

2023 Regular Session

HOUSE BILL NO. 139

BY REPRESENTATIVE STEFANSKI

PARISH/ORDINANCES: Provides relative to administrative adjudication of certain ordinance violations in the parish of Acadia

1 AN ACT

2 To enact R.S. 13:2575.10, relative to Acadia Parish; to provide relative to administrative
3 adjudication of certain ordinance violations; to provide definitions for certain
4 violations; to provide relative to the types of violations subject to administrative
5 adjudication procedures; to provide relative to appeals; and to provide for related
6 matters.

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

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 13:2575.10 is hereby enacted to read as follows:

12 §2575.10. Additional administrative adjudication procedures in Acadia Parish

13 A. As applied in the parish of Acadia, the term “housing violation” as used
14 in this Chapter shall also encompass building codes, zoning, vegetation, and nuisance
15 ordinances.

16 B. In the parish of Acadia, the procedures for administrative adjudication
17 provided in this Chapter may also be used in matters involving licensing and permits
18 and any other ordinance violations that may be determined by the parish governing
19 authority.

1 C. In the parish of Acadia, any owner or mortgagee of record of property
 2 determined to be blighted or abandoned, or any party determined by a hearing officer
 3 to be in violation of any ordinance enacted pursuant to this Chapter, may appeal the
 4 determination to the appropriate district court.

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 139 Engrossed

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Stefanski

Abstract: Provides for administrative adjudication of certain ordinance violations in Acadia Parish.

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, and in other specified parishes and municipalities, the term also encompasses building codes, zoning, vegetation, and nuisance ordinances.

Proposed law retains present law and additionally provides that in Acadia Parish the term "housing violation" also encompasses 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 certain parishes and municipalities to use administrative adjudication procedures in matters involving licensing, permits, and other ordinance violations that may be determined by the respective parish or municipal governing authority.

Proposed law retains present law and additionally authorizes Acadia Parish to use administrative adjudication procedures in matters involving licensing, permits, and other ordinance violations that may be determined by the parish governing authority. Authorizes any owner or mortgagee of record of property determined to be blighted or abandoned, or any party determined by a hearing officer to be in violation of an ordinance enacted pursuant to present law or proposed law, to appeal the determination to the appropriate district court.

(Adds R.S. 13:2575.10)