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## DIGEST

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HB 372 Reengrossed

2021 Regular Session

Freeman

**Abstract:** Authorizes the city of New Orleans to impose a daily penalty for the violation of municipal building code ordinances and regulations.

Present law provides that the maximum penalty which may be imposed for the violation of any ordinance enacted by the governing authority of the city of New Orleans is a fine of \$500 for a first offense violation and \$1,000 for the second or any subsequent offense. Further provides that the maximum penalties do not apply to penalties for non-moving or parking violations or other traffic violations, including those captured by an automated traffic enforcement system.

Proposed law retains present law and additionally authorizes the city of New Orleans to impose a daily penalty for the violation of any municipal ordinance or permit that regulates the erection, construction, alteration, extension, repair, moving, removal, demolition, or occupancy of a residential building or structure. Further authorizes the city to impose a daily penalty on any person or entity who erects, constructs, alters, extends, repairs, moves, removes, demolishes, or occupies a residential building or structure prior to obtaining proper permits and certificates from the city.

Proposed law provides that the penalties imposed pursuant to proposed law may exceed the limitations provided in present law, but the penalties cannot exceed \$2000 per day for each violation.

Effective July 1, 2021.

(Amends R.S. 33:1375)

### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original bill:

1. Restrict the applicability of proposed law to only residential buildings or structures.
2. Reduce the maximum penalty to be imposed for violations related to the same project if the amount owed exceeds \$5,000 from 45% to 20% of the total final development costs.
3. Require rather than authorize the city to adopt rules and regulations to implement provisions of proposed law.

The House Floor Amendments to the engrossed bill:

1. Remove the maximum penalty of 20% of the total final development costs to be imposed for violations related to the same project if the amount owed for penalties exceeds \$5000.
2. Set the maximum penalty to be imposed for each violation at \$2000 per day.