

City of Crowley

Quality of Life Development Strategy Set



Prepared by Luke A. Dupre'

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INTRODUCTION

The City of Crowley is more than a group of individuals who live in proximity to one another. It is a living, breathing community comprising over 13,200 individuals who share a space in which they live their lives. This space is a home, a place where each of them find sanctuary and experience daily life. Though each and every citizen has their own concept of community, and each contributes to society in their own way, most of Crowley's citizens wish the best for the community, and only want to see it succeed and thrive. With this in mind, the Mayor and Board of Aldermen of the City of Crowley have authorized the creation and production of this set of quality of life development recommendations. These recommendations, or strategies, are founded in the careful study of the municipality's community and civic resources, its expressed needs, policy review, and public policy research. This public policy strategy set, which seeks to address and improve the quality of life in the City of Crowley, was created after extensive study and meetings with city officials, department heads, and civic leaders.

The goal of this set of recommendations is to offer ideas to citizens of the City as to how to improve the environment around them along with pathways for project implementation. Contained within these pages are options that citizens can choose to implement, set aside for review, or reject in the best interest of the City. This suggestion set is divided into three chapters based on resource type: codifiable resources and changes that can be made through legislative/administrative action, resources that the State of Louisiana possesses that can be accessed by the City's government, and items which non-government organizations can choose to utilize within the scope of their organization's mission. The strategy set's implementation will create opportunities for economic development and environmental improvement, as well as public health and sanitation enhancement on a surface level. Though many policy plans provide for a great length of time for execution and contain various phases, a fault in those visionary undertakings is that they are often placed on shelves and remain incomplete due to loss of urgency and awareness. All recommendations within this strategy set have been constructed so that they may be effectuated within one calendar year.

The creation of this public policy was supervised by Dr. Belinda Davis of Louisiana State University's Department of Political Science. Its restrictions were as such: it would be created on a *pro bono* basis for the City of Crowley and would not induce or recommend that the City of Crowley expend any funds not previously allocated to various departments, except in the case of reimbursement grants.

DISCLAIMER

This policy based on information given to the policy consultant during various meetings with the City's government and community leaders. It is presented in an informative way and does not seek the advancement of any one group, individual, or political ideology. No part of the presentation of this policy constitutes legal advisement to the City of Crowley. The policy consultant's role is advisory and informative, citizens should consult their elected representatives, those who make choices on behalf of the City, with concerns about the selection and implementation of certain projects.

A WORD FROM THE CONSULTANT

Though I have only lived here for a few years, the City of Crowley is dear to my heart. After hearing many of my friends express a desire to live elsewhere, I decided that I had to do something, in my own way, to attempt to help my city succeed. I decided to undertake this consulting project on a volunteer basis during my senior year in Political Science at Louisiana State University because I could see a great need for change in Crowley, dynamic change that needed to occur in many policy areas vital to Crowley's success in the quality of life development arena. Though it was a large undertaking, I decided that the goal of my studies in public policy is not to read textbooks behind a desk but to interact with local communities and to help them succeed. It is my hope that the City of Crowley implement portions of this plan, no matter how small, so that the place we call home can be the greatest city in which one could live. We can do this, together, if we unite to reach common goals.

ABOUT THE CONSULTANT

Luke Anthony Dupre' is a senior at Louisiana State University pursuing three majors in the departments of History, Religious Studies, and Political Science. His studies in Public Policy emphasize municipal policy and local government systems. Dupre' is a member of the Rodger Hadfield Ogden Honors College where he is currently working on his thesis which studies the tradition of religiously based objections in twentieth-century presidential elections. He plans to attend Louisiana State University's Paul M. Hebert Law Center to study family and criminal law, and plans to attend Louisiana State University's Graduate School to study American religious history. He lives in Crowley, Louisiana and enjoys being involved in various community organizations and having a little too much fun.

ACKNOWLEDGMENTS

This policy strategy set could not have been created without the aid of Mayor Tim Monceaux, the entire Board of Aldermen, the City's various department heads and civic leaders; Mader Engineering, Mrs. Joan Finley, Right of Way Services, Mr. Ben Stringfellow, Dr. Belinda Davis, and Mr. Tom Regan.

PART I: RECOMMENDATIONS FOR CITY GOVERNMENT OFFICIALS

The recommendations contained within this part can be fulfilled by the Board of Aldermen, the Mayor, the Chief of Police, and other city officials. Some recommendations suggest the passage of new ordinances by the Board of Aldermen, while others urge the change of processes in various departments. These policies and suggestions do not have to be implemented in any specific order unless otherwise stated. The City is charged with the implementation of desired suggestions, though the public policy consultant is available for advisement. A large portion of the codifiable resource section is derived from excerpts of the Neil Erwin Law Firm's "The Troublesome Top 5 Nuisances Of Louisiana Communities and Your Legal Arsenal for Solving Them" and the Louisiana Department of Environmental Quality's "Louisiana Local Government's Litter Ordinance Handbook." Ordinance templates created by both Neil Erwin Law, LLC and the Louisiana Department of Environmental Quality to achieve these goals are available to city officials in the appendix of this policy suggestion set. The Louisiana Municipal Association's "Fight the Blight" publication is useful to the reader as it explains the role of an administrative court, and is included in this part as well.

EXCERPTS OF THE NEIL ERWIN LAW FIRM'S "THE TROUBLESOME TOP 5 NUISANCES OF LOUISIANA COMMUNITIES AND YOUR LEGAL ARSENAL FOR SOLVING THEM"

EXCERPT 1:

Legislative Update on Addressing Litter Nuisance

There is a new anti-litter law [amends and reenacts **La. R.S. 30:2531(A)(2) and (B)(2), La. R.S. 30:2531.1 (D)(1),(2), and (3)**], effective August 1, 2015), which doubles fines for litter violations and applies increases to the retirement system of the law enforcement agency issuing the citation.

This change in both fine increase and allocation is seemingly beneficial for local government, as incentive to cut down on litter increases in the hands of those enforcing it. Local and state officers who issue littering citations are then likely to have incentive to issue them more frequently, as **half of the total fine will be diverted to the state retirement system, benefitting whichever law enforcement agency issued the citation**. The other half of the fine (the previous fine level) will continue to be split between law enforcement agencies (often district attorney and state district court offices) and the Keep Louisiana Beautiful Fund.

EXCERPT 2:

A breakdown of the newly doubled monetary fines and the three types are as follows:

- **Simple littering**, the lowest offense, is the disposal of litter on public or private property not owned by the offender or on waters of the state. This type of litter occurs, for example, when a load is not secured well, and an ice bag flies out from the open back of a truck.

Civil penalty and cost. Its fine is now \$150 (increased from \$75) for the first offense and \$1,000 for the second and subsequent offenses.

- **Intentional littering** occurs when, for instance, one tosses a beverage can out the window.

Criminal penalty and cost. New citations are \$500 for the first offense, \$1,000 for the second offense, and \$2,500 for the third or subsequent offenses.

- **Gross littering** is household garbage and the intentional disposal of large items (such as abandoned boats, for example).

Newly doubled fines are \$2,000 for a first offense, up to \$5,000 for a second offense and up to \$10,000 for a third and subsequent offense.

Litter vs. Junk

Both litter and junk occur within public places, but the difference between the two is that litter involves property not owned by the offender, while junk is often on property that is owned by the offender.

Local Ordinance:

Nothing prevents local governments from adopting local ordinances aimed at litter control and reduction. If local ordinances are adopted that provide civil fines for littering, they potentially may be adjudicated in code enforcement court, which will be discussed in the next nuisance section.

EXCERPT 3:

These civil fines for such code violations may, at the option of a municipality, be adjudicated through the establishment of an administrative hearing procedure under **La. R.S. 13:2575**. This administrative forum is known by various names, such as Environmental Court (Monroe's in 2007), Litter Court (Baton Rouge, since 2008), and Code Enforcement Court.

EXCERPT 4:

A hearing officer is appointed (who may be the municipality's attorney), who may be empowered to, upon at least 15 day notice of a hearing:

- Administer oaths in the administrative hearing,
- Issue orders compelling attendance of witnesses and production of documents
- Levy fines, fees, penalties, and hearing costs (the maximum of which shall not exceed those established for parish or municipal courts)
- Order violators to correct violations within a stipulated time
- Take "necessary and lawful measures to effect correction of the violation if the violator fails to do so" by the deadline established
- Record orders, judgments, notices of judgment, or liens in the mortgage records. The lien and privilege secures all fines, costs, and penalties assessed, which are included in the next annual ad valorem tax bill and, if unpaid, subject to tax sale as blighted or public nuisance property. The lien and privilege has the effect of a judicial mortgage against the immovable property, and may be enforced by filing in district court for a writ under **Code of Civil Procedure Art. 2253**.

The hearing officer's order may be appealed to district court. Filing of the appeal does not stay the enforcement and collection of a judgment by the hearing officer unless the person filing the appeal furnishes security prior to the filing of the appeal with the municipality in an amount to be fixed by the hearing officer as sufficient to assure satisfaction of the hearing officer's order to correct the violation.

The Code Enforcement Court procedure avoids criminal prosecution for non-criminal violators and often has been found through experience to offer a useful forum for agreement on a reasonable plan for correction of the code violation.

EXCERPT 5:

Therefore, the recommended strategy is through the creation by the municipality of an administrative Code Enforcement Court under **La. R.S. 13:2575(B)(1)**. Experience has shown this to be relatively quick in comparison with either criminal or civil proceedings in district court, and, since it remains under the control of the municipality, efficient in its coordination of municipal personnel addressing the problem.

DEPARTMENTAL DIRECTIVES

GOAL:

Each department operating within the City of Crowley has its own scope of work, its own mission, and its own department heads held accountable to the Mayor and the citizens of Crowley. These departments can greatly contribute to the quality of life development initiatives by performing work within the scope of their duties that furthers the goals of this recommendation set. This work should not take priority over the more immediate duties of the respective departments but should be performed when time allows. Specifically, the Street Department and the Recreation Department can undertake projects, with guidance from the City's executive and legislative branches, to aid in the furtherance of this plan. It should be noted that the current and projected work of both of these departments is litter abatement intensive. The Crowley Police Department, while not held accountable to the Executive Branch, can also coordinate efforts with the City's administration and legislative bodies to enhance the quality of life within the City of Crowley.

DEPARTMENTAL OPTIONS:

STREET DEPARTMENT

- Perform an extensive inspection of all public parks, filling holes that may have been worn into the soil, trimming trees that have overgrown, maintaining flower beds with the aid of any of the various “garden clubs.”
- Remind employees that cleaning litter and trash is within the scope of their job duties.
- Document areas of high junk occurrence while driving to daily projects.
- Remove excessive discarded tires and tire material off of streets, housing them until a deal can be reached by the City and Acadia Parish to allow for the disposal of tires at the Parish Recycling Plant without limits.
- Utilize the street sweeper capabilities with the Public Works Department to clean not only the most utilized routes in town but also streets in most need of cleaning due to litter and spillage.
- Replace wooden “Welcome to Crowley” signs with more durable, aesthetically pleasing signs using funding from the Tourism Department, Crowley Main Street, and donations. This project should be undertaken with the City’s pageant royalty as well.

RECREATION DEPARTMENT

- Commend those employees who begin their day cleaning city recreation facilities and parks.
- Coordinate with the Crowley Police Department to provide an extra patrolmen to walk through the park whilst on their respective routes, advising existing area patrolmen to look for individuals who are in the act of littering, which is common at recreational facilities.

- Coordinate with the Crowley Police Department to provide a volunteer reserve officer to aid in litter abatement and other functions as a “park ranger” who would patrol the facilities on days with large populations utilizing the recreation facility.
- Examine the possibility of converting an underutilized tennis court to be an outdoor recreation facility through the use of the Lieutenant Governor’s Office’s initiatives for the promotion of outdoor recreation, potentially with local fitness groups tasked with upkeep.
- Provide a webinar entitled “Economic Development Through Sports Tourism” to the department head. This webinar is conducted by the International City/County Management Association. Successful completion of this 90 minute course grants the attendee a certification in Sports Tourism.

