Regular Session, 2011

HOUSE BILL NO. 324

BY REPRESENTATIVE RICHARDSON

MUNICIPAL/ORDINANCES: Provides relative to administrative adjudication of certain ordinance violations in the city of Central

AN ACT

To enact R.S. 13:2575.4, relative to the city of Central; to provide relative to administrative adjudication of certain ordinance violations; to provide definitions for certain violations; to provide relative to the types of violations subject to administrative adjudication procedures; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article III, Section 13 of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:2575.4 is hereby enacted to read as follows:

§2575.4. Housing violations; additional administrative adjudication procedures; city of Central

A. Notwithstanding any other provision of law to the contrary, in the city of Central, the term "housing violation" as used in this Chapter shall also encompass violations of building codes, zoning, vegetation, and nuisance ordinances.

B. Notwithstanding any other provision of law to the contrary, in the city of Central, the procedures for administrative adjudication provided in this Chapter may also be utilized in matters involving licensing and permits and any other ordinance violations that may be determined by the municipal governing authority.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

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

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)]

Richardson HB No. 324

Abstract: Provides for administrative adjudication of certain ordinance violations in the city of Central.

Present law (R.S. 13:2575) authorizes municipalities and parishes to prescribe civil fines for violations of certain types of ordinances, including housing ordinances. Present law defines the term "housing violation" as only those conditions in privately owned structures which are determined to constitute a threat or danger to the public health, safety, or welfare or to the environment or a historic district. Present law further provides that in municipalities with a population of 70,000 or more, the term shall also encompass building codes, zoning, vegetation, and nuisance ordinances.

Proposed law retains present law and additionally provides that in the city of Central the term "housing violation" shall also encompass building codes, zoning, vegetation, and nuisance ordinances.

Present law authorizes municipalities and parishes to adopt ordinances establishing an administrative adjudication procedure for holding hearings related to present law violations. Additionally authorizes the parishes of Jefferson, Livingston, and St. Tammany to use administrative adjudication procedures in matters involving licensing, permits, and other ordinance violations that may be determined by the respective parish governing authority.

Proposed law retains present law and additionally provides that in the city of Central administrative adjudication procedures may be utilized in matters involving licensing, permits, and other ordinance violations that may be determined by the municipal governing authority.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 13:2575.4)

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