

2023 Regular Session

HOUSE BILL NO. 270

BY REPRESENTATIVE WILLARD

MUNICIPAL/ORDINANCES: Provides relative to the growth and accumulation of grass, weeds, and other deleterious matter in Orleans Parish

1 AN ACT

2 To enact R.S. 33:5062.2, relative to Orleans Parish; to provide relative to the growth and
3 accumulation of grass, weeds, and other deleterious matter; to provide relative to the
4 powers granted to the parish governing authority with respect to the removal of any
5 such deleterious matter; to provide relative to costs incurred by the parish governing
6 authority relative to removal; and to provide for related 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. 33:5062.2 is hereby enacted to read as follows:

12 §5062.2. Weed cutting in Orleans Parish; abutting owner's liability; notice; waiver
13 of notice

14 A. The governing authority of Orleans Parish may enact ordinances
15 regulating or prohibiting the growth or accumulation of grass, noxious weeds, or
16 other deleterious or unhealthful growths, trash, debris, refuse, graffiti, or discarded
17 or noxious matter on any sidewalks or banquettes and on any lot, place, or area
18 within the parish, except railroad rights-of-way. The charges, costs, and expenses
19 incurred by the parish governing authority in enforcing such ordinances shall, to the
20 extent of the actual cost thereof to the parish governing authority, be a charge, cost,

1 or expense of the property abutting the sidewalk or banquette or of the lot, place, or
2 area, and the owner thereof.

3 B. No such work shall be undertaken by the parish governing authority
4 pursuant to this Section until the owner of the lot, place, or area or the owner of the
5 abutting property, as shown on the last assessment roll of the parish, has an
6 opportunity of doing the work himself within at least five days after notice has been
7 given to him by advertisement in the official journal of the parish for two
8 consecutive days or after notice has been given to him by registered or certified mail,
9 addressed in accordance with the tax rolls of the parish.

10 C. However, the parish governing authority may undertake the cutting,
11 destruction, or removal of grass, noxious weeds, or other deleterious or unhealthful
12 growths, trash, debris, refuse, graffiti, or discarded or noxious matter without the
13 notice required in Subsection B of this Section if the property owner liable has been
14 notified pursuant to Subsection B of this Section at any time during the immediately
15 preceding twenty-four months and has failed to do the work himself after opportunity
16 to do so.

17 D. The parish shall furnish the owner an invoice for the cost of the work
18 performed. If the cost or expense thereof has not been paid within one month, the
19 parish may furnish the owner, by registered or certified mail or by domiciliary or
20 personal service, a written statement showing the outstanding cost or expense
21 incurred for the work. If the statement is not paid within one month thereafter, the
22 amount thereof shall be included in and form part of the taxes due by the owner of
23 the property and when collected shall be credited to the general fund of the parish.

24 E. The tax collector shall maintain a record of such charges prior to the filing
25 of the tax rolls, which record shall be open to inspection at all times and which shall
26 constitute legal notice to the purchasers of the property or parties lending money
27 thereon of the assessment.

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 270 Reengrossed

2023 Regular Session

Willard

Abstract: Authorizes Orleans Parish to enact ordinances relative to the growth of weeds, grass, and other deleterious matter.

Proposed law authorizes the governing authority of Orleans Parish to enact ordinances regulating or prohibiting the growth or accumulation of grass, noxious weeds, or other deleterious matter on property within the parish, excluding railroad rights-of-way. Prohibits the parish governing authority from undertaking the cutting, destruction, or removal of grass, weeds and other deleterious matter unless the owner has failed to do the work himself within five days after notice has been given to him by advertisement in the official journal of the parish or by registered or certified mail. Authorizes the parish governing authority to charge the costs of such work to the property owner.

Proposed law authorizes the parish governing authority to undertake the cutting, destruction, or removal of the deleterious matter if the property owner has been notified pursuant to proposed law at any time during the immediately preceding 24 months.

Proposed law requires the parish to furnish the owner with an invoice for the cost of the work performed. Authorizes the parish, if the cost is not paid within one month, to furnish the owner, by registered or certified mail or by domiciliary or personal service, a written statement showing the outstanding cost. Provides that if the statement is not paid within one month thereafter, the amount shall be included in the property owner's taxes.

(Adds R.S. 33:5062.2)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Exclude railroad rights-of-way from property subject to regulation by the parish governing authority.