

ACT No. 159

2023 Regular Session

HOUSE BILL NO. 270

BY REPRESENTATIVE WILLARD

1 AN ACT

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

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

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 33:5062.2 is hereby enacted to read as follows:

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

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

23 B. No such work shall be undertaken by the parish governing authority
24 pursuant to this Section until the owner of the lot, place, or area or the owner of the
25 abutting property, as shown on the last assessment roll of the parish, has an
26 opportunity of doing the work himself within at least five days after notice has been

1 given to him by advertisement in the official journal of the parish for two
2 consecutive days or after notice has been given to him by registered or certified mail,
3 addressed in accordance with the tax rolls of the parish.

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

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

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____