 the district by funding other activities and improvements for the overall betterment  
6 of the district.

7 D. Governance. (1) The district shall be governed by a board of  
8 commissioners, referred to in this Section as the "board", consisting of five members,  
9 all of whom shall be qualified voters and residents of the district, composed as  
10 follows:

11 (a) The president of the Delachaise Neighborhood Association.

12 (b) The governing board of the Delachaise Neighborhood Association shall  
13 appoint three members who may be members of the governing board.

14 (c) The member of the governing authority of the city of New Orleans who  
15 represents Council District B shall appoint one member.

16 (2)(a) The member serving pursuant to Subparagraph (1)(a) of this  
17 Subsection shall serve during his term of office.

18 (b) The members appointed pursuant to Subparagraph (1)(b) of this  
19 Subsection shall serve two-year terms after initial terms as provided in this  
20 Subparagraph. Two members shall serve an initial term of one year and one member  
21 shall serve an initial term of two years, as determined by lot at the first meeting of  
22 the board.

23 (c) The member appointed pursuant to Subparagraph (1)(c) of this  
24 Subsection shall serve a term concurrent with the appointing authority.

25 (3) Any vacancy which occurs prior to the expiration of the term for which  
26 a member of the board has been appointed shall be filled for the remainder of the  
27 unexpired term in the same manner as the original appointment. Board members  
28 shall be eligible for reappointment.

1           (4) The board shall elect from its members a chairman, a vice chairman, a  
2           secretary-treasurer, and such other officers as it may deem necessary. The duties of  
3           the officers shall be fixed by the bylaws adopted by the board.

4           (5) The minute books and archives of the district shall be maintained by the  
5           secretary-treasurer of the board. The monies, funds, and accounts of the district shall  
6           be in the official custody of the board.

7           (6) The board shall adopt such rules and regulations as it deems necessary  
8           or advisable for conducting its business affairs. Rules and regulations of the board  
9           relative to the notice and conduct of meetings shall conform to applicable law,  
10          including, if applicable, the Open Meetings Law. The board shall hold regular  
11          meetings as shall be provided for in the bylaws and may hold special meetings at  
12          such times and places within the district as may be prescribed in the bylaws.

13          (7) A majority of the members of the board shall constitute a quorum for the  
14          transaction of business. The board shall keep minutes of all meetings and shall make  
15          them available through the secretary-treasurer of the board.

16          (8) The members of the board shall serve without compensation but shall be  
17          reimbursed for reasonable out-of-pocket expenses directly related to the governance  
18          of the district.

19          E. Powers and duties. The district, acting through the board, shall have the  
20          following powers and duties:

21               (1) To sue and be sued.

22               (2) To adopt, use, and alter at will a corporate seal.

23               (3) To receive and expend funds collected pursuant to Subsection F of this  
24          Section and in accordance with a budget adopted as provided by Subsection H of this  
25          Section.

26               (4) To perform or have performed any other function or activity necessary  
27          for the achievement of the purpose of the district.

28               (5) To enter into contracts with individuals or entities, private or public.

29               (6) To provide or enhance security patrols in the district; to provide for  
30          improved lighting, signage, or matters relating to the security of the district; to

1 provide for the beautification of and improvements for the district; and to provide  
 2 generally for the overall betterment of the district.

3 (7) To enter into contracts and agreements with one or more other districts  
 4 for the joint security, improvement, or betterment of all participating districts.

5 (8) To provide for such services and make such expenditures as the board  
 6 deems proper for the upkeep of the district.

7 (9) To acquire or lease items and supplies which the board deems  
 8 instrumental to achieving the purposes of the district.

9 (10) To acquire, lease, insure, and sell real property within the boundaries  
 10 of the district in accordance with district plans.

11 (11) To procure and maintain liability insurance against any personal or legal  
 12 liability of a board member that may be asserted or incurred based upon his service  
 13 as a member of the board or that may arise as a result of his actions taken within the  
 14 scope and discharge of his duties as a member of the board.

15 (12) To perform or have performed any other function or activity necessary  
 16 or appropriate to carry out the purposes of the district or for the overall betterment  
 17 of the district.

18 F. Parcel fee. The governing authority of the city of New Orleans is hereby  
 19 authorized to impose and collect a parcel fee within the district subject to and in  
 20 accordance with the provisions of this Subsection.

21 (1) The amount of the fee shall be as requested by duly adopted resolution  
 22 of the board. The fee shall be a flat fee per parcel of land not to exceed three  
 23 hundred dollars per year for each parcel.