Link: <https://icma.elevate.commpartners.com/products/economic-development-through-sports-tourism-2>

POLICE DEPARTMENT

- Conduct an environmentally themed seminar for law enforcement officers with the aid of the Louisiana Department of Environmental Quality’s *Environmental Crimes Handbook* and instructors from LDEQ.
- Incentivize officers within the department to enforce environmental laws while on patrol.
 - Partner monthly with local organizations to provide a special lunch for officers who cite the most environmental crimes
 - Inform officers that 50% of all fines collected from environmental crime enforcement are given to the law enforcement agency issuing the citation*
- Allow reserve officers to patrol the City with a specific focus on environmental crimes and City Ordinance Violations relating to the environment.
- Coordinate efforts with the Crowley Recreation Department for enhanced patrolling of recreation facilities.

- Seek assistance from the Louisiana State Attorney General's Office concerning police action that can be taken to demolish uninhabitable structures serving as havens for criminal activity.
- Meet with the City Judge as well as the Acadia Parish Sheriff to examine the possibilities of increasing monthly enrollment in community service and litter abatement programs.

*Citation: LA RS 30:2532

PART II: GRANT OPPORTUNITIES & STATE RESOURCES

The information contained within this portion of the suggestion set contains opportunities for the City such as grants and resources that are available to the City from various departments of Louisiana's state government as well as the federal government. Typically, the application process for grant opportunities would be administered by the executive branch, while state departmental resources could be petitioned by either the executive branch or the legislative body via resolution. Each recommendation contains details such as the description, the process of application, funders involved, and the scope of grant funding. These resources do not have to be applied or petitioned for in any specific order. It is imperative that all parties work together to accomplish these goals. Some grant applications allow for community organizations to apply as well.

USDA'S RURAL BUSINESS DEVELOPMENT GRANT

GRANT DESCRIPTION:

RBDG is a competitive grant designed to support targeted technical assistance, training and other activities leading to the development or expansion of small and emerging private businesses in rural areas that have fewer than 50 employees and less than \$1 million in gross revenues. Programmatic activities are separated into enterprise or opportunity type grant activities.

SCOPE:

The City of Crowley is eligible for this grant, and funds are provided for numerous much-needed projects that would aid in the enhancement of environmental and economic development,

and quality of life improvement. This grant ranges from \$10,000 to \$500,000 dollars.

Applications are evaluated based on the following criteria:

- Evidence showing job creation to occur with local businesses;
- Percent of nonfederal funding committed to the project;
- Economic need in the area to be served;
- Consistency with local economic development priorities;
- Experience of the grantee with similar efforts;
- Other factors described in the current Notice of Solicitation of Applications (NOSA)

PROJECTS:

Though funding is geared toward business owners, the City of Crowley can fund these projects that would enhance the City through the grant:

- Acquisition or development of land, easements, or rights of way; construction, conversion, renovation of buildings; plants, machinery, equipment, access to streets and roads; parking areas and utilities.
- Pollution control and abatement.
- Rural transportation improvement.
- Community economic development.
- Technology-based economic development.
- Feasibility studies.
- Rural business incubators.

APPLICATION:

Local offices of the USDA set their own grant cycles. The grant, if applied for in Q1 of 2020, should be accepted or rejected by Q3 2020. Must go through a Notice of Solicitation of Application (NOSA) in the Federal Register.

Fact Sheet Link: <https://www.rd.usda.gov/sites/default/files/fact-sheet/RD-FactSheet-RBS-RBDG.pdf>

Main Site Link: <https://www.rd.usda.gov/programs-services/rural-business-development-grants/la>

CONTACT:

Roy Holleman, State Director | USDA

3727 Government Street

Alexandria, LA 71302

Voice: (318) 473-7920

Fax: (844) 325-6949

www.rd.usda.gov/la

USDA'S HOUSING PRESERVATION GRANT

GRANT DESCRIPTION:

This fiscal opportunity provides grants to sponsoring organizations for the repair or rehabilitation of housing owned or occupied by low- and very-low-income rural citizens. USDA will award a total of \$15,888,420 in Housing Preservation Grant Program funding for the repair and rehabilitation of rural housing units.

SCOPE:

This grant can be applied for by the City of Crowley in coordination with the Rotary Club's efforts to aid impoverished homeowners in repairing their homes. Applicants provide grants or low-interest loans to repair or rehabilitate housing for low- and very-low-income homeowners. These mini-grants to homeowners would be dispersed by the City after the city receives the funds from the USDA. Recommendation and confirmation of dispersal would be handled by the Mayor and Board of Aldermen.

RESTRICTIONS:

Applicants must have the necessary background and experience with proven ability to perform the responsibility of repair and rehabilitation of low-income housing. Applicants are required to make quarterly progress reports and a final audit on their accomplishments. This would be something to consider when applying, and to speak to the USDA about.

PROJECTS:

Eligible expenses include:

- Repairing or replacing electrical wiring, foundations, roofs, insulation, heating systems and water/waste disposal systems
- Handicap accessibility features
- Labor and materials
- Administrative expenses
- For a complete list, see Code of Federal Regulations (CFR) 1944.664

APPLICATION:

Applications are accepted on an annual basis. Local USDA offices have details about their own application cycles. Applications must go through a Notice of Solicitation of Application (NOSA) in the Federal Register.

Fact Sheet Link: <https://www.rd.usda.gov/sites/default/files/fact-sheet/RD-FactSheet-HPG.pdf>

Main Site Link: <https://www.rd.usda.gov/programs-services/housing-preservation-grants>

CONTACT:

Roy Holleman, State Director | USDA

3727 Government Street

Alexandria, LA 71302

Voice: (318) 473-7920

Fax: (844) 325-6949

www.rd.usda.gov/la

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY'S ELP AWARD

AWARD DESCRIPTION:

The Louisiana Environmental Leadership Program (ELP) is a voluntary partnership with businesses, municipalities, non-governmental organizations, federal entities, schools and universities, and community organizations designed to promote a cleaner and better environment for Louisiana. The ELP Awards Program recognizes outstanding activities and projects

undertaken by the membership that demonstrate environmental leadership and the pursuit of a cleaner, safer environment.

This award is not a grant and has no monetary attachment, however, it is a seal that can be placed on the City's grant applications for environmental purposes that can place the City in a better position to receive other grants.

SCOPE:

In the Community Environmental Outreach category (a category which this strategy set substantiates), applicants may submit project entries or program entries. A project is an undertaking at one location and programs are broader efforts, usually a combination of several projects that are coordinated and focused on the achievement of a particular goal. Project and program entries are judged separately. The City, due to its utilization of this strategy set, is eligible to apply as this plan contains a Community Environmental Outreach plan through Crowley Cleanup Day as well as the Blight and Litter Advisory Board and recommendations for educational programs.

APPLICATION:

Page Link:

https://www.deq.louisiana.gov/assets/docs/About_LDEQ/ELP_Forms/2019ELPAwardsApplicationOverview.pdf

Application Guidance:

https://www.deq.louisiana.gov/assets/docs/About_LDEQ/ELP_Forms/ELPAwardsApplicationGuidance19.pdf

CONTACT:

Tomeka Prioleau | Phone: 225-219-0877 | Email: tomeka.prioleau@la.gov

LASTEP (LOUISIANA SMALL TOWNS ENVIRONMENTAL PROGRAM)

GENERAL DESCRIPTION:

The Office of Community Development implemented a self-help initiative known as LaSTEP in 1997. The concept is for small communities to solve water and sewer problems through self-help techniques; i.e., volunteer labor. By reducing the project down to the absolute essentials and utilizing the community's resources (human, material and financial), project costs can be reduced significantly thereby creating an affordable solution. (Required savings of 40 percent in construction costs). \$500,000 - Includes up to \$30,000 for administration; up to \$3,700 for pre-agreement costs.

SCOPE:

Awards are made continuously April through March 31 of each program year and are subject to the availability of funds. Eligible recipients may apply for funding under this category by invitation only. They must be willing to solve water system and sewer system problems through the Small Towns Environment Program (STEP) method; i.e., self-help techniques utilizing community resources. The City may be eligible for this grant, but this requires a pre-application meeting to be considered.

Applicants must address the following criteria:

- Commitment to the project,
- Completion through self-help techniques,
- Resulting in a significantly reduced project cost of at least 40%.

APPLICATION:

The application for this grant is open yearly, and awards are granted continuously. Applicants must attend a pre-application meeting with the Office of Community Development.

Based on the outcome of the meeting, applicants are invited to submit an application and include documentation of the savings that will result through the LaSTEP method. Also needed is documentation for meeting the National Objective of 51 percent benefit to low-and-moderate income persons.

Link: https://www.doa.la.gov/Pages/ocd/cdbg/lcdbg_programs.aspx

CONTACT:

Heather Paul | Assistant Director, LCDBG Programs | heather.paul@la.gov

LOUISIANA'S LOCAL GOVERNMENT ASSISTANCE PROGRAM

GENERAL DESCRIPTION:

The Local Government Assistance Program is funded annually through the state's capital outlay, construction program. The LGAP is designed to fill the gaps where there are no federal or other state funds available to assist local governments with an identified high priority need. Priority is given to projects that resolve basic human health and safety needs, such as fire and police protection and sewer and water improvements. The City of Crowley is eligible to apply for this reimbursement grant.

SCOPE:

Fire protection, sewer, water, renovations to essential governmental buildings, police protection, land acquisition, demolition, equipment, roads, drainage, and reasonable engineering costs (10% of grant award for basic engineering services if associated with construction and 3% for inspection services) are eligible for assistance under this program. The grant ceiling for the City is \$50,000. Projects cannot begin until there is a signed contract in place between the awarded local government and the Office of Community Development. Funds will only be

reimbursed to the local government once invoices related to the project are submitted for approval by OCD.

APPLICATION:

All applications will require a resolution of support from the Local Government Agency and a letter of support from the State Senator and the State Representative representing the project area.

Application Link:

https://www.doa.la.gov/Pages/ocd/LGAP/lgap_cwef_applications_and_forms.aspx

CONTACT:

Wendy Williams-Vessel | LGAP Programs | wendi.vessel@la.gov

DOTD'S SAFE ROUTES TO PUBLIC PLACES PROGRAM

DESCRIPTION:

To address the need to reduce pedestrian and bicyclist fatalities and injuries, HSIP funds are eligible to be spent on projects to improve safety for pedestrians and bicyclists on all public roads (state-owned and locally-owned). The City of Crowley is eligible for this grant, has a strong chance of receiving this grant, and would not need to match any funds to receive funding.

SCOPE:

Federal funds for the project are provided for 100% of project costs with no required local match within the limits of the DOTD's project funding commitment and eligibility requirements. Any public agency is eligible to submit a project application. Public agencies may apply to fund projects for the purpose of facilitating the development and implementation of projects that will improve safety for pedestrians, bicyclists, and transit users of all ages and abilities. Eligible projects include improving pedestrian and bicycle facilities to schools, libraries, governmental

buildings, hospitals, transit facilities, public parks, and other public places. Funds must be used on public roads. This opportunity would certainly enhance quality of life development in the city, for free, and assume any cost incurred by bicycle lanes, sidewalk enhancement, crosswalks, and the creation of potential running paths.

APPLICATION:

The application cycle usually runs from February to April. There are webinars and free resources to aid the City in applying for this grant.

Fact Sheet:

http://wwwsp.dotd.la.gov/Inside_LaDOTD/Divisions/Multimodal/Highway_Safety/SRTPPP/Misc%20Documents/2018%20Safe%20Routes%20to%20Public%20Places%20Program%20Guidelines.pdf

Application Site:

http://wwwsp.dotd.la.gov/Inside_LaDOTD/Divisions/Multimodal/Highway_Safety/SRTPPP/Pages/default.aspx

CONTACT:

Laura Riggs

Laura.Riggs@la.gov

LOUISIANA'S HEALTHY COMMUNITIES GRANT

DESCRIPTION:

The purpose of the Healthy Communities Grant (HCG) is to provide funding to support local projects and programs that will bring about behavioral changes needed to improve quality of life. Focus areas include litter and waste reduction, recycling, reusing, litter enforcement, and environmental education. This is a reimbursement grant that funds projects/programs ranging from \$2,500 up to \$8,000. Reimbursements will be dispersed, upon receiving proper receipts and reports

on December 1, 2020, and May 1, 2021. At least a 10% cash match or in-kind donation is required. The City of Crowley is eligible for this grant, and matching funds can be raised through community support or in-kind donation.

SCOPE:

HCG funds must be used to reduce litter and waste, increase recycling and reusing, support litter law enforcement, and educate students and the general public on environmental issues. The placement of large community recycling bins in many neighborhoods in town can be funded by this instrument, with community organizations purchasing some bins as the “match.”

