



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbp.net

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#16**

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, MAY 6, 2014 AT SEVEN O'CLOCK P.M.

On motion of Mr. Hunnicutt, seconded by Mr. Lewis, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1167-05-14**

A RESOLUTION RESPECTFULLY REQUESTING OUR LA STATE DELEGATION TO AMEND LA RS 47:2161.

WHEREAS, Chapter 11, Health and Sanitation; Article VII, Property Maintenance Code; Division 2 Administration and Enforcement, Section 11-165.3 Prosecution of violation states that if a notice of violation is not complied with, the code official shall institute appropriate proceedings to restrain, correct, or abate such violation. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate; and,

WHEREAS, Chapter 11, Health and Sanitation; Article VII, Property Maintenance Code; Division 2 Administration and Enforcement, Section 11-166.5 Penalties states (a) specifies that upon failure of any such proper owner to pay the charges, the parish is authorized to have the charges enumerated added to the annual ad valorem tax bill of the property involved; and,

WHEREAS, Louisiana R.S. 47:2161(A) states that if a property is redeemed subsequent to a delinquent tax sale, the person redeeming shall pay all statutory impositions assessed upon the property subsequent to the tax sale; and,

WHEREAS, the parish code of ordinances, however, does not provide for reimbursement of a tax sale purchaser for required improvements made in order to bring a blighted or abandoned property into compliance with such local ordinances if that property should later be redeemed; and,

WHEREAS, purchasers of tax delinquent properties are now hesitant to maintain blighted or abandoned properties because the original owner may redeem the property within the permitted statutory period without reimbursing the purchaser the cost of bringing or keeping the property up to code; and,



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbp.net](http://www.sbp.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page-2-  
Extract #16 continued  
May 6, 2014

WHEREAS, the following proposed addition would give tax sale purchasers the same right of lien for such necessary improvements as is currently afforded to the parish governing authority, and is already afforded to tax sale purchasers in New Orleans through LA. R.S. 47:2161(B).

"If improvements are made in order to bring blighted or abandoned property into compliance with local ordinances, as defined by R.S. 19:136.1, subsequent to a tax sale but prior to notice of redemption, the redeeming person shall be required to reimburse the cost of such necessary improvements. In order to receive reimbursement, the improving party shall be required to file an affidavit and receipts within the mortgage records of the parish documenting the costs of such improvements within sixty days of receiving notice of redemption. The failure of a person redeeming property to reimburse a tax sale purchaser for improvements made in accordance with this paragraph shall not terminate or otherwise impair in any way the right of such person to redeem his property pursuant to state statute."

NOW THEREFORE BE IT RESOLVED, the St. Bernard Parish Council, the governing authority, does hereby respectfully request our LA State Delegation to amend LA RS 47:2161.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, Cavignac

**NAYS:**            None

**ABSENT:**        None

The Council Chair, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of May, 2014.



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpq.net](http://www.sbpq.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page-3-  
Extract #16 continued  
May 6, 2014

## CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, May 6, 2014.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 6<sup>th</sup> day of May, 2014.

ROXANNE ADAMS  
CLERK OF COUNCIL