

PART II. ORLEANS PARISH  
SUBPART A. IMPROVEMENT DISTRICTS

§9071. The Lake Carmel Subdivision Improvement District; creation, composition, and powers; levy of ad valorem taxes and fees

A. Creation. The Lake Carmel Subdivision Improvement District, a special taxing district, hereinafter referred to as the "district", is hereby created in Orleans Parish.

B. Boundaries. The district shall be comprised of all property zoned and used as single family, residential property within the area of Orleans Parish bounded by the Northeast intersection of the Jahncke Canal right-of-way of the I-10 Service Road, thence North 36 degrees 27 minutes 35 seconds west for a distance of 301.68 feet to a point, thence North 58 degrees 51 minutes 53 seconds East for a distance of 80.35 feet to a point of beginning, thence North 58 degrees 51 minutes 53 seconds East for a distance of 948.74 feet to a point of curvature, thence along an arc curving to the left having a radius of 1430 feet for a distance of 498.82 feet to a point of tangency, thence North 33 degrees 5 minutes 25 seconds East for a distance of 76.61 feet to a point at the West right-of-way line of West Renaissance Court, I-10 Service Road, the Gannon Canal, and the real property lines of lots fronting on North Lake Carmel Drive and Chatelain Court, plus all property abutting West of the Lake Carmel Subdivision.

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

D. Governance. (1) In order for the orderly development and effectuation of the services to be furnished by the district and to provide for the representation in the affairs of the district of those persons and interests immediately concerned with and affected by the purposes and development of the area, the district shall be managed by a nine-member board of commissioners as provided by this Subsection.

(a) The president of the Lake Carmel Homeowners Association shall be an ex officio member.

(b) The board of directors of the Lake Carmel Homeowners Association shall appoint four members.

(c) The mayor of New Orleans shall appoint one member.

(d) The member or members of the New Orleans city council who represent the district shall appoint one member.

(e) The member or members of the Louisiana House of Representatives who represent the district shall appoint one member.

(f) The member or members of the Louisiana Senate who represent the area which comprises the district shall appoint one member.

(2) Each member of the board shall own property within the district.

(3) The term of each member shall be concurrent with that of the respective appointing authority.

(4) The minute books and archives of the district shall be maintained by the board's secretary or acting secretary. The monies, funds, and accounts of the district shall be in the official custody of the board.

(5) The duties of the officers shall be fixed by bylaws adopted by the board. The board shall adopt such rules and regulations as it deems necessary or advisable for conducting its

business affairs which rules and regulations relative to public notice and conduct of public meetings shall all conform to the open meeting provisions of R.S. 42:4.1 et seq. It shall hold regular meetings and may hold special meetings as shall be provided in the bylaws.

(6) A majority of the members of the board shall constitute a quorum for the transaction of business. The board shall keep minutes of all meetings and shall make them available through the board's secretary to residents of the district.

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

E. Plan. (1) The board shall prepare or cause to be prepared, a plan or plans, such plan or plans, hereinafter referred to collectively, as the "plan", specifying the public improvements, facilities, and services proposed to be furnished, constructed, or acquired for the district. The board shall conduct such hearings, publish notice with respect thereto, and disseminate such information as it, in the exercise of its sound discretion, may deem to be appropriate or advisable and in the public interest.

(2) Any plan shall include:

(a) An estimate of the annual and aggregate cost of acquiring, constructing, or providing the services, improvements, or facilities set forth therein.

(b) An estimate of the rate of the parcel fee required to be levied in each year in order to provide the funds required for the implementation or effectuation of the plan for furnishing the services specified and for capital improvements or debt service, or both.

F. Parcel fee. (1) The governing authority of New Orleans may levy and collect a parcel fee upon all taxable real property within the district in accordance with the provisions of this Subsection.

(a) Such fee shall be levied only as authorized by the Lake Carmel Subdivision Improvement District.

(b) Such fee shall be levied only after the question of its levy has been approved by a majority of the registered voters of the district, who vote at an election held for that purpose in accordance with the Louisiana Election Code. No other election shall be required.

(c) Such fee shall be levied for a term not to exceed five years but may be renewed in elections subsequent to the initial levy.

(d) Such fee shall be levied and collected in the same manner and at the same time as all other taxes on property levied and collected by the city.

(e) Such fee shall not exceed two hundred fifty dollars per parcel per year.

(f) Any unpaid fee will 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 are unpaid ad valorem taxes.

(2) The proceeds of said tax or fee shall be used solely and exclusively for the purposes and benefit of the district and in accordance with the plan developed pursuant to Subsection E of this Section. Said proceeds shall be paid over to the Board of Liquidation, City Debt, day by day as the same proceeds are collected and received by the appropriate officials of the city of New Orleans and maintained in a separate account. The board shall remit to the district payments requested by warrant or draft not more than thirty days after the receipt of the warrant or draft. However, the city may retain one percent of the amount collected as a collection fee.

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

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

24:513.

H. Miscellaneous provisions. (1) The governing authority of the district may contract with the New Orleans Police Department or with a private security company which has been certified by the superintendent of the New Orleans Police Department for the provision of security. It is the purpose and intent of this Section that any additional security patrols, public or private, provided by the district shall be supplemental to and not in lieu of personnel and services provided in the district by the New Orleans police department.

(2) The district shall perform or have performed any other function or activity necessary for the achievement of its primary objective of encouraging the beautification, security, and overall betterment of the Lake Carmel Subdivision Improvement District.

Acts 1999, No. 1233, §1.