APPLICATION:

Interested applicants must submit a Letter of Intent and be invited to formally apply for the Healthy Communities Grant. The Letter of Intent will be evaluated based on the strength of the answers outlined in the HCG Overview and Letter of Intent Guidelines.

The HCG Letter of Intent will be accepted by mail or email from **January 1, 2020 to March 2, 2020**. Letters will not be accepted after midnight Central Time on March 2, 2020. KLB will issue invitations to apply for the HCG by email **on or before March 15, 2020**. Those who receive an invitation to apply may submit an online grant application for funding consideration **on or before April 1, 2020**. Grant requests must be for the same project/program outlined in the approved Letter of Intent. The Healthy Community Grant period runs from **August 1, 2020 to May 1, 2021**.

Application Site: <https://keeploouisianabeautiful.org/healthy-communities-grants/>

This website also has several resources concerning quality of life development for later projects in furtherance of this plan

CONTACT:

Cabell Mouton:

programs@keeploouisianabeautiful.org

FWHA RECREATIONAL TRAILS PROGRAM

DESCRIPTION:

This grant is an 80/20 matching grant providing funds for the creation of motorized and non-motorized trails. The program will encourage trail projects that work in partnership with trail-user groups, volunteer groups, the business community, and other groups. The City of Crowley and its Recreation Department are eligible for this grant, which would improve and create natural running trails that the City needs. Funding for the match has been set aside by the Crowley Garden Club, and other funds could be raised by the club in their own manner.

SCOPE:

The minimum (federal share) grant is \$10,000 and the maximum is \$100,000 for non-motorized projects. This funding instrument creates the construction of new trails on federal, state, parish, municipal or private lands (with certain requirements) where a recreational need for such construction is shown. Trail development and renovation activities such as:

- Subgrade preparation, base course installation, soil sterilization, earthwork, erosion control, revegetation, natural and hardened surfacing, and installation of culverts/drainage structures, low-water crossings, bank improvements, retaining walls, guard/handrails and toe rails.
- Ramps, bridges and/or boardwalks constructed, repaired, or replaced to provide an integral link along a trail and to provide connections between trails.
- Acquisition of easements for trails or for trail corridors identified in a trail plan.

The project must be completed within one year after the signature date of the Letter of Commitment Agreement. **Caution:** this is a reimbursement program, but the City will be informed if they receive the award before the project begins. Matching can also be in-kind, as in property donation by an individual or governing authority.

APPLICATION:

Applications are usually due in July of each year, with a signed Letter of Intent. When applying, the City should cite how the creation of an outdoor trail would coincide with the state's Statewide Comprehensive Outdoor Recreation Plan (SCORP), and contact their office for further assistance in funding areas.

Application Site: <https://www.crt.state.la.us/louisiana-state-parks/grant-opportunities-for-outdoor-recreation/recreational-trails/>

SCORP Site: <https://www.crt.state.la.us/louisiana-state-parks/grant-opportunities-for-outdoor-recreation/louisiana-outdoor-recreation/2014-2019-scorp/index>

CONTACT:

Division of Outdoor Recreation

Office of State Parks

1-888-677-1400

outdoorrec@crt.la.gov

ASSISTANCE FROM LOUISIANA'S STATE FIRE MARSHAL:

DESCRIPTION:

The state fire marshal's office is an extremely versatile office with responsibilities that many governing bodies have not considered. Statutorily, the fire marshal has the right to "take all steps necessary and proper to protect life and property from the hazards of fire and of panic which may arise from fire or from the threat of fire or explosion." Measures advancing this mission are usually done at no cost for municipalities. Strategically forming a plan involving the fire marshal, and his office's aid for a few days in furtherance of that plan, would benefit the city. This short-term plan would involve the local fire department as well.

SCOPE:

Resources housed in the office of the state fire marshal include:

- The inspection of all structures, except one- and two-family dwellings and movables, for the purpose of reducing or eliminating fire hazards.
- Ordering the repair or removal of potential fire hazards on penalty of fine.
- The advisement on which areas of the City have a high propensity for a spreading fire.
- Fire prevention education and code interpretations.

CONTACT:

Butch Browning

State Fire Marshal

Butch.Browning@la.gov

<http://sfm.dps.louisiana.gov/>

CITATIONS:

LA Rev Stat § 40:1563

LA Rev Stat § 40:1621

ASSISTANCE FROM LOUISIANA'S DEPARTMENT OF ENVIRONMENTAL QUALITY

DESCRIPTION:

The Department of Environmental Quality's mission is to provide service to the people of Louisiana through comprehensive environmental protection in order to promote and protect health, safety and welfare. There are many resources that this department provides at no cost to municipalities. This department would be delighted to aid in the furtherance of this plan.

SCOPE:

LDEQ can aid the City in the following ways:

- Advise the City on recycling, litter abatement, and junk initiatives
- Conduct inspections of areas that may be affecting the environmental health of the community (abandoned gas stations, areas where individuals dispose chemicals, machine shops, abandoned fiberglass blasting structures, ect.)
- Train law enforcement on environmental crime mitigation and enforcement through seminar as well as through their *Environmental Crimes Handbook*
- Investigate high priority environmental crimes at no cost to the City
- Provide non-fiscal awards to the City, such as the ELP Award, placing the City in a much better position for environmental grant consideration

- Aid in environmental education at local schools and clubs, as well as local businesses through educational initiatives

CONTACT:

Billy Eakin

LDEQ Southwest Regional Office

swroadadmin@ls.gov

(337) 491-2667

<https://www.deq.louisiana.gov/>

ASSISTANCE OF THE NATIONAL GUARD

DESCRIPTION:

By statute, Louisiana's National Guard is able to assist communities in abating public nuisances and condemned structures by removing them. This is a complex procedure that can only be undertaken after all budgeted funds for the condemnation and demolition of structures has been expended by the City.

SCOPE:

This opportunity requires the City to assume any fees relating to the activation of the area's National Guard and any fees relating to the labor incurred. It requires a signature by both the adjutant general and the governor. All liability for this project shifts to the property owner. This opportunity is included in this plan only as a last resort provision if public safety in an area is deemed in danger due to many uninhabitable structures. Though it calls for the expenditure of funds, these funds can be budgeted in the next fiscal year. Some funding may be able to be taken from liens on properties. This measure may not be appropriate due to the size of the City of Crowley; nevertheless it is a policy avenue that is available.

CITATIONS:

LA Rev Stat § 33:1236.28

Acts 2008, No. 896, §1

RESOURCES FROM THE LOUISIANA MUNICIPAL ASSOCIATION

DESCRIPTION:

The Louisiana Municipal Association is a vital resource for any municipality seeking to enhance the quality of life of its citizens. This association provides handbooks, webinars, access to attorney general opinions, and conventions for city officials. The following webinars should be given to city staff and used when applicable to inform city officials. Allowing employees to watch these webinars while being paid is vital to continuing education and becoming a resourceful employee when working on government quality of life development initiatives. The appropriate departments should be given these webinars.

RESOURCES:

Clean Water Webinar:

https://www.lma.org/LMA/Events/Webinars/Archived_Webinars/Clean_Water/LMA/Events/Webinars/Clean_Water.aspx?hkey=d657c154-3d8e-4901-9766-2aebe61bd504

Recycling Webinar:

<https://vimeo.com/257962426>

Grant Acquisition:

https://www.lma.org/LMA/Events/Webinars/Archived_Webinars/Grants/LMA/Events/Webinars/Grants.aspx?hkey=70aa92d0-1ba4-4340-aa45-ac17dec45b78

This link contains webinars on grant writing, advanced grant writing, MIP Programs, and Rural Development grants

Opioid Epidemic:

<https://vimeo.com/262888825>

PART III: DEVELOPMENT THROUGH COMMUNITY SUPPORT

The information contained within this portion of the strategy set consists of opportunities for Crowley's civic groups and community organizations to better the City and become involved in quality of life development. These groups are the "movers" and change agents of the community, a vital resource in any municipality. Typically, community organizations operate autonomously in their own capacity to achieve goals. It is a suggestion of this strategy set that these groups inform the city government of their actions so that cooperation can be founded in the same goal: the enhancement of the community. These suggestions should be administered in coordination with and with direction from the city's Blight & Litter Advisory Board (Code of Ordinances Ch. 9 Art. III § 9-56). This board serves to coordinate efforts between community organizations and the City and also to house donations from groups obtained to further portions of this strategy set. Organizational resources are also documented. These recommendations do not have to be implemented in any specific order. The community of Crowley is unique. It is a fact that the vision of a better community in the City of Crowley is not one vision but a series of ideas held by many associations and individuals. These individuals are urged to act together, for the benefit of all areas of town, so that the quality of life can develop within the City of Crowley as a whole. No area of the City should be left untouched by community and government action within the scope of quality of life enhancement. If 15%-20% of the individuals living within Crowley's city limits actively contribute, in their own way, to enhancing the environment of their town, a substantial change would be seen within one year of this strategy set's implementation.

BLIGHT AND LITTER ADVISORY BOARD

PURPOSE:

The purpose of Crowley's newly re-enacted and amended Blight and Litter Advisory Board is to utilize and coordinate community resources in order to aid quality of life development in the City of Crowley. This board is multi-functional and can aid in many recommendations provided in this plan. Because the City cannot accept or collect cash donations and is restricted in ways that it can expend funds, this board will coordinate funding for portions of the strategy set. Its most immediate goal is to coordinate Crowley Cleanup Day(s), with its further task to engage the community in quality of life development and coordinate organization efforts. It is composed of eleven members, five to be appointed by the Mayor and six to be confirmed by the Board of Aldermen, upon nomination from the Crowley Garden Clubs and the Chamber of Commerce. Each ward must be represented by at least one individual. The chairman is appointed by the Mayor, whose job is to coordinate meetings and publicize events. No votes are to be taken.

ACTIONS:

- Plan and coordinate Crowley Cleanup Day(s).
- Fundraise for components of this plan.
- Advise the Mayor and Board of Aldermen of quality of life development concerns in their communities (litter, junk, uninhabited structures) through formal and informal reporting.
- Media & Advertising for quality of life development issues and events.
- Cooperate with and submit recommendations to Code Enforcement concerning areas within the scope of the board's purpose.

CITATION:

Crowley City Code of Ordinances Ch. 9 Art. III § 9-56

QUALITY OF LIFE DEVELOPMENT COMMUNITY EDUCATION

PURPOSE:

Community engagement as a primary goal of this recommendation set must occur at all ages and in many ways. Activism, media, and physical volunteerism are all great ways that a community can raise awareness about quality of life enhancement issues. A component of raising awareness for community issues is educating different parts of the populace. Public education concerning environmental issues can take place in many forms, both formal and informal.

ACTIONS:

- Utilize the resources of Louisiana's Department of Environmental Quality such as Enviroschool, a free tailored seminar for local governments, communities, or businesses that is given at no cost to the attendees.
- The Louisiana Envirothon is a competition for students in the 6th-12th grades, information can be given to local schools.
- Local libraries can participate in educational efforts and Enviroschool. This could take the form of environmentally conscious readings or displays.
- Coordinate with local high school environmental science classes to aid in the furtherance of this program, to create their own initiatives to help quality of life development, and to allow students to be acknowledged for their volunteerism through awards to students and recycling competitions. The *Keep Louisiana Beautiful* program list has many programs which schools can participate in and aid in the media campaign for.

- Visits by elected city officials to local schools and tutoring programs would inform youth about City efforts to improve the quality of life in the City of Crowley, and the encouragement of litter abatement and recycling.

LINKS:

<https://www.deq.louisiana.gov/page/enviroschool>

<https://www.deq.louisiana.gov/page/envirothon>

<https://keeplouisianabeautiful.org/tools-resources/recycling-2/>

COMMUNITY ORGANIZATIONS & RESOURCE OFFERS

PURPOSE:

Each of these community organizations serve vital roles within the City of Crowley and are often changemakers within the scope of their various mission statements. It is important that these organizations work together, and work in all areas of the City to tackle problems shared by all. These organizations would be best served through cooperating with the Blight and Litter Advisory Board and City Hall, and should receive encouragement and aid from both of these groups. Cooperating with Crowley Clean Up Day(s) is an immediate goal while taking on their own programs through the use of resources in this chapter is a recommendation. Below are the resources that have been offered by leaders in these organizations, however offers are not restricted to this list. Each organization, of course, can help in their own way.

