

Regular Session, 2012

# ACT No. 49

HOUSE BILL NO. 131

BY REPRESENTATIVE BROADWATER

1 AN ACT

2 To amend and reenact R.S. 33:108(D) and 4724, relative to planning and zoning; to provide  
3 relative to master plans adopted by municipal or parish planning commissions; to  
4 provide relative to the filing of certified copies of any such plan; to provide relative  
5 to zoning regulations and restrictions established by municipal governing authorities;  
6 to provide relative to public hearings held by any such governing authorities relative  
7 to the establishment and amendment of such regulations and restrictions; to change  
8 the notice requirements relative to such public hearings; and to provide for related  
9 matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 33:108(D) and 4724 are hereby amended and reenacted to read as  
12 follows:

13 §108. Procedure of commission; adoption of plan

14 \* \* \*

15 D. Certified copies of a summary of the plan or part thereof shall be filed  
16 with the division of administration, with the local legislative body and with the clerk  
17 of court of the parish, except in the parish of Orleans where certified copies of said  
18 plan shall be filed with the Commission Council of the city of New Orleans and  
19 recorded with the register of conveyances for the parish of Orleans.

20 \* \* \*

1 §4724. Public hearing authorized; prohibited rezoning

2 A. The legislative body of a municipality which has provided for a  
 3 comprehensive zoning plan shall provide for the manner in which the regulations and  
 4 restrictions and the boundaries of the districts shall be determined, established, and  
 5 enforced and from time to time amended.

6 B. No regulations or restrictions shall become effective until after a public  
 7 hearing at which parties in interest have an opportunity to be heard. A public hearing  
 8 in relation to the regulations may be held by the legislative body of a municipality  
 9 which has provided for a comprehensive zoning plan. In such a case, notice of the  
 10 time and place of the hearing shall be published ~~once a week in three different weeks~~  
 11 at least three times in the official journal of the municipality or, if there be none, in  
 12 a paper of general circulation therein; ~~at~~ At least ~~fifteen~~ ten days shall elapse  
 13 between the first publication and the date of the hearing.

14 C. In municipalities with a population of less than four hundred seventy-five  
 15 thousand, in addition to notice by publication as provided in Subsection B of this  
 16 Section, and at least ten days prior to the hearing, a good faith attempt to notify the  
 17 owner or owners of record of the properties to be zoned or rezoned in municipal  
 18 zoning shall be made by the sending of an official notice by regular mail of the time  
 19 and place of the hearing and subject matter of the regulations and restrictions.

20 D. Notwithstanding the ~~foregoing, however~~ provisions of Subsection C of  
 21 this Section, when more than ten parcels are to be zoned or rezoned by enactment of  
 22 a zoning ordinance, the advertisement in the official journal or a paper of general  
 23 circulation as required herein by Subsection B of this Section shall be considered  
 24 adequate notice to the property owners.

25 Section 2. This Act shall become effective upon signature by the governor or, if not  
 26 signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
3 effective on the day following such approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_