

## HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 657 by Representative Abramson

MUNICIPALITIES/NO: Requires New Orleans Dept. of Safety and Permits to make permits and other information available on the Internet and provides relative to municipal zoning laws generally

### Synopsis of Senate Amendments

1. Limits the applicability of proposed law requiring posting of information to information in printed format.
2. Provides that proposed law only requires posting of information if such posting is requested in writing and provides that the requestor is responsible for the costs of posting.
3. Adds changes to general municipal zoning laws, which changes limit the persons authorized to appeal zoning decisions.

### Digest of Bill as Finally Passed by Senate

Proposed law requires the New Orleans Dept. of Safety and Permits, including the Board of Building Standards and Appeals and any other board within the department, upon written request, to make available to the public on the Internet information that is in a printed format and that pertains to the regulatory activities of the department, including but not limited to information about all applications received; inspections made; tests and examinations given or to be given; zoning verifications; licenses, permits, certifications, or other credentials and renewals thereof issued, denied or refused, revoked, suspended, or cancelled; notices issued; enforcement actions taken or to be taken; determinations made or to be made; and demolitions proposed or considered, authorized, denied or refused, and action taken.

Proposed law provides that with respect to any document that is required to be posted on the Internet pursuant to proposed law, the following shall also apply:

- (1) Such posting shall be made within three business days after the decision.
- (2) The posting shall include the date and time that the document was initially posted.
- (3) If such posting is not timely made, no appeal delay shall commence on any decision until such posting is made.
- (4) The costs of posting documents shall be paid by the person requesting the posting.

Present law authorizes the governing authorities of all municipalities to adopt zoning ordinances to regulate and restrict the height, number of stories, and size of structures, the percentage of lot that may be occupied, the size of yards, courts, and other open spaces, the density of population, and the location and use of the buildings, structures, and land for trade, industry, residence, or other purposes. Authorizes any such governing authority to provide for the appointment of a board of adjustment which may determine and vary the application of zoning restrictions in harmony with their general purpose and intent and in accordance with general or specific rules. Proposed law retains present law.

Present law authorizes appeals to the board of adjustment of decisions made by zoning administrative officers. Authorizes any person aggrieved by such a decision to make such an appeal to the board of adjustment and any person aggrieved by a decision of the board of adjustment to petition the district court for a review of the legality of the decision.

Proposed law limits this authority to appeal to the board of adjustment and to the district court to persons with a direct pecuniary interest. Otherwise retains present law.

Present law retained by proposed law further authorizes any officer, department, board, or bureau of the municipality to appeal a decision of an administrative officer to the board of adjustment and to petition the district court for review of the legality of a decision by the board of adjustment.

(Amends R.S. 33:4727(C)(2)(a) and (E)(1); Adds R.S. 33:4778)