ORGANIZATIONS:

CROWLEY MAIN STREET

The purpose of this organization is to preserve Crowley's downtown life and to enhance the economy within the bounds of their main street district. This organization has pledged to aid in the furtherance of this plan, and Crowley Clean Up Day(s), within the boundaries of the Main

Street district and Historic District. The group is able to expend funds in furtherance of this plan within the scope of their mission and has agreed to be a social media advocate for the plan as well. Ideas and resources given by this organization were:

- Beautification along the fringes of the Main Street and Historic districts in areas of the city where projects are not currently undertaken.
- Grant/fundraising efforts for extra lighting in areas of their various districts.
- Aid to homeowners living in historic homes
- Mini-grants given to businesses and locations for facade enhancement
- Aid with mural refreshing through the Lieutenant Governor's Office
- Coordination with the City's tourism department
- Expansion of the Historic District

CROWLEY GARDEN CLUB

The purpose of this organization is to make awareness of and to beautify the City of Crowley, as well as to promote environmental awareness and make people more aware of the beauty of plants. The group is able to expend funds, provide volunteers, and coordinate efforts concerning quality of life development. Ideas and resources given by this organization were:

- Driving the Cleanest City Contest route to document before and after pictures for contest judging.
- Aid with grant efforts for a nature trail, which may have been won by the City in the previous administration. \$3,000 has been set aside for this project.
- Planting fresh flowers at all City entrances and maintaining them.
- Pledging of funds for a launchpad for Bayou Blanc kayaking.
- Pledging of self-sustaining flowers in less vibrant parks.

WEST CROWLEY BEAUTIFICATION BOARD

The purpose of this organization is to beautify the community of West Crowley and beyond, as well as to make people aware of the nature around them. This group is able to expend

funds, provide volunteers, and coordinate efforts within the community to aid in quality of life development initiatives. Ideas and resources given by this organization were:

- Coordination of efforts within West Crowley and beyond in furtherance of quality of life development.
- Identify areas within West Crowley most in need of debris collection and city upkeep.
- Aid in Crowley Clean Up Day(s) by providing volunteers and direction within West Crowley.
- Advocate and engage with local church communities to aid in beautification efforts.
- Coordination with local churches to engage in beautification efforts.
- Present “Yard of the Month” awards to homes which attempt to individually beautify their neighborhood through their own yards.

WEST CROWLEY ADVISORY BOARD

Service and community development within West Crowley are major initiatives of this organization. Though it operates in one area of town, this organization is committed to aiding the entire City with quality of life development efforts. This group is able to expend funds, be a social media advocate, and provide volunteers. Ideas and resources given by this organization were:

- Donations for projects and signs in West Crowley and trash pickup items.
- Speaking events at Town Halls in West Crowley.
- Meeting with African American community leaders to aid in total community engagement.
- Coordination of efforts from area-specific clubs.
- Volunteer coordination for events such as the Crowley Clean Up Day(s).

DELTA SIGMA THETA

Delta Sigma Theta Sorority, Incorporated is a private, non-profit organization whose purpose is to provide assistance and support through established programs in local communities throughout the world. A sisterhood of more than 350,000 predominately Black college educated

women, the Sorority currently has 1,000 chapters. The organization's primary goal is to provide support to the underserved; educate and stimulate participation in the establishment of positive public policy, and to highlight issues and provide solutions for problems in their communities.

The local chapter has presented the following ideas and resources:

- Creating events advocating for local quality of life development campaigns
- Allow their Delta Academy youth to serve as youth ambassadors
- Serve as a media outlet with connections throughout the parish, region and State to other communities
- Provide volunteers and coordination for chosen projects that would aid the community that they serve

CROWLEY ROTARY CLUB

The main goal of this organization is to promote and implement community service and to bring awareness to various industries. This organization has a history of coordination efforts and will allow speakers to attend their meetings. The organization has the capacity to raise and expend funds, provide volunteers and coordination, and to be a social media advocate for this set of recommendations. This group is also able to apply for their own intra-organization quality of life development grants. The group has presented the following ideas and resources:

- Raising funds from the community to aid in components of the Crowley Clean Up Day(s).
- Application for "self-owned home" repairs within the impoverished areas of the community, and cooperation with the City in applying for the USDA's Housing Preservation Grant.
- Application for up to \$3,000 within Rotary International in furtherance of the "self owned home" repair initiative, as well as cooperation with Rebuild Together Acadiana.
- Utilization of Rotary's Environmental Protection Committee and assistance with environmental education to local schools.
- Support for the nature/outdoor trail initiative.

- Support through public relations in furtherance of this recommendation set.

ACADIA PARISH CHAMBER OF COMMERCE

The mission of this organization centers on economic development and small business promotion. This organization has a large fundraising capacity, especially for projects in furtherance of this plan that develop the local economy. The Acadia Parish Chamber of Commerce serves the entire parish of Acadia, though it is involved with the City in major ways. This organization has offered to expend funds in furtherance of this plan pending board approval, to be a social media advocate for this plan, and to coordinate efforts with the Blight and Litter Advisory Board. The group has presented the following ideas and resources:

- Present statistics and examples of the economic impact of cleanliness on local markets.
- Encourage member businesses to be more environmentally conscious.
- Use Media and word-of-mouth advertisements of environmental efforts through their network of hundreds of businesses and thousands of employees.
- Coordinate potential large donations from major industries in the City.
- Fund initiatives of the plan which also spur economic development.
- Advocate for small business involvement in cleanup efforts.

CROWLEY KIWANIS CLUB

This is an organization whose mission is to aid the local community through service with an emphasis on the young. They participate in many child-oriented service projects. This group has offered to expend funds in furtherance of this plan, to provide volunteers, and to be an advocate for this plan pending board approval. They are open to having a speaker come on behalf of this initiative. Ideas and resources presented by this group were:

- Coordinate with local schools or groups that provide activities for youth in relation to Crowley Clean Up Day(s).

- Offer resources for children, such as the purchase of shirts for child volunteers and prizes for children.
- Provide aid to educational programs whose audience is young, whether these be initiated at a school, library, or other youth location.
- Advocate for the Louisiana Department of Environmental Equality's Envirothon.
- Provide speaking opportunities at local Kiwanis meetings.

ECCLESIASTIC INSTITUTIONS:

One of the greatest testaments of community unity and action in Crowley is the work done by faith-based organizations and ecclesiastic institutions. Utilizing the strengths of many churches in town is essential to attaining a 20%-30% community input. Individual pastoral leadership is one of the hallmarks of a strong community, and together these individuals can raise the consciousness of citizens in regards to protecting and cleaning their environment. Coordination with these groups for projects such as the Crowley Clean Up Day(s) and other community-specific projects would be a large effort, but would further the efforts of the City's quality of life development campaign. If they are able, religious leaders can offer sermons on environmental quality efforts, emphasizing Creation; there are over one hundred verses in the Bible about environmental stewardship. Below is a link to resources for various Christian denominations to aid pastors with preaching about the environment and man's role in it, as well as faith-based programs offered by respective denominations:

Link: <http://www.webofcreation.org/Links/denominational.htm>

PART IV: MAPS

The following geographic depictions of the City of Crowley have been generated by the consultant with the assistance of Mader Engineering LLC. These two maps provide the reader with a more informative visual delineation of areas suppressing environmental and life quality within the City. With these images in hand, city officials and civic groups can undertake projects within major problem areas of the city with an awareness of areas in high need.

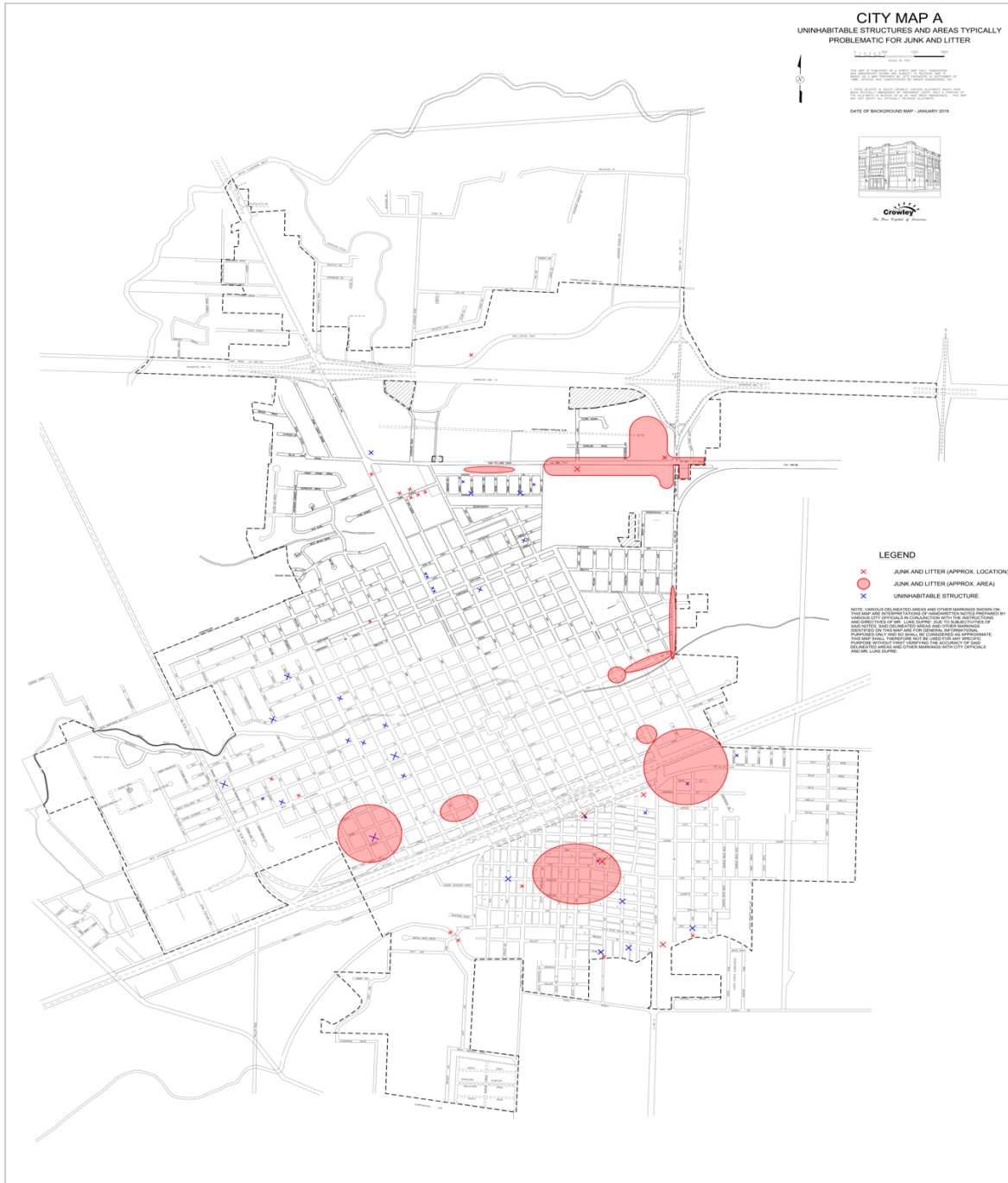
City Map A contains indicators for uninhabitable structures, indicated in blue; and areas typically problematic for junk and litter, indicated in red. Members of the Board of Aldermen were given equal numbers of “x” marks to place within their districts in various colors, and the ability to identify problem areas in general. These areas should have a priority when projects addressing litter, junk, or uninhabited structures are implemented.

City Map B contains individual lot numbers and is more specific than City Map A regarding uninhabitable structures. The Mayor, with the aid of the Code Enforcement Department, has compiled two priority lists for structures that are uninhabitable and repairable, and those which are uninhabitable and irreparably damaged. The Chief of Police, using records from his office, has supplied a list of uninhabitable structures that are currently being used by non-owners on a regular basis to conduct illicit activity. Lot numbers and approximate areas are shown. These lot numbers should be considered to have a high priority and urgency in condemnation and demolition efforts.

