

§9080. Lake Bullard Neighborhood Improvement District

A. Creation. There is hereby created within the parish of Orleans, as more specifically provided in Subsection B of this Section, a body politic and corporate which shall be known as the Lake Bullard Neighborhood Improvement District, referred to in this Section as the "district". The district shall be a political subdivision of the state as defined in the Constitution of Louisiana.

B. Boundaries. The district shall be comprised of the area of the parish of Orleans lying within the following perimeter: Bullard Avenue, Dwyer Road, Berg Canal, and Lake Forest Boulevard.

C. Purpose. The district is established for the primary object and purpose of promoting and encouraging the beautification, security, and overall betterment of the district.

D. Governance. (1) The district shall be governed by a board of commissioners, referred to in this Section as the "board", consisting of seven members as follows:

(a) The five members comprising the governing board of the Lake Bullard Homeowners Association shall be members.

(b) The governing board of the Lake Bullard Homeowners Association shall appoint two members, both of whom shall be members of the Lake Bullard Homeowners Association.

(2) All members shall be residents and qualified voters of the district.

(3) Board members serving pursuant to Subparagraph (1)(b) of this Subsection shall serve three-year terms after serving initial terms as provided in this Paragraph. One member shall serve an initial term of two years, and one member shall serve an initial term of three years, as determined by lot at the first meeting of the board.

(4) Vacancies resulting from the expiration of a term or any other reason shall be filled for the remainder of the unexpired term in the manner of the original appointment.

(5) The members of the board shall select from among themselves a president and such other officers as they deem appropriate. The terms and responsibilities of officers shall be as provided by the bylaws of the board.

(6) The members of the board shall serve without compensation.

E. Powers and duties. The district, acting through its board of commissioners, shall have the following powers and duties:

(1) To sue and be sued.

(2) To adopt, use, and alter at will a corporate seal.

(3) To receive and expend funds collected pursuant to Subsection F of this Section and in accordance with a budget adopted as provided by Subsection G of this Section.

(4) To enter into contracts with individuals or entities, private or public, for the provision of security patrols in the district.

(5) To purchase items and supplies which the board deems instrumental to achieving the purpose of the district.

(6) To perform or have performed any other function or activity necessary for the achievement of the purpose of the district.

F. Parcel fee. The governing authority of the city of New Orleans is hereby authorized to impose and collect a parcel fee within the district subject to and in accordance with the provisions of this Subsection:

(1) The amount of the fee shall be as requested by duly adopted resolution of the board. The fee shall be a flat fee per improved parcel of land not to exceed two hundred fifty dollars per year for each improved parcel.

(2)(a) The fee shall be imposed on each improved parcel located within the district.

(b) For purposes of this Section, "parcel" means a lot, a subdivided portion of ground, an individual tract, or a "condominium parcel" as defined in R.S. 9:1121.103.

(c) The owner of each parcel shall be responsible for payment of the fee.

(3)(a) The fee shall be imposed only after the question of its imposition has been approved by a majority of the registered voters of the district who vote on the proposition at an election held for that purpose in accordance with the Louisiana Election Code. The amount of the fee may be changed by duly adopted resolution of the board, not to exceed the maximum amount authorized as provided in this Subsection. No other election shall be required except as provided by this Paragraph.

(b) The initial election on the question of the imposition of the fee shall be held at the same time as a regularly scheduled election in the city of New Orleans.

(c) If approved, the fee shall expire on December 31, 2014, but the fee may be renewed if approved by a majority of the registered voters of the district voting on the proposition at an election as provided in Subparagraph (a) of this Paragraph. Any election to authorize the renewal of the fee shall be held only at the same time as the mayoral primary election for the city of New Orleans. If the fee is renewed, the term of the imposition of the fee shall be as provided in the proposition authorizing such renewal, not to exceed eight years.

(4) The fee shall be collected at the same time and in the same manner as ad valorem taxes on property subject to taxation by the city are collected.

(5) Any parcel fee which is unpaid shall be added to the tax rolls of the city and shall be enforced with the same authority and subject to the same penalties and procedures as unpaid ad valorem taxes.

(6)(a) The proceeds of the fee shall be used solely and exclusively for the purpose and benefit of the district; however, the city may retain one percent of the amount collected as a collection fee.

(b) The proceeds shall be paid over to the Board of Liquidation, City Debt, day by day as the same are collected and received by the appropriate officials of the city of New Orleans and maintained in a separate account.

(c) The proceeds shall be paid out by the Board of Liquidation, City Debt, solely for the purposes provided in this Section upon warrants or drafts on the Board of Liquidation, City Debt, by the appropriate officials of the city and the treasurer of the district.

G. Budget. (1) The board of commissioners shall adopt an annual budget in accordance with the Louisiana Local Government Budget Act, R.S. 39:1301 et seq. The budget and all amendments shall be subject to the approval of the New Orleans City Council.

(2) The district shall be subject to audit by the legislative auditor pursuant to R.S. 24:513.

H. Miscellaneous provisions. (1) It is the purpose and intent of this Section that the additional law enforcement personnel and their services provided for through the fees authorized in this Section shall be supplemental to and not in lieu of personnel and services provided in the district by the New Orleans Police Department.

(2) If the district ceases to exist, all funds of the district shall be transmitted by the board to the city of New Orleans, and such funds, together with any other funds collected by the city of New Orleans pursuant to this Section, shall be maintained in a separate account by the city and shall be used only to promote, encourage, and enhance the security, beautification, and overall betterment of the area included in the district.

Acts 2008, No. 247, §1, eff. June 17, 2008.