

2015 Regular Session

HOUSE BILL NO. 415

BY REPRESENTATIVE BARROW

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PROPERTY: Requires certain large municipalities to adopt ordinances regarding maintenance of the appearance and character of private property

1 AN ACT

2 To enact R.S. 33:4885, relative to regulations concerning maintenance of private property
3 in municipalities; to require certain municipal governing authorities to adopt
4 ordinances to provide for community standards of civic health and integrity; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 33:4885 is hereby enacted to read as follows:

8 §4885. Blight programs; standards of civic health and integrity; certain
9 municipalities

10 A.(1) The Legislature of Louisiana again recognizes the dire effects of urban
11 blight. For decades, the detrimental effects of property deterioration on communities
12 have been well documented, and yet the problems and their effects persist.

13 (2) The Legislature of Louisiana finds that one reason for the enduring
14 challenge is a failure to realize that private property rights come with social
15 obligations, especially in areas where population density is high. The viability and
16 sustainability of neighborhoods are directly dependent on decisions made by private
17 property owners regarding the appearance and character of their property.

18 (3) The legislature also recognizes that local governments must take the lead
19 in changing attitudes and controlling blight. In each community, circumstances are
20 different; the problems vary in scale and geographic distribution; opportunities are

1 different. There is no single solution that can be enacted by the state; rather, local
2 governments must critically analyze the particulars of the problems they face and
3 formulate creative solutions. Encouraging private responsibility for property
4 maintenance and enforcing the public good where private responsibility fails are both
5 legitimate governmental functions that can and should be exercised by local
6 governing authorities.

7 (4) Therefore, the Legislature of Louisiana hereby calls upon the governing
8 authorities of urban centers to take action to mitigate urban blight, to establish and
9 enforce community standards of civic health and responsibility, and to create a
10 shared sense of home and community pride in their respective jurisdictions.

11 B. In addition to any other responsibility and authority provided by law, each
12 governing authority of a municipality with a population of more than fifty thousand
13 according to the most recent federal decennial census shall adopt ordinances to
14 ensure that the appearance and character of all property is maintained to a standard
15 that reflects civic health and integrity. Such ordinances shall include:

16 (1) Requirements that owners of commercial property maintain their
17 property even when such property is unleased or unoccupied. If a property owner
18 fails to maintain such property, the local governing authority shall take any necessary
19 action to maintain the property to the community's standards of civic health and
20 integrity and charge the property owner for any work that it undertakes on the
21 property to achieve that end. Such ordinances shall provide for appropriate
22 procedures and notice to property owners.

23 (2) Requirements that owners of businesses notify the municipal governing
24 authority regarding the closing of a business not less than sixty days prior to the
25 anticipated date of such closure.

26 (3) Prohibitions on excessive signage on a single tract or other small area.
27 Signage of any nature, commercial or personal, professionally manufactured or hand
28 produced, shall be limited in accordance with community standards of civic health
29 and integrity.

- 1 (4) Establishing programs to encourage neighborhood pride and creativity
2 and innovation in achieving high standards of civic health and integrity.
- 3 (5) Partnerships with community-based, nonprofit organizations to raise
4 awareness of the impact of negligence and to encourage civic responsibility with
5 respect to property maintenance.
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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 415 Original

2015 Regular Session

Barrow

Abstract: Requires municipalities with a population of more than 50,000 to adopt ordinances to ensure property is maintained to community standards of civic health and integrity.

Proposed law requires the governing authority of a municipality with a population of more than 50,000 to adopt ordinances to ensure that the appearance and character of all property is maintained to a standard that reflects civic health and integrity. Such ordinances shall include:

- (1) Requirements that owners of commercial property maintain their property even when such property is unleased or unoccupied. If the property owner fails to do so, requires the local governing authority to take action to maintain the property to the community's standards of civic health and integrity and charge the property owner for such work. Such ordinances shall provide for appropriate procedures and notice to property owners.
- (2) Requirements that owners of businesses notify the municipal governing authority regarding the closing of a business not less than 60 days prior to the anticipated date of such closure.
- (3) Prohibitions on excessive signage on a single tract or other small area.
- (4) Establishing programs to encourage neighborhood pride and creativity and innovation in achieving high standards of civic health and integrity.
- (5) Partnerships with community-based, nonprofit organizations to raise awareness of the impact of negligence and to encourage civic responsibility with respect to property maintenance.

(Adds R.S. 33:4885)