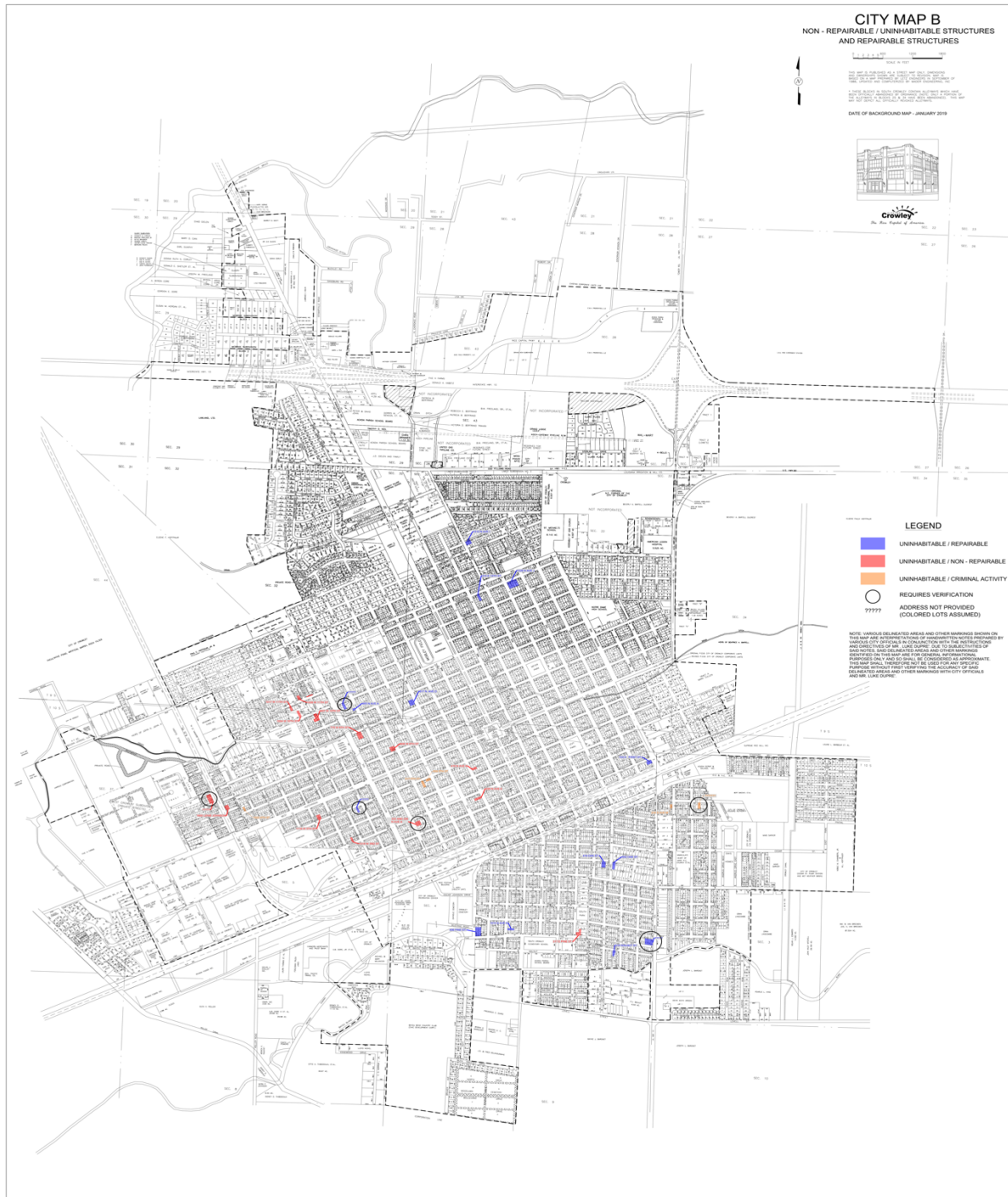
Lots marked in blue indicate structures that have been deemed uninhabitable and repairable. Lots marked in red indicate structures that have been deemed uninhabitable and unrepairable. Lots marked in orange have uninhabited structures that have a record of illegal activity.

Due to size constraints, the maps included in this plan are not optimally legible. Full size copies of the maps may be found on the city of Crowley’s website.

CITY MAP A



CITY MAP B



PART V: IMPLEMENTATION

It is a goal of this recommendation set that the City of Crowley utilize the community, state, and legal resources available to the City in order to create a better community for all. General notions of equity and efficacy come to mind when one thinks about the implementation of any quality of life development initiative. The roots of environmental awareness and pride of the community are found within the general psyche of the community. Awareness about the environment and the community's role in shaping that environment is only advanced by media campaigns, community work, and government support. Included in this section are brief suggestions on what values the community should have cognizant when beginning projects and how those projects should be implemented.

EQUITY:

The recommendations of this strategy set should be made available to all areas within the City of Crowley, with a special emphasis on areas most affected by quality of life development issues. In short, those areas with the highest degree of property depreciation and the greatest instance of litter, junk, and uninhabitable homes should be given priority. All organizations conducting quality of life development projects, whether they be government, state, or community organizations, should be treated with respect and given appropriate media and deference. Exclusions and inclusions should not occur on the basis of an area's predominant race or average income level.

EFFICIENCY:

Though the recommendations in this strategy set can be conducted in any order, it is prudent that multiple groups work together towards the same goals. If one organization applies for a state resource, they should inform the other. Channels of communication should be open

and information should be available to the public on a transparent basis. Though this recommendation set necessitates the use of political and government action, projects should not be contested in the political realm. Efforts to coordinate projects and events should not have competing actors or separate goals and processes. In order to create much wanted change, a community involvement goal of 15%-20% should suffice to meet the needs of this strategy set.

UNITY IN GOALS:

The goal of every individual seeking the advancement of this strategy set is to advance quality of life development within the City of Crowley. Though individual projects address separate areas of the environment, all have the same goal and mindset. None should be discouraged from participating in this initiative.

EDUCATION:

Bringing community awareness to this initiative is of vital importance. The utilization of social media, on multiple platforms, is certainly an implementation goal. Those attempting to further quality of life development within the City should read this plan in its entirety and do their own research, meeting with others that may have the same goals. City officials, employees, and civic leaders should receive copies of this strategy set and be given time to read it. An option is to hold a short seminar for city employees who will be aiding implementation or to hold a short seminar from Louisiana's Department of Environmental Quality that may aim to educate the Police Department on environmental crimes. Obtaining the endorsement of this strategy set or various projects within it from community organizations is also integral to raising awareness about the environment within the City of Crowley.

PROCESS:

It is of vital importance that these recommendations, when taken as projects, are not delayed or lost in a bureaucratic or organizational delay. Many plans of this style are long on vision and short on specifics. All aspects of this suggestion set can be implemented within one year. Transparency and priority are key themes that should be the heartbeat of this process of change.

APPENDIX

The items contained within this section have been created by various government entities and non-government organizations to serve as templates for governing authorities and as guides for quality of life development. They are to be used with deference given to the City's legal counsel as to the exact wording needed to match the City's Code of Ordinances.

LOUISIANA LOCAL GOVERNMENT: LITTER ORDINANCE

TEMPLATE AND HANDBOOK

PUBLISHED BY THE LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY

Item 1

STATE LAW	MODEL ORDINANCE	ENTER YOUR OWN LOCAL ORDINANCE HERE
SIMPLE LITTERING (CIVIL)	SIMPLE LITTERING (CIVIL)	SIMPLE LITTERING (CIVIL)
(1 st) \$150 OR 8 hours litter abatement (2 nd) \$1000 OR 16 hours litter abatement Plus court cost of \$100	(1 st) \$100 OR 8 hours litter abatement (2 nd) \$250 OR 16 hours litter abatement Plus court cost of \$100	
INTENTIONAL LITTERING (CRIMINAL)	INTENTIONAL LITTERING (CRIMINAL)	INTENTIONAL LITTERING (CRIMINAL)
(1 st) \$500 AND 8 hours litter abatement (2 nd) \$1000 AND 16 hours litter abatement (3 rd) \$2500 AND 80 hours litter abatement AND DL suspended for 1 year Plus court cost of \$100	(1 st) \$250 AND 8 hours litter abatement (2 nd) \$500 AND 16 hours litter abatement (3 rd) \$1000 AND 80 hours litter abatement AND DL suspended for 1 year Plus court cost of \$100	
INTENTIONAL LITTERING Cigarettes, Cigarette Butts, Cigars, Cigarillos, or Cigar or Cigarillo Tips (CRIMINAL)	INTENTIONAL LITTERING Cigarettes, Cigarette Butts, Cigars, Cigarillos, or Cigar or Cigarillo Tips (CRIMINAL)	INTENTIONAL LITTERING Cigarettes, Cigarette Butts, Cigars, Cigarillos, or Cigar or Cigarillo Tips (CRIMINAL)
(1 st) \$300 AND 8 hours litter abatement (2 nd) \$700 AND 16 hours litter abatement (3 rd) \$1500 AND 80 hours litter abatement AND DL suspended for 1 year Plus court cost of \$100	(1 st) \$300 AND 8 hours litter abatement (2 nd) \$700 AND 16 hours litter abatement (3 rd) \$1000 AND 80 hours litter abatement AND DL suspended for 1 year Plus court cost of \$100	

ITEM 2

STATE LAW	MODEL ORDINANCE	ENTER YOUR OWN LOCAL ORDINANCE HERE
LITTERING OF WATERS (CRIMINAL)	LITTERING OF WATERS (CRIMINAL)	LITTERING OF WATERS (CRIMINAL)
(1 st) \$50-\$200	(1 st) \$250 AND 8 hours litter abatement (2 nd) \$500 AND 16 hours litter abatement (3 rd) \$1000 AND 80 hours litter abatement AND DL suspended for 1 year Plus court cost of \$100	
	LITTERING OF WATERS Cigarettes, Cigarette Butts, Cigars, Cigarillos, or Cigar or Cigarillo Tips (CRIMINAL)	
	(1 st) \$300 AND 8 hours litter abatement (2 nd) \$700 AND 16 hours litter abatement (3 rd) \$1000 AND 80 hours litter abatement AND DL suspended for 1 year Plus court cost of \$100	
GROSS LITTERING (CRIMINAL)	GROSS LITTERING (CRIMINAL)	GROSS LITTERING (CRIMINAL)
(1 st) \$1000-\$2000 AND 8 hours litter abatement (2 nd) \$1000-\$5000 AND 24 hours litter abatement (3 rd) \$3000-\$10,000 AND 48-100 hours litter abatement AND imprisoned < 30 days and DL suspended for 1 year	(1 st) \$500-\$1000 AND 16 hours litter abatement (2 nd) \$1000 AND 24 hours litter abatement (3 rd) \$1000 AND 48-100 hours litter abatement AND imprisoned < 30 days and DL suspended for 1 year Plus court cost of \$100	

ITEM 3

STATE LAW	MODEL ORDINANCE	ENTER YOUR OWN LOCAL ORDINANCE HERE
COMMERCIAL LITTERING (CIVIL)	COMMERCIAL LITTERING (CIVIL)	COMMERCIAL LITTERING (CIVIL)
\$200 Plus court cost of \$50	(1 st) \$250 (2 nd) up to \$1000 Plus court cost of \$100	
<i>DISTRIBUTION OF FINES</i>	<i>DISTRIBUTION OF FINES</i>	<i>DISTRIBUTION OF FINES</i>
25% to law enforcement 50% to law enforcement retirement 15% to litter abatement program if established or 15% , when JP, to parish for expenses of JP 5% to DA or , when JP, to parish for expenses of constable	30% to parish or city for litter abatement 30% to parish reimbursement of expenses of JP 20% to parish reimbursement of expenses of Constable 20% to law enforcement	
	SIGN LOCATED IN A STATE, PARISH OR MUNICIPAL RIGHT OF WAY (CIVIL)	SIGN LOCATED IN A STATE, PARISH OR MUNICIPAL RIGHT OF WAY (CIVIL)
	(1 st) \$100 OR 8 hours litter abatement (2 nd) \$250 OR 16 hours litter abatement Plus court cost of \$100	
	<i>DISTRIBUTION OF FINES</i>	<i>DISTRIBUTION OF FINES</i>
	30% to parish or city for litter abatement 30% to parish reimbursement of expenses of JP 20% to parish reimbursement of expenses of Constable 20% to law enforcement	

ST. TAMMANY PARISH LITTER PREVENTION FORM

To report littering, all you need to do is record the information in the form below and give to a justice of the peace or constable.

Date and time you saw the littering occur: _____

Type of incident:

- | | |
|------------------------------------|--|
| — Litter from a commercial vehicle | — Deliberately thrown |
| — Blown or fell from Vehicle | — Did not involve vehicle |
| — Litter from a private vehicle | — Unsecured trash on construction site |
| — Overflowing commercial dumpster | — Other: _____ |
| — Unsecured household trash | |

Location of incident: _____

Describe the litter: _____

Did you keep the litter: _____

For commercial vehicles or commercial property, name of company:

Vehicle License plate number: _____

Description of Vehicle: Make: _____ Model: _____

Color Body Type: (example 4-door) _____

Other vehicle identifiers (Example: dents, bumper stickers):

Driver Description: _____

Passenger Information: (if available): _____

Your Name (printed): _____

Address: _____

Phone Number: _____ Fax: _____

I declare the information I have given in this affidavit is true and correct.

