

2024 Regular Session

HOUSE BILL NO. 223

BY REPRESENTATIVE PHELPS

LOCAL GOVT/ORDINANCES: Authorizes certain local government code enforcement officials to take certain actions with respect to inspections

1 AN ACT

2 To enact R.S. 13:2575(B)(4), relative to the enforcement of local health and safety codes;  
3 to authorize code enforcement personnel to enter structures to perform inspections;  
4 and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:2575(B)(4) is hereby enacted to read as follows:

7 §2575. Blighted or abandoned property; public health, housing, fire code, building  
8 code and certain other ordinance violations; administrative adjudication;  
9 procedure; appeal; penalties

10 \* \* \*

11 B.

12 \* \* \*

13 (4) A municipality or parish may authorize code enforcement personnel to  
14 enter private structures to inspect such structures for housing violations as defined  
15 by this Section. Any such entry shall be made pursuant to a request from a resident  
16 or tenant and shall comply with guidelines adopted by the municipality or parish  
17 which govern the conditions and circumstances under which such personnel may  
18 enter private structures. All findings from an inspection authorized by this Paragraph  
19 shall be reported to the hearing officer.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 223 Original

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Phelps

**Abstract:** Authorizes certain city and parish code enforcement personnel to enter private structures.

Present law authorizes municipalities and parishes to prescribe civil fines for violations of certain types of ordinances, including housing ordinances. Existing law defines the term "housing violation" as only those conditions in privately owned structures which are determined to constitute a threat or danger to the public health, safety, or welfare or to the environment or a historic district. Existing law further provides that in municipalities with a population of 70,000 or more, and in other specified parishes and municipalities, the term shall also encompass building codes, zoning, vegetation, and nuisance ordinances.

Present law authorizes municipalities and parishes to adopt ordinances establishing an administrative adjudication procedure for holding hearings related to violations. Additionally authorizes certain parishes and municipalities to use administrative adjudication procedures in matters involving licensing, permits, and other ordinance violations.

Proposed law retains present law and authorizes a municipality or parish to authorize code enforcement personnel to enter private structures to inspect such structures for housing violations as defined by present law. Any such entry shall be made pursuant to a request from a resident or tenant and shall comply with guidelines adopted by the municipality or parish. Requires that findings from an inspection be reported to the hearing officer.

(Adds R.S. 13:2575(B)(4))