
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michael Bell.

DIGEST

Peterson (SB 174)

Present law provides that in case of grave public emergency where the condition of a building is such as to cause possible immediate loss or damage to person or property, the parish or municipal governing authority may condemn the building after 24 hours notice served upon the owner or his agent or the occupant and attorney at law appointed to represent the absentee owner.

Present law provides that any such notice may be attached to a door or entrance of the premises and shall have the same effect as delivery to or personal service on the owner, occupant, or attorney at law appointed to represent the absentee owner.

Proposed law retains present law and provides for any such notice to be attached to a door or main entrance of the premises or in a conspicuous place on the exterior of the premises.

Present law provides that where a grave public emergency has been declared by the parish or municipal governing authority, the owner of the building who desires to prevent the demolition or removal thereof must file his petition within 48 hours.

Proposed law retains present law and requires the owner of the building who desires to prevent the demolition or removal to file his petition within 48 hours of the posting of the notice of the demolition or removal order on the property.

Present law provides that prior to the demolition or removal of a building or structure by the parish or municipality, the parish president, police jury, mayor, or some official designated by the appropriate authority shall serve notice on the owner, or his agent, and on the occupant of the building, if any there be, or upon the attorney at law appointed to represent the minor, interdict, or absentee owner, giving the time when work will begin upon the demolition or removal of the building, structure, or public nuisance.

Proposed law requires in cases of grave public emergency, the posting of the notice attached to the door or main entrance of the premises or in a conspicuous place on the exterior of the premises giving the time when work will begin upon the demolition or removal of the building, structure, or public nuisance is sufficient notice to the owner, occupant or attorney at law appointed to represent the absentee owner.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 33:4762(C), 4764(A), and 4765(C))