Affiant's Signature

Date

ITEM 5

St. Tammany Parish Litter Prevention

Litter Cleanup Day or Adopt-A-Road Application Form

An organization, business, organization or individual may choose to cleanup a parish road at will or adopt a road for regular maintenance. Complete this form and mail or fax it to St. Tammany Parish Environmental Services. (Address and phone and fax numbers are below.)

If the requested road has been adopted by another organization or individual, Environmental Services will work with the group leader or individual to select another suitable road.

Date of application:

Name of organization:

Contact person:

Mailing address:

City, State, Zip:

Daytime phone:

Evening phone:

Road interested in cleaning or adopting:

Alternative road interested in cleaning/adopting:

Approximate number of people participating in the litter dean up effort:

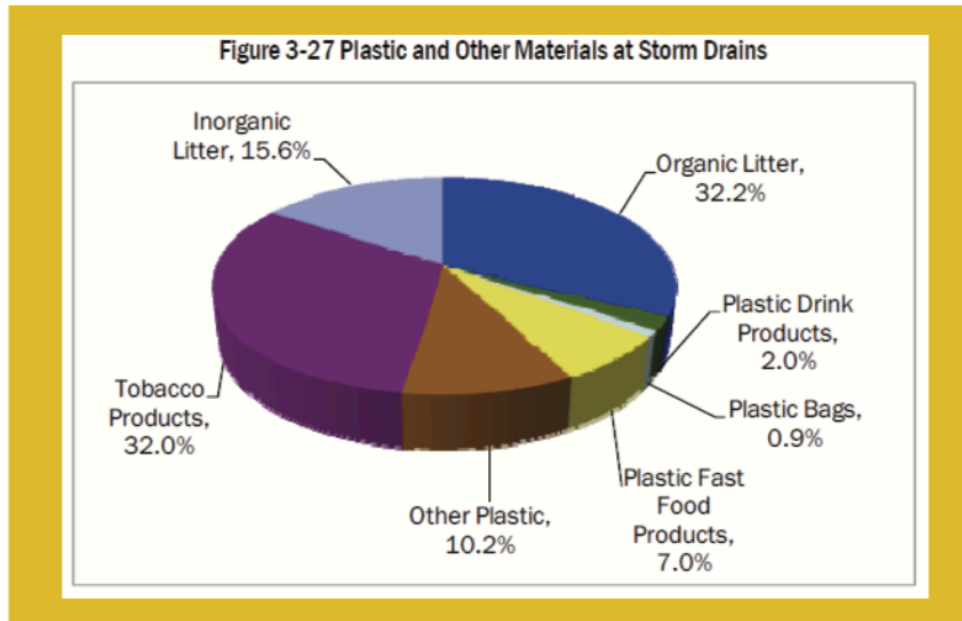
Number of volunteers below the age of 14:

Location to pickup and return safety kits
(Environmental Services Office or Covington,
Slidell, or Hickory barns):

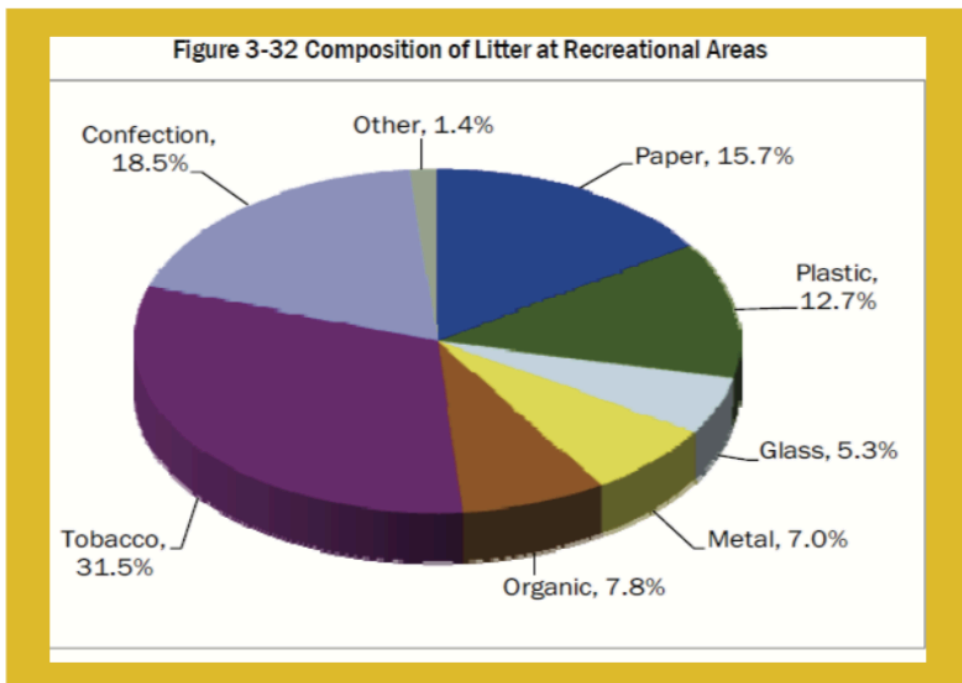
Mail or fax this form to:

St. Tammany Parish
Department of Environmental Services
P.O. Box 628
Covington, LA 70434
985-898-2535
985-898-2523 (Fax)

ITEM 6



ITEM 7



SEC. 15-001.03 INTENTIONAL LITTERING PROHIBITED;

CRIMINAL PENALTIES

- A. No person shall intentionally dispose or permit the disposal of litter upon any public place in the Parish, upon private property in the Parish not owned by him, upon property located in rural areas in the Parish not owned by him, or in or on the waters of the Parish, whether from a vehicle or otherwise, including but not limited to any public highway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley except when such property is designated by the Parish or by any of its agencies or political subdivisions for the disposal of such litter and such person is authorized to use such property for such purpose.
- B. If the litter is disposed from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined in LA--R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be an inference that the possessor committed the act of disposing.
- C. When litter disposed in violation of this Section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings that display the name of a person or any other manner indicate that the article belongs or belonged to such person, there shall be an inference that such person has violated this Section.
- D. The person shall be cited for the offense by means of a citation, summons, or other means provided by law.
 - 1. Whoever violates the provisions of this Section shall, upon first conviction, be fined two hundred and fifty (\$250.00) dollars and sentenced to serve eight (8) hours of community service in a litter abatement work program as approved by the Court.
 - 2. Upon second conviction, an offender shall be fined five hundred (\$500.00) dollars and sentenced to serve sixteen (16) hours of community service in a litter abatement work program as approved by the Court.
 - 3. Upon third or subsequent conviction, an offender shall be fined one thousand two hundred and fifty (\$1,250.00) dollars, have his motor vehicle driver's license suspended for one year, be imprisoned for not more than thirty (30) days, and be sentenced to serve eighty (80) hours of community service in a litter abatement work program as approved by the Court, or all or any combination of the aforementioned penalties provided by this Subparagraph.
 - 4. The judge may require an individual convicted of a violation of this Section to remove litter from Parish highways, public rights-of-way, public playgrounds, public parks or other appropriate locations for any prescribed period of time in lieu of the penalties prescribed in this Section.
(Ord. 01-0284, adopted 03/01/2001; amended by Ord. 08-1763, adopted 03/06/2008)
- E. A person may be found guilty and fined under this Section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.
- F. For the purposes of this Section, each occurrence shall constitute a separate violation.
- G. In addition to penalties otherwise provided, a person convicted under this Section shall:
 - 1. Repair or restore property damaged by or pay damages for any damage arising out of the violation of this Section.
 - 2. Pay all reasonable investigative expenses and costs to investigative agency or agencies.
 - 3. Pay all other reasonably related costs and expenses of any nature whatsoever incurred by the Parish, including but not limited to administrative expenses, attorney fees, and all costs.
(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.04 GROSS LITTERING PROHIBITED; CRIMINAL PENALTIES

- A. No person shall intentionally dispose or permit the disposal of any household or office furniture or appliances, automotive parts, including but not limited to, tires and engines, trailers, boats, and boating accessories, tools, and equipment, building materials, and bags or boxes of household or office garbage or refuse upon any public place in the Parish, upon private property in the Parish not owned by him, upon property located in rural areas in the Parish not owned by him, or in or on the waters of the Parish, whether from a vehicle or otherwise, including but not limited to, any public highway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley except when such property is designated by the Parish or by any of its agencies or political subdivisions for the disposal of such litter and such person is authorized to use such property for such purpose.
- B. If the litter herein as defined is disposed of from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined by LA--R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be an inference that the possessor committed the act of disposing.
- C. When litter disposed in violation of this Ordinance is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings that display the name of a person or in any other manner indicate that the article belongs or belonged to such person, there shall be an inference that such person has violated this Section.
- D. The person shall be cited for the offense by means of a citation, summons, or other means provided by law.
 - 1. Whoever violates the provisions of this Section shall, upon first conviction, be fined not less than five hundred (\$500) dollars nor more than one thousand (\$1,000) dollars and sentenced to serve eight (8) hours of community service in a litter abatement work program as approved by the court.
 - 2. Upon second conviction an offender shall be fined not less than one thousand (1,000) dollars nor more than two thousand five hundred (\$2,500) dollars and sentenced to serve twenty-four (24) hours of community service in a litter abatement work program as approved by the court.
 - 3. Upon third or subsequent conviction, an offender shall be fined not less than one thousand five hundred (\$1,500) dollars nor more than five thousand (\$5,000) dollars have his motor vehicle driver's license suspended for one year, be imprisoned for not more than thirty days, or sentenced to serve not less than forty-eight (48) and not more than one hundred (100) hours in a litter abatement work program as approved by the court, or all or any combination of the aforementioned penalties.
- E. The Court may require an individual convicted of a violation of this Section to remove litter from state highways, public rights-of-way, public playgrounds, public parks, or other appropriate locations for any prescribed period of time in lieu of the penalties prescribed in this section.
- F. A person may be found guilty and fined under this Section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.
- G. For the purposes of this Section, each occurrence shall constitute a separate violation
- H. In addition to penalties otherwise provided, a person convicted under this Section shall:
 - 1. Repair or restore property damaged by or pay damages for any damage arising out of the violation of this Section.

2. Pay all reasonable investigative expenses and costs to the investigative agency or agencies.
3. Pay all other reasonably related costs and expenses of any nature whatsoever incurred by the Parish, including but not limited to administrative expenses, attorney fees, and all costs.
(Ord. 01-0284, adopted 03/01/2001)

ITEM 10

SEC. 15-001.05 COMMERCIAL LITTERING

- A. No person shall dispose or permit the disposal of litter resulting from industrial, commercial, mining, or agricultural operations in which the person has a financial interest upon any public place in the Parish, upon private property in this Parish not owned by him, upon property located in rural areas in the Parish not owned by him, or in or on the waters of the Parish whether from a vehicle or otherwise, including but not limited to any public highway public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley; except, when such property is designated by the Parish or by any of its agencies or political subdivisions for the disposal of such items and such person is authorized to use such property for such purpose.
- B. No person shall operate any truck or other vehicle in such a manner or condition that litter resulting from industrial, commercial, mining, or agricultural operations in which the person is involved can blow or fall out of such vehicle or that mud from its tires can fall upon the roadway.
- C. If the litter is disposed of from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or school bus, all as defined by LA--R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be a permissive rebuttable presumption that the possessor committed the act of disposing.
- D. When litter disposed in violation of the Section is discovered to contain any article of articles, including but not limited to letters, bills, publications, or other writings that display the name of a person or in any other manner indicates that the article belongs or belonged to such person, there shall be a permissive rebuttable presumption that such person has violated this Section.
- E. A person shall be jointly and severally liable for the actions of its agents, officers, and directors for any violation of this Section by any agent, officer, or director in the course and scope of his employment or duties.