24 (2)(a) The fee shall be imposed on each parcel located within the district.

25 (b) For purposes of this Section, "parcel" means a lot, a subdivided portion  
 26 of ground, an individual tract, or a "condominium parcel" as defined in R.S.  
 27 9:1121.103.

28 (c) The owner of each parcel shall be responsible for payment of the fee.

29 (d) If multiple adjacent parcels are combined for the purpose of housing a  
 30 single-family dwelling, the flat fee for the combined parcel shall be calculated to be

1           one and four tenths times the single parcel fee for two adjacent parcels and one and  
2           six tenths times the single parcel fee for three or more adjacent parcels.

3           (3)(a) The fee shall be imposed only after the question of its imposition has  
4           been approved by a majority of the registered voters of the district who vote on the  
5           proposition at an election held for that purpose in accordance with the Louisiana  
6           Election Code.

7           (b) If approved, the fee shall expire at the time provided in the proposition  
8           authorizing the fee, not to exceed a duration of three years, but the fee may be  
9           renewed if approved by a majority of the registered voters of the district voting on  
10          the proposition at an election as provided in Subparagraph (a) of this Paragraph. If  
11          renewed, the term of the imposition of the fee shall be as provided in the proposition  
12          authorizing such renewal.

13          (4) No fee shall be imposed upon any parcel whose owner qualifies under  
14          the Louisiana Special Assessment Level pursuant to Article VII, Section 18(G)(1)  
15          of the Constitution of Louisiana.

16          (5) The fee shall be collected at the same time and in the same manner as ad  
17          valorem taxes on property subject to taxation by the city are collected.

18          (6) Any parcel fee which is unpaid shall be added to the tax rolls of the city  
19          and shall be enforced with the same authority and subject to the same penalties and  
20          procedures as unpaid ad valorem taxes.

21          (7)(a) The proceeds of the fee shall be used solely and exclusively for the  
22          purpose and benefit of the district; however, the city may retain one percent of the  
23          amount collected as a collection fee.

24          (b) The city of New Orleans shall remit to the district all amounts collected  
25          not more than sixty days after collection.

26          G. Additional contributions. The district is authorized to solicit and accept  
27          additional voluntary contributions and grants to further the purposes of the district.

28          H. Budget. (1) The board shall adopt an annual budget in accordance with  
29          the Louisiana Local Government Budget Act, R.S. 39:1301 et seq.

1                   (2) The district shall be subject to audit by the legislative auditor pursuant  
2                   to R.S. 24:513.

3                   I. Miscellaneous provisions. (1) It is the purpose and intent of this Section  
4                   that the additional law enforcement or security personnel and their services provided  
5                   for through the fees authorized in this Section shall be supplemental to and not in  
6                   lieu of personnel and services provided in the district by the New Orleans Police  
7                   Department.

8                   (2) If the district ceases to exist, all funds of the district shall be transmitted  
9                   by the board to the city of New Orleans, and such funds, together with any other  
10                  funds collected by the city of New Orleans pursuant to this Section, shall be  
11                  maintained in a separate account by the city and shall be used only to promote,  
12                  encourage, and enhance the security, beautification, and overall betterment of the  
13                  area included in the district.

14                  J. Indemnification and exculpation. (1) The district shall indemnify its  
15                  officers and board members to the fullest extent permitted by R.S. 12:227, as fully  
16                  as if the district were a nonprofit corporation governed thereby, and as may be  
17                  provided in the district's bylaws.

18                  (2) No board member or officer of the district shall be liable to the district  
19                  or to any individual who resides, owns property, visits, or otherwise conducts  
20                  business in the district for monetary damages for breach of his duties as a board  
21                  member or officer, provided that the foregoing provision shall not eliminate or limit  
22                  the liability of a board member or officer for any of the following:

23                  (a) Acts or omissions not in good faith or which involve intentional  
24                  misconduct or a knowing violation of law.

25                  (b) Any transaction from which he derived an improper personal benefit.

26                  (3) To the fullest extent permitted by R.S. 9:2792 et seq., including R.S.  
27                  9:2792.1 through 2792.9, a person serving the district as a board member or officer  
28                  shall not be individually liable for any act or omission arising out of the performance  
29                  of his duties.

1           Section 2. This Act shall become effective upon signature by the governor or, if not  
2 signed by the governor, upon expiration of the time for bills to become law without signature  
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
5 effective on the day following such approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_