

CITY OF ST. GEORGE

BY COUNCILMEMBER COOK:

ORDINANCE NO. 2025-011

TO AMEND TITLE 4 RELATIVE TO ADMINISTRATIVE HEARINGS AND TO PROVIDE FOR RELATED MATTERS

WHEREAS, the City of St. George, through Ordinance No. 2024-024 adopted Title 4, Administrative Adjudication to provide for the adjudication of all violations of any City of St. George's ordinance, including, but not limited to, ordinances regulating public health, environment, housing, building codes, fire codes, nuisances, zoning, licensing, permitting, and animals; and

WHEREAS the City of St. George seeks to amend certain sections of Title 4.

BE IT ORDAINED. the St. George City Council, State of Louisiana, hereby amends and reenacts Sec. 4:102 and Sec. 4:105 and enacts Sec. 4:106(A)(7) and Sec. 4:106(a)(7) and Sec. 4:111, of Title 4 of the Code of Ordinances for the City of St. George, as follows:

Section 1. Enactment.

Sec. 4:102. Administrative hearings

* * *

For purposes of this Title, a "housing violation" shall encompass only those conditions in privately owned structures, that are determined, at the discretion of a hearing officer, to constitute a threat or danger to the public health, safety, or welfare, to the environment, or a historic district.

Sec. 4:105. Authority of hearing officers

(a) Hearing officers shall have the authority to hear and decide alleged violations of all St. George ordinances, including but not limited to, ordinances regulating public health, environment, housing, building codes, fire codes, nuisances, zoning, licensing, and permitting, ~~and animals.~~

~~(b) In accordance with Section 4:108 of this chapter, the hearing officer may impose hearing costs of not more than \$250 and may impose a civil fine. Unless established otherwise by the Code of Ordinances, that fine may not exceed \$25 per violation. Each day of a violation shall constitute a separate violation.~~

Hearing officers shall have the authority to 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).

(b) In accordance with Section 4:108 of this chapter, the hearing officer may impose costs and expenses that may be recovered and enforced against a violator under this Code, including but not limited to:

1. The city's direct cost for abatement;
2. 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;
3. Attorney's fees if and when applicable;
4. Hearing and/or court costs including but not limited to hearing officer and witness fees;
5. Costs of engineering and other technical services and studies as may be required; and
6. 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.

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 may notify the violator of the proposed full cost recovery against the 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, which appeal must be requested in writing within 30 days from the date of mailing of said notice. Prior to the closure of the case, a final statement of costs may be calculated and sent to the violator.

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 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 may lien the property that was subject to the enforcement/abatement action for all applicable costs.

- (c) Unless established otherwise by the Code of Ordinances, the hearing officer may impose a fine for each violation, not to exceed \$500.00 per offense. Each day of a violation shall constitute a separate violation.

Sec. 4:106. Hearing procedure.

(a) Notice.

* * *

- (7) In addition to the Notice provided in this Title, 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.

Sec. 4:111. Transfer of ownership.

It is a violation for any property owner(s) to transfer a property that receives a notice of a violation without notifying the city enforcement agency that sent said notice of the violation.

Anyone found in violation of this article shall be fined \$500.00.

Section 2: Conflicts. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 3: Severability. If any section, subsection, sentence, clause, or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, such declaration of invalidity shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part declared invalid. The remainder of the Ordinance shall not be affected by the declaration of invalidity and shall remain in force and effect.

Section 4. Effective Date. This Ordinance shall be effective upon publication.

This Ordinance having been submitted to a vote, the vote thereon was as follows:

Ayes: Cook, Edmonds, Heck, Himmel, Monachello

Nays:

Introduced to the City Council on March 11, 2025.



Lorraine Beaman, City Clerk

Delivered to Mayor on March 28, 2025.



Lorraine Beaman, City Clerk

Approved:



Dustin Yates, Mayor

Received from Mayor on March 31, 2025.



Lorraine Beaman, City Clerk

Ordinance published in The Advocate on the 3rd day of April, 2025.