

### §9091.7. Lakeshore Crime Prevention 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 Lakeshore Crime Prevention District, hereinafter referred to 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: beginning at the intersection of the west property line of the Orleans Avenue Canal and the centerline of Robert E. Lee Boulevard and proceeding in a westerly direction along the centerline of Robert E. Lee Boulevard to the intersection with the centerline of Opal Street as projected, turn north and proceed along the centerline of Opal Street to the intersection with the centerline of Cameo Street, turn northeast on Cameo Street and proceed along the centerline of Cameo Street following Cameo Street as it turns northerly after one block and proceed to the intersection with the centerline of Jewel Street, turn westerly on Jewel Street and proceed along the centerline of Jewel Street to the intersection with the centerline of West End Boulevard, turn northerly and proceed along the centerline of West End Boulevard to the point at which West End Boulevard becomes West Lakeshore Parkway, continue along the centerline of West Lakeshore Parkway to the intersection with the centerline of Amethyst Street, turn easterly on Amethyst Street and proceed along the centerline of Amethyst Street, crossing Canal Boulevard, to the intersection with the centerline of East Lakeshore Parkway as projected, turn northerly on East Lakeshore Parkway and proceed along the centerline of East Lakeshore Parkway to the intersection with the centerline of Amethyst Street as projected, turn northeasterly on Amethyst Street and proceed along the centerline of Amethyst Street to the point where Amethyst Street becomes Crystal Street, thence proceed in a southeasterly direction from the centerline of Crystal Street to the west property line of the Orleans Avenue Canal, thence proceed in a southerly direction along the west property line of the Orleans Avenue Canal to the centerline of Robert E. Lee Boulevard and the point of beginning.

C. Purpose. The purpose of the district shall be to aid in crime prevention and to add to the security of district residents by providing for an increase in the presence of law enforcement personnel in the district.

D. Governance. (1) The district shall be governed by a board of commissioners consisting of nine members as follows:

(a) The member or members of the Louisiana House of Representatives who represent the area which comprises the district shall appoint one member.

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

(c) The assessor for the second municipal district shall appoint one member.

(d) The mayor of the city of New Orleans shall appoint one member.

(e) The council member or council members who represent the district shall appoint one member.

(f) The board of the West Lakeshore Citizens Against Crime, Inc. shall appoint two members. If West Lakeshore Citizens Against Crime, Inc. ceases to exist, the Lakeshore Property Owners Association shall appoint two members who are residents of West Lakeshore.

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(2) All members of the board shall reside in or own property within the district.

(3) The initial terms of office for the members shall be twelve months, eighteen months, and twenty-four months. Three members shall serve an initial term of twelve months, three members shall

serve an initial term of eighteen months, and three members shall serve an initial term of twenty-four months as determined by lot at the first meeting of the board. Subsequent terms shall be twenty-four months. Vacancies resulting from the expiration of a term or any other reason shall be filled in the manner of the original appointment. Members shall be eligible for reappointment.

(4) 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.

(5) The members of the board shall serve without compensation and shall not receive reimbursement for expenses.

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 and bylaws.

(3) To receive and expend funds collected pursuant to Subsection F 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 or enhancement of security patrols in the district.

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

(6) To procure and maintain liability insurance against any personal or legal liability of a board member that may be asserted or incurred based upon his service as a member of the board or that may arise as a result of his actions taken within the scope and discharge of his duties as a member of the board.

(7) To perform or have performed any other function or activity necessary to achieve or promote the purposes 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 governing authority of the district. The fee, however, shall not exceed three hundred sixty dollars per parcel per year.

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

(b) The owner of the 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 voting on the proposition at an election held for that purpose in accordance with the Louisiana Election Code. No other election shall be required except as provided by this Paragraph.

(b) The election on the question of the imposition of the fee shall be held at the same time as the regularly scheduled election in the city of New Orleans to be held on November 2, 2004, or, if not held on that date, it shall be held at the same time as a regularly scheduled election in the city of New Orleans held after that date.

(c) The fee shall expire on December 31, 2010, but may be renewed as provided in Subparagraph (3)(a) of this Subsection. Any election to authorize renewal of the fee shall be held only at the same time as the mayoral primary election. 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 four years.

(4) The fee shall be collected at the same time and in the same manner as ad valorem taxes are

collected by the city.

(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) The city of New Orleans shall remit to the district all amounts collected not more than sixty days after collection. However, the board may enter into an agreement with the city for the city to retain not more than one percent of the amount collected as a collection fee.

(7) The proceeds of the fee collected pursuant to this Section shall be used only for purposes of the district.

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 New Orleans city council.

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

H. Indemnification and exculpation. (1) The district shall indemnify its officers and board members to the fullest extent permitted by R.S. 12:227, as fully as if the district was a nonprofit corporation governed thereby, and as may be provided in the district's bylaws.

(2) No board member or officer of the district shall be liable to the district or to any individual who resides, owns property, visits, or otherwise conducts business in the district for monetary damages for breach of his or her duties as a board member or officer, provided that the foregoing provision shall not eliminate or limit the liability of a board member or officer for:

(a) Acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law; or

(b) Any transaction from which he or she derived an improper personal benefit.

(3) To the fullest extent permitted by R.S. 9:2792 et seq., including R.S. 9:2792.1 through 2792.9, a person serving the district as a board member or officer shall not be individually liable for any act or omission arising out of the performance of his or her duties.

I. 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, any funds of the district shall be transmitted to the governing authority of New Orleans and shall be used for law enforcement purposes in the district.

Acts 2004, No. 200, §1, eff. June 14, 2004.