

Regular Session, 2014

HOUSE BILL NO. 339

BY REPRESENTATIVES LEGER, BILLIOT, AND BROSSETT

PARISH/ORLEANS: Provides relative to the powers granted to the governing authority of the city of New Orleans to remove weeds and other deleterious growths

1 AN ACT

2 To amend and reenact R.S. 33:5062(A), relative to the city of New Orleans; to provide
3 relative to the maintenance of property in a safe and sanitary condition; to provide
4 relative to the powers granted to the governing authority of the city to maintain
5 property in such condition; to remove provisions that prohibit the governing
6 authority from enacting ordinances relative to the removal of weeds and other
7 deleterious growths; to provide relative to the costs of removing such weeds and
8 other growths; and to provide for related matters.

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

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 33:5062(A) is hereby amended and reenacted to read as follows:

14 §5062. Weed cutting in municipalities; abutting owner's liability; notice; waiver of
15 notice

16 A. The governing authority of any municipality, ~~except the city of New~~
17 ~~Orleans,~~ may enact ordinances requiring that property be maintained in a safe and
18 sanitary condition, including ordinances providing for the cutting, destruction, or
19 removal of noxious weeds or grass or other deleterious, unhealthful, or noxious
20 growths on any sidewalks or banquettes and on any lot, place, or area within the

1 municipality. The charges, costs, and expenses incurred by the municipal governing
 2 authority in enforcing such ordinances, shall, to the extent of the actual cost thereof
 3 to the municipal governing authority, be a charge, cost, or expense of the property
 4 abutting the sidewalk or banquette or of the lot, place, or area, and the owner thereof.
 5 * * *

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)]

Leger

HB No. 339

Abstract: Relative to the city of New Orleans, authorizes the governing authority to enact ordinances relative to the removal of weeds and other deleterious growths.

Present law authorizes municipal governing authorities, except the city of New Orleans, to enact ordinances requiring that property be maintained in a safe and sanitary condition. Authorizes the governing authorities to undertake the cutting, destruction, or removal of noxious weeds or grass on any property within the municipality and charge the costs to the owner or the owner of the abutting property only after the owner has failed to do the work himself within five days after notice has been given him by advertisement in the official journal of the municipality or after notice has been given him by registered mail. Present law allows a municipality to act without notice if the owner has failed to do the work himself after notice at any time during the preceding 12 months and which requires the municipality to file and record an affidavit containing specified information.

Proposed law retains present law and makes present law applicable to the city of New Orleans.

(Amends R.S. 33:5062(A))