
DIGEST

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HB 193 Original

2022 Regular Session

Freeman

Abstract: Relative to historic preservation districts and landmarks commissions in the city of New Orleans, grants commissions the authority to impose higher fines for certain violations.

Present law (Part I of Chapter 16 of Title 25) provides generally that the governing authority of any municipality, lake commission, parish council, or similar governmental unit may establish within its borders a historic preservation district to promote the educational, cultural, economic, and general welfare of the public.

Present law (Part II of Chapter 16 of Title 25) provides generally that the governing authority of any municipality, lake commission, parish council, or similar governmental unit in the city of New Orleans and the parishes of Franklin, Tensas, LaSalle, Catahoula, Concordia, and Caldwell may establish within their borders a historic preservation district and/or landmark commission to promote the educational, cultural, economic, and general welfare of the public.

Present law (Parts I and II of Chapter 16 of Title 25), relative to such historic preservation districts and landmarks commissions, provides procedures for establishing such districts and commissions, after study, hearings, and other procedural requirements. Provides for such commissions and districts to regulate the exterior architectural features of structures and provides for application for and approval or denial of certificates of appropriateness to erect, alter, or demolish structures. Prohibits issuance of building permits without a certificate of appropriateness. Provides for exceptions.

Present law (Parts I and II of Chapter 16 of Title 25) grants commissions the power to institute a suit in any court of competent jurisdiction to prevent any unlawful action in violation of the provisions of present law or of any of the rules and regulations adopted by the commissions. Requires that any owner, agent, lessee, or other person acting for or in conjunction with him, who violates the regulations of a commission, be fined not less than \$50 and not more than \$100 for each violation. Provides generally that each day that a violation continues constitutes a separate offense.

Present law (Part I of Chapter 16 of Title 25) provides that any owner, agent, lessee, or other person acting for or in conjunction with him who demolishes a structure or edifice without a certificate of appropriateness, may be fined a single fine of not less than \$1,000 and not more than \$10,000.

Proposed law provides an additional provision applicable to the city of New Orleans. Provides that any owner, agent, lessee, or other person acting for or in conjunction with him who demolishes a structure or edifice without a certificate of appropriateness may be fined a single fine of not more

than the greater of \$25,000 or 15% of the assessed value of the structure or edifice.

(Adds R.S. 25:762.1)