SEC. 15-001.06 SIMPLE LITTERING

- A. No person shall dispose or permit the disposal of litter upon any public place in this Parish, upon private property in this Parish not owned by him, upon property located in rural areas in this State not owned by him, or in or on the waters of the State whether from a vehicle or otherwise, including but not limited to any public highway public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley.
- B. No person shall operate a motor vehicle on any highway or a boat on any waters in such a manner or condition that the contents can blow or fall out of such vehicle or boat.
- C. No person shall dispose of litter in such a manner that the litter may be carried away or deposited by the elements upon any parts of said public or private property or waters.
- D. If the litter is disposed of from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or school bus, all as defined by LA--R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be a permissive rebuttable presumption that the possessor committed or permitted the act of disposing.
- E. When litter disposed in violation of the Section is discovered to contain any article of articles, including but not limited to letters, bills, publications, or other writings that display the name of a person or in any other manner indicates that the article belongs or belonged to such person, there shall be a permissive rebuttable presumption that such person has violated this Section.

LOUISIANA MUNICIPAL REVIEW: VOL 84, NO. 10

Published by the Louisiana Municipal Association

ITEM 1

BASICS OF PROPERTY NUISANCE ABATEMENT

LMA Annual Conference August 2019

Sequence of Action		Building Abatement	Rubbish	Grass and Weeds
Nuisance Description		A building in dilapidated or dangerous condition	Trash, debris, junk, garbage, or discarded appliances, machinery, metal, construction materials, or other discarded items	Grass or weeds taller than specified height, usually 12". You may wish to exempt areas where grass is allowed to be grown for agricultural or commercial purposes
Authorizing State Statutes		La. R.S. 33:4761; et.seq.; 9:3500	La. R.S. 33:4876; 33:4766; 9:3500	La. R.S. 33:5062; 33:362; 9:3500; 33:4766
1	Complaint	Initiated by citizen complaint, unless there is sufficient staff to uniformly patrol for violations		
2	Inspection, Report and photograph	Written report by Certified Building Official (CBO) or authorized municipal official	Mayor or Mayor's designee	Mayor or Mayor's designee
3	Notice to Owner by Mayor or Mayor's Designee	Registered mail at least 10 days before Board of Aldermen meeting requiring owner to show cause why it should not be demolished; record a copy of notice at recorder of mortgages office (Parish Clerk of Court)	Registered mail to assessed owner providing 10 days from receipt of notice to abate	Registered mail to assessed owner providing 5 days from receipt of notice to abate
4	Board of Aldermen Hearing	<ul style="list-style-type: none"> Order condemning the building and ordering demolition or Order granting owner a specified time to make repairs 	Optional: owner may make written appeal to Board of Aldermen within 10 days of receipt of notice	
5	Optional Appeal by owner to District Court	Within 5 days of decision	Within 30 days of decision	
6	Abatement by Municipality	Municipality sends Demolition Notice to owner and occupant, if any, before demolition; there will be additional steps to contract with someone for demolition; asbestos, if present, can delay demolition	If not removed and no appeal filed, municipality may abate 11 days after receipt of notice	Municipality may abate 6 days after receipt of notice
7	Cost Recovery	File a lien for expenses, legal fees, and interest; provision must be in municipality's ordinance		
	Additional Provisions	<ul style="list-style-type: none"> The municipality must hire an attorney to represent unknown or minor owners Aldermen may condemn with 24 hours' notice if the building's condition is a grave public emergency 		The municipality may perform monthly maintenance without notice by filing and recording an affidavit about owners who have repeat offenses within 12 consecutive months

ITEM 1 (CONTINUED)

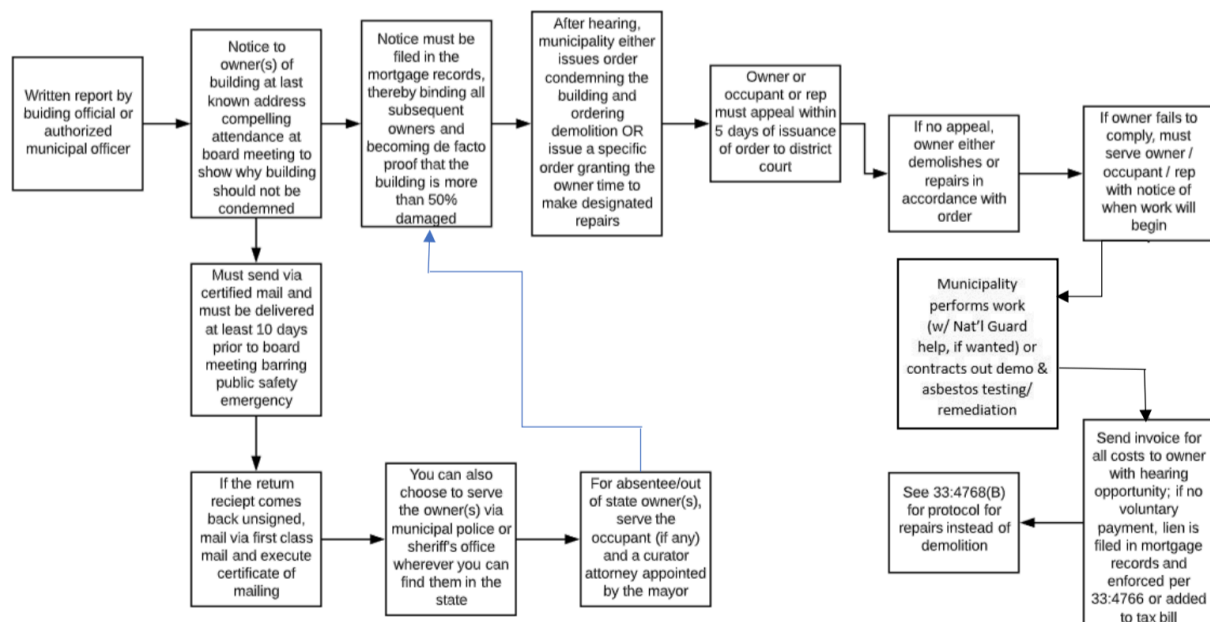
Sequence of Action		Abandoned Vehicle	Nuisance Vehicle
Nuisance Description		A motor vehicle left more than 72 hours on public land or on private property without consent	A junked or partially dismantled vehicle, unable to move under its own power for more than 30 days which is not stored within an enclosed building
Authorizing State Statutes		La. R.S. 32:471 et.seq.	La. R.S. 33:4876
1	Complaint	Initiated by citizen complaint, unless there is sufficient staff to uniformly patrol for violations	
2	Inspection, Report and photograph	Mayor or Mayor's designee	Mayor or Mayor's designee
3	Notice to Owner by Mayor or Mayor's Designee	Notice posted on windshield providing 24 hours to remove vehicle; additional notice to owner or lien holder within 10 days after removal	Notice posted on windshield providing 10 days to remove vehicle; follow up with required additional notice to owner and lien holder within 10 days after removal
4	Board of Aldermen Hearing		Optional: owner or lien holder may make written appeal to Board of Aldermen within 10 days of receipt of notice
5	Optional Appeal by owner to District Court		Within 15 days of decision
6	Abatement by Municipality	Municipality may have vehicle towed and stored after 24 hours (excluding weekends and holiday);	Municipality may have vehicle towed and stored after 10 working days if no appeals have been filed
7	Cost Recovery	Cost of towing and storage to be reimbursed by owner or by sale of vehicle	
●	Additional Provisions	If not included within Ordinance, develop an Inspector's checklist for the violations to be enforced	

FIGHT THE BLIGHT: A GUIDE TO ADDRESSING COMMON PUBLIC NUISANCES

A PUBLICATION OF LOUISIANA CITY ATTORNEYS ASSOCIATION AND LOUISIANA MUNICIPAL ASSOCIATION, IN PARTNERSHIP WITH NEIL ERWIN LAW

ITEM 1

What is the Process?



ITEM 2

Role of Administrative Hearings in Nuisance Abatement

La. R.S. 13:2575 provides a process by which a municipality may create an administrative court to address blighted or abandoned property, or a person violating a public health, housing, fire code, environmental, or historic district ordinance. So in addition to the remedies already provided herein, the municipality may utilize the

administrative adjudication hearing procedures set forth below to seek a determination that the vacant residential or commercial property is “blighted,” as defined by R.S. 33:1374(B)(1), or “abandoned,” as defined by R.S. 33:4720.59(D)(2).

Once the municipality obtains a declaration that the property is “abandoned” or “blighted,” the redemptive period is cut in half from three years to 18 months pursuant to La. Constitution Art. VII, Section 25(B)(3).

The administrative court also provides an ideal forum to tailor a solution for complicated nuisance properties where multiple issues persist – overgrown grass, junk vehicles, miscellaneous junk, etc. A template ordinance to establish such a court is affixed hereto as *Appendix A*.

OPTIONAL FIRST STEPS

Should the municipality wish to involve its elected governing authority prior to initiation of formal administrative proceedings, here are two initial optional actions:

1. Municipality sends the owner of record (per assessor) a Notice to Abate by USPS first class mail, indicating the date on which the council/board will decide whether the property is blighted/abandoned, or is in violation of public health, housing, fire code, environmental, or historic district ordinances, based upon an inspection by a municipal official. Neighborly cooperation through voluntary remediation is requested. Due process suggests the notice should be at least 10 days before the council/board meeting.
2. If the property owner actually goes out and remediates the property by the date of the council meeting, then the administrative hearing process will generally end (no costs assessed). Unsatisfactory or partial remediation can cause the administrative hearing process to continue.

STATUTORY STEPS

3. Assuming no response to the letter or voluntary remediation (or if the municipality opts to not engage in the optional steps listed above), the municipality further documents all violations with photographs and gathers evidence of violations of public health, housing, fire code, environmental, or historic district ordinances, and/or evidence of blight or abandonment (if applicable).
4. For violations of public health, housing, fire code, environmental, and/or historic district ordinances, the municipality notifies the property owner(s) **at least 15 days in advance** of the date of the administrative hearing (see La. R.S. 13:2575(D)(1)).
 - (a) The notice shall state the time, date, and location of the hearing, and the alleged violations (include any inspection reports and photographs with their date).
 - (b) The notice shall be sent by certified or registered US mail to the violator or personally served on the violator at the address listed in the assessor's office of the municipality or parish.
5. For determinations of whether the property is "blighted" (as defined by La. R.S. 33:1374(B)(1)) or "abandoned" (as defined by La. R.S. 33:4720.59(D)(2)), the municipality notifies the property owner(s) and each mortgagee of record in the parish mortgage records, **at least 30 days in advance** of the date of the administrative hearing (see La. R.S. 13:2575(D)(2)).
 - (a) The notification shall state the time, date, and location of the hearing, the location of the subject property, and an explanation that the hearing is for the purpose of deciding whether the subject property is blighted or abandoned.
 - (b) The notice shall be sent by certified or registered US mail or personally served on the property owner at the address listed in the assessor's office of the municipality or parish, and on each mortgagee of record at the address provided in the recorded mortgage.

NOTE: If the administrative hearing is dual purpose – i.e., to address violations of ordinances and determine status as “blighted” or “abandoned” – the notice of the administrative hearing must comply with both Subsection (D)(1) and Subsection (D)(2) of La. R.S. 13:2575 OR the municipality may issue two notices of the administrative hearing to address each subject matter. The template ordinance in Appendix A sets forth the most expansive timelines and content.

6. The hearing shall be conducted at the appointed place and time pursuant to the Administrative Procedure Act with the municipality presenting its evidence of blight/abandonment as defined by statute (pictures, testimony of public officials, neighbors, etc.); the property owner or interested party may or may not be there to offer their side.
7. If the hearing officer finds that municipal ordinances have been violated and/or that the property is blighted/abandoned, they have broad authority to confect a remedy that is tailored to the situation, including ordering abatement and imposing civil penalties
8. The hearing officer must issue the order within 30 days of the hearing date (excluding legal holidays) and shall notify all parties of the order in the same manner that parties are notified of the hearing date.
9. The property owner/mortgagee must appeal an adverse decision to district court within 30 calendar days of the order; note that the appeal does not stay the enforcement and collection of the judgment amounts unless the appellant posts a bond with the municipality for the total amount prior to filing the appeal.
10. Once the judgment is final, the municipality will have a lien on the property for all of the monies associated with the administrative hearing, including any civil penalties, through the filing of the hearing officer’s final order in the mortgage and conveyance records.
11. Municipality may either enforce the judgment through the usual tax sale protocol (add it to the ad valorem tax bill), OR they can get a fifa writ to go out and seize and sell the property accordingly.

