

Regular Session, 2012

ACT No. 417

HOUSE BILL NO. 843

BY REPRESENTATIVE LORUSSO

1 AN ACT

2 To amend and reenact R.S. 33:9091.5, relative to Orleans Parish; to provide relative to the
3 Lake Vista Crime Prevention District; to provide relative to the purpose and
4 governance of the district; to provide relative to district funding; to change
5 provisions relative to the levy of a parcel fee; and to provide for related matters.

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

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 33:9091.5 is hereby amended and reenacted to read as follows:

11 §9091.5. Lake Vista Crime Prevention District

12 A. Creation. There is hereby created within the parish of Orleans, as more
13 specifically provided in Subsection B of this Section, a body politic and corporate
14 which shall be known as the Lake Vista Crime Prevention District, referred to in this
15 Section as the "district". The district shall be a political subdivision of the state as
16 defined in the Constitution of Louisiana. ~~The purpose of the district shall be to aid~~
17 ~~in crime prevention and to enhance the security of district residents by providing for~~
18 ~~an increase in the presence of law enforcement personnel in the district.~~

19 B. Boundaries. The boundaries of the district shall be the center line of
20 Robert E. Lee Boulevard, Marconi Drive, Beauregard Avenue, and Lakeshore Drive.

21 C. The purposes of the district shall be to aid in crime prevention and to
22 enhance the security of district residents by providing for an increase in the presence
23 of law enforcement personnel in the district.

1 ~~€~~ D. Governance. (1) The district shall be governed by a board of
2 commissioners, referred to in this Section as the "board", consisting of seven
3 members as follows:

4 (a) The board of directors of the Lake Vista Property Owners Association
5 shall appoint ~~three~~ two members.

6 (b) The member or members of the Louisiana House of Representatives who
7 represent the area which comprises the district shall appoint ~~one member~~ two
8 members.

9 (c) The member or members of the Louisiana Senate who represent the area
10 which comprises the district shall appoint ~~one member~~ two members.

11 (d) The member ~~or members~~ of the governing authority of the city of New
12 Orleans who ~~represent~~ represents the area which comprises the district shall appoint
13 one member.

14 ~~(e) The assessor for the second municipal district shall appoint one member.~~

15 (2) All members of the board shall be residents of the district.

16 (3)(a) Members shall serve four-year terms after initial terms as provided in
17 Subparagraph (b) of this Paragraph.

18 (b) One member shall serve an initial term of one year, two shall serve initial
19 terms of two years, two shall serve initial terms of three years, and two shall serve
20 initial terms of four years, as determined by lot at the first meeting of the board.
21 Vacancies resulting from the expiration of a term or any other reason shall be filled
22 in the manner of the original appointment. Members shall be eligible for
23 reappointment, but no member shall serve more than two consecutive terms.

24 (4) The members of the board shall select from among themselves a
25 president and such other officers as they deem appropriate. The terms and
26 responsibilities of officers shall be as provided by the bylaws of the board.

27 (5) The members of the board shall serve without compensation and shall not
28 receive reimbursement for expenses.

29 ~~Đ~~ E. Powers and duties. The district, acting through its board of
30 commissioners, shall have the following powers and duties:

1 (1) To sue and be sued.

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

3 (3) To receive and expend funds collected pursuant to Subsection ~~E~~ F of this
4 Section and in accordance with a budget adopted as provided by Subsection ~~F~~ G of
5 this Section.

6 (4) To enter into contracts with individuals or entities, private or public, for
7 the provision of security patrols in the district.

8 (5) To purchase items and supplies which the board deems instrumental to
9 achieving the purpose of the district.

10 (6) To perform or have performed any other function or activity necessary
11 for the achievement of the purpose of the district.

12 ~~E.~~ F. Parcel fee. The governing authority of the city of New Orleans is
13 hereby authorized to impose and collect a parcel fee within the district subject to and
14 in accordance with the provisions of this Subsection.

15 (1) ~~The fee shall be a flat fee per improved parcel of land and the amount of~~
16 ~~the fee shall be three hundred fifty dollars per year for each improved parcel, except~~
17 ~~that the fee shall be seven hundred dollars per year for each improved parcel with~~
18 ~~three or more family units~~ The amount of the fee shall be as requested by duly
19 adopted resolution of the board. The fee, which shall not exceed two hundred twenty
20 dollars per parcel per year, shall be imposed on each improved or unimproved single-
21 and two-family residential parcel and each multiple-dwelling or apartment parcel
22 located within the district. The owner of the parcel shall be responsible for payment
23 of the fee.

24 (2) ~~The fee shall be imposed on each improved parcel located within the~~
25 ~~district. The owner of the parcel shall be responsible for payment of the fee~~ For
26 purposes of this Section a single- and two-family residential parcel is defined as a
27 lot or lots on which only one main house is situated and has not more than two
28 municipal addresses. A multiple-dwelling or apartment parcel is defined as each lot
29 in any square that is reserved for multiple-dwelling or apartment use.

1 (3)(a) The fee shall be imposed only after the question of its imposition has
2 been approved by a majority of the registered voters of the district voting at an
3 election held for that purpose in accordance with the Louisiana Election Code. No
4 other election shall be required except as provided by this Paragraph.

5 (b) The initial election on the question of the imposition of the fee shall be
6 held at the same time as ~~the 2002 congressional primary election, as provided in R.S.~~
7 ~~18:402(B)(1), is held~~ a regularly scheduled election in the city of New Orleans.

8 (c) The fee shall expire at the time provided in the proposition authorizing
9 the fee, not to exceed ~~eight~~ four years from its initial imposition, but the fee may be
10 renewed as provided in Subparagraph (a) of this Paragraph. Any election to
11 authorize renewal of the fee shall be held ~~only at the same time as the mayoral~~
12 ~~primary election~~ at the same time as a regularly scheduled election in the city of New
13 Orleans. If renewed, the term of the imposition of the fee shall be as provided in the
14 proposition authorizing such renewal, not to exceed ~~eight~~ four years.

15 (4) The fee shall be collected at the same time and in the same manner as ad
16 valorem taxes are collected by the city.

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

20 (6) The city of New Orleans shall remit to the district all amounts collected
21 not more than sixty days after collection. However, the board may enter into an
22 agreement with the city to authorize the city to retain, as a collection fee, not more
23 than one percent of the amount collected.

24 ~~F. G.~~ Budget. (1) The board ~~of commissioners~~ shall adopt an annual budget
25 in accordance with the Louisiana Local Government Budget Act, R.S. 39:1301 et
26 seq. The budget and all amendments shall be subject to the approval of the
27 governing authority of the city of New Orleans.

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

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

6 (2) If the district ceases to exist, any funds of the district shall be transmitted
7 to the governing authority of the city of New Orleans and shall be used for law
8 enforcement purposes in the district.

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____