NOTE: There are special rules for parishes with populations between 300K and 400K, and those

parishes with populations between 35.5K and 36K, as well as special rules for Jefferson Parish,

Livingston Parish, West Baton Rouge Parish, Central, and New Orleans.

Model Ordinance for Administrative Hearing Court

(A) In addition to the remedies already provided herein, the (city, town, village) may utilize the administrative adjudication hearing procedures set forth below, in accordance with La. R.S. 13:2575, to seek findings that there are violations of public health, housing, fire code, environmental, and/or historic district ordinances, and/or to seek a determination that the vacant residential or commercial property at issue is “blighted,” as defined by R.S. 33:1374(B)(1), or “abandoned,” as defined by R.S. 33:4720.59(D)(2).

(B) (1) Appointment of Hearing Officer

(a) Administrative adjudication proceedings under this article shall be conducted before hearing officers who have been licensed to practice law in Louisiana for at least two years.

(b) Hearing officers shall be appointed by the mayor and shall serve at the pleasure of the mayor.

(c) Hearing officers shall be sworn before the municipal attorney to uphold the Constitution, the laws and constitution of the State of Louisiana, and the Charter and ordinances of the (city, town, village), and to abide by the provisions of the Louisiana Code of Governmental Ethics and the (city, town, village) Code of Ethics.

(2) Hearing officers who have been appointed and sworn in accordance with this Ordinance have the authority to hear and decide any and all Code and ordinance violations.

(3) The hearing officer shall have the power to:

(a) administer oaths and affirmations;

(b) issue orders compelling the attendance of witnesses, respondents, alleged violators, and violators and the production of documents;

- (c) determine whether or not an alleged violator is liable or guilty of code violations;
- (d) determine whether vacant residential or commercial property is “blighted,” as defined by R.S. 33:1374(B)(1), or “abandoned,” as defined by R.S. 33:4720.59(D)(2);
- (e) levy fees, costs, and penalties;
- (f) order violators to correct violations within a stipulated time;
- (g) take any and/or all necessary and lawful measures to effect corrections of the violation if the violator fails to do so within the time allocated by the hearing officer; and
- (h) record orders, judgments, notices of judgments, or liens in the mortgage records.

(4) Procedure for Hearing

- (a) Whenever the (city, town, village) determines that a violation of a code or ordinance exists, a notice of violation(s) shall be provided to all interested parties as defined by La. R.S. 13:2575 by certified mail at least thirty (30) days in advance of the administrative hearing.
- (b) A notice of violation(s) shall:

- (i) be in writing;
 - (ii) provide the municipal address of the cited property;
 - (iii) provide the date of the inspection;
 - (iv) provide notice of alleged violation(s) at the cited property;
 - (v) provide the mailing address and telephone number of the enforcement agency;
 - (vi) provide the time, date and location of the administrative hearing whereby the alleged violation shall be adjudicated;
 - (vii) provide notice that the failure to appear at the hearing shall be considered an admission of liability for the charged violation(s);
 - (viii) provide the risk of fees, penalties, costs, and liens that may be imposed for continued violation(s);
 - (ix) provide the risk of remedial measures that may be ordered by a hearing officer to correct or abate violation(s); and
 - (x) if the purpose of the hearing is to determine whether the property is “blighted” or “abandoned” as defined in paragraph B(3)(d) herein, the notice shall provide that the purpose of the hearing is to decide whether the subject property is “blighted” or “abandoned” according to the relevant laws.
- (c) The date of the postmark shall be deemed to be the date of delivery. Any notification so sent and returned by the U.S. Post Office shall be considered as having fulfilled the notification requirement. Proof of notification and attempts at service shall be entered in the record for each case prior to the hearing.
- (d) In addition to the service provided in Section, a copy of the notice of violation shall be affixed in a prominent location on the property upon which violations are alleged or, if safe access to the property is not reasonably practicable, on some prominent fixture on the adjacent public right-of-way as near as possible to the property at least five (5) days in advance of the date of the hearing. It shall be unlawful for any person other than an agent of the city to remove a notice posted on the public right-of- way prior to the commencement of the hearing.
- (e) Any person charged with violation(s) herein may present any relevant evidence and testimony at such hearing and may be represented. An alleged violator's physical presence shall not be required at the hearing if documentary evidence, duly verified by such person, is submitted to the hearing officer via the agency of the (city, town, village) having a responsibility for the enforcement the code violation(s), prior to the date of the hearing. Nothing

contained herein shall be construed to limit the authority or the ability of a hearing officer to determine an alleged violator's liability or guilt based solely upon submitted documentary evidence.

- (f) Any order compelling the attendance of witnesses or the production of documents may be enforced by the municipal court or by any other court of competent jurisdiction.
- (g) Any administrative adjudication hearing held under the provisions of this Ordinance shall be conducted in accordance with the rules of evidence of the Administrative Procedure Act, R.S. 49:950 et seq. Testimony of any person shall be taken under oath and shall be recorded.
- (h) The hearing officer shall issue a final order, judgment, or notice of judgment within 30 days of the hearing, excluding legal holidays. The hearing officer shall simultaneously send a copy of the final order, judgment, or notice of judgment to all interested parties by certified U.S. mail. The order, judgment, or notice of judgment shall:
 - (i) be signed by the hearing officer;
 - (ii) state whether or not the alleged violator is liable or guilty of each violation and any specific determinations thereto;
 - (iii) provide the amount of fees, costs, and penalties assessed for each violation;
 - (iv) provide the defects to be corrected and the extent by which each violation shall be corrected, repaired, and/or abated;
 - (v) provide the reasonable period of time by which each violation shall be corrected, repaired and/or abated;
 - (vi) notify the violator(s) of their right to appeal; and
 - (vii) notify the violator that the city may act to abate violation(s) if the violator fails to act in accordance with the order, judgment, or notice of judgment, where applicable.
- (i) The city may enforce any order assessing fees, costs, and penalties, and/or stipulating a required correction, repair, or abatement measure.

(5) Penalties

- (a) The penalty for each violation shall not exceed the maximum that may be imposed by municipal court as provided in R.S. 13:2500.
- (b) Each day that violation(s) continues after due notice has been served shall be deemed a separate offense.
- (c) A schedule of penalties may be established by ordinance providing penalty amounts, consistent with subpart (a), for specific Code violation(s).

(6) Costs

- (a) Costs and expenses that may be recovered and enforced against a violator under this Section include, but are not limited to:
 - (i) the (city/town/villages)'s direct cost for abatement;
 - (ii) costs of salary and all applicable overhead of municipal staff and contract personnel involved in the investigation, enforcement, and/or remediation or abatement of a violation;
 - (iii) attorney's fees if and when applicable;
 - (iv) hearing and/or court costs including but not limited to hearing officer and witness fees;
 - (v) costs of engineering and other technical services and studies as may be required; and
 - (vi) any other fee, cost, or expense reasonably and rationally related to the city's enforcement action(s) to bring violation(s) into compliance or to abate and/or correct a violation of local, state or federal law.
- (b) At any point in the enforcement process after the time for voluntary compliance has expired, or following the conclusion of the enforcement/abatement action(s), the (city/town/village) may notify the violator of the proposed full cost recovery against the real property that was

the subject of enforcement/abatement action. The notice may be issued as a statement of costs, which shall provide a cost schedule and contain a provision for appealing to an administrative hearing officer the accuracy and reasonableness of the costs, within 30 days from the date of mailing. After compliance has been obtained and prior to the closure of the case, a final statement of costs may be calculated and sent to the violator.

- (c) If payment is not received within 30 days of the mailing of the notice or statement of costs, or following any appeal hearing upholding all or part of the costs, the (city/town/village) may issue a demand for payment. A demand for payment shall be mailed to a violator and provide notice that, if payment is not received by the date indicated in the demand, the (city/town/village) may lien the property that was subject to the enforcement/abatement action for all applicable costs.

(7) Liens

- (a) The (city/town/village) shall have a lien and privilege against the immovable property in, on, or upon which violation(s) occurred. The lien and privilege shall secure all fines, fees, costs, and penalties that are assessed by the (city/town/village) and described in the order, judgment, or notice of judgment and the notice or statement of costs. The recordation of the order, judgment, or notice of judgment and the notice or statement of costs in the mortgage office of the parish shall constitute a lien and privilege against the land upon which violation(s) exists. Any lien and privilege recorded against an immovable property under this Ordinance shall be included in the next annual ad valorem tax bill.

- (b) Upon recordation of the order, judgment, notice of judgment, or lien, the (city/town/village) may:

- (i) apply to the clerk of district court for issuance of a writ in accordance with Code of Civil Procedure Article 2253, under the authority of La. R.S. 13:2575 and 13:2576, upon describing with particularity the immovable property and the manner in which the writ is to be enforced; or

(ii) institute a suit against the owner of record in any court of competent jurisdiction to enforce the order, judgment, notice of judgment, or lien.

(c) In order for the lien and privilege to arise, the order, judgment, notice of judgment or lien shall be final and not subject to appeal when recorded in the mortgage office.

(d) Any monies collected pursuant to this chapter shall first satisfy all outstanding municipal liens recorded against an immovable property and only when all outstanding municipal liens are satisfied in full shall monies be applied towards an immovable property's ad valorem taxes.

(8) Enforcement of Liens-Additional Requirements

(a) Upon the (city/town/village) instituting legal proceedings to obtain a writ to cause the seizure and sale of a property with outstanding liens, pursuant to this Ordinance, the property shall also be unoccupied.

(b) Unoccupied properties that maintain a valid homestead per article VII, sections 18(G)(5) and 20(A)(10) of the Constitution of Louisiana, shall be exempt from this section upon presentation of a signed affidavit from the assessor or his designee, attesting that the owner is approved for an extension of the special assessment level. This affidavit shall be renewed annually. The owner shall also submit, along with the aforementioned affidavit, a copy of their annual affidavit of intent to return and reoccupy the homestead that is filed with the assessor as required by article VII, section 20(A)(10) of the Louisiana Constitution. This provision shall expire on

(c) Any person with a legally protected interest in a property must be provided notice that is reasonably calculated to apprise them of the seizure and upcoming sale of the property.

(9) Appeal

Any person determined by the hearing officer to be guilty of a Code violation may appeal the determination to the civil district court for the Parish of __ (parish where municipality is located) __, __ (number of judicial district) __ Judicial District Court. Such appeal shall be instituted by filing, within 30 calendar days of the mailing of the hearing officer's Order, a petition with the clerk of the civil district court along with payment of such costs as may be required by the clerk of court. After filing a petition for appeal, the clerk of court shall schedule a hearing and notify all parties of the date, time, and place of such hearing. Service of notice of appeal under this subsection shall not stay the enforcement and collection of the judgment unless the person who files the appeal furnishes security prior to filing notice of appeal with the (city/town/village)'s department of finance in the amount fixed by the hearing officer sufficient to assure satisfaction of the finding of the hearing officer relative to the fine(s), fee(s), penalty/penalties, cost(s) of the hearing, and cost(s), if any, of correcting the violation(s).

(10) Remedies Not Exclusive

The regulations, procedures, and remedies established by this Section of the Ordinance are nonexclusive and may be pursued independently of each other and in addition to other remedies provided by law.

(11) Record-keeping

- (a) At its commencement by notice of violation, every adjudication proceeding shall be assigned a docket number and a style in the form of "(city/town/village) versus" followed by the name of the alleged violator. The records pertaining to each proceeding shall be maintained as a separate file in a manner similar to the fashion in which the clerks of court maintain the records of civil cases.
- (b) Each agency charged with the enforcement of an Ordinance within the scope of this article shall, with the advice of the (city/town/village) Legal

Department, maintain a log or index of all adjudication proceedings which shall set forth information, including but not limited to the following:

- (i) the style and docket number of the case and the date it was commenced;
- (ii) alleged Code violation(s);
- (iii) date of the alleged violation(s);
- (iv) address or other description of the property upon which the alleged violation(s) exist or have occurred;
- (v) date(s) of any hearings, trials or continuances and the dates of their commencement and/or termination and, if the case is terminated, of its final disposition;
- (vi) statement(s) as to the dates of any hearing and of any final order in the case and as to whether and when any lien was filed; and
- (vii) statement(s) as to the date of filing and disposition of any appeal.

(12) Transfer of ownership

It is a violation for any property owner(s) to transfer a property that receives a notice of violation without notifying the enforcement agency of the city that sent said notice of violation. Anyone found in violation of this section shall be fined \$500.00. (Code 20____, §_____, Ord. No. _____)