

## SUBPART C. CRIME PREVENTION AND SECURITY DISTRICTS

## §9091.1. Lakeview 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 Lakeview 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: commencing at the corner of City Park Avenue and Orleans Avenue and proceeding in a westerly direction along City Park Avenue to the Pontchartrain Expressway, thence in a northerly direction to the intersection of Veterans Memorial Boulevard, thence in a westerly direction to the 17th Street Canal, thence in a northerly direction to Lake Pontchartrain, thence in an easterly direction to West End Boulevard, thence in a southerly direction to Robert E. Lee Boulevard, thence in an easterly direction to Orleans Avenue, and thence in a southerly direction to City Park Avenue 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 eleven members as follows:

(a) The president of the Lakeview Civic Improvement Association shall be an ex officio member.

(b) The board of directors of the Lakeview Civic Improvement Association or its successor shall appoint four members.

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

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

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

(f) The assessor for the seventh municipal district shall appoint one member.

(g) The mayor shall appoint one member.

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

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

(3)(a) The terms of the members appointed pursuant to Subparagraphs (1)(g) and (h) of this Subsection shall be concurrent with the respective appointing authority.

(b) The initial terms of office for the remaining members shall be one, two, three, or four years. Two members shall serve one year, two shall serve two years, two shall serve three years, and three shall serve four years as determined by lot at the first meeting of the board. Subsequent terms shall be four years. 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.
- (3) To receive and expend funds collected pursuant to Subsection E and in accordance with a budget adopted as provided by Subsection F 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)(a) The amount of the fee shall be as requested by duly adopted resolution of the board of commissioners of the district. The fee, however, shall not exceed one hundred dollars per parcel per year.

(b)(i) Notwithstanding the provisions of Subparagraph (a) of this Paragraph, the amount of the fee may be increased, not to exceed one hundred fifty dollars per parcel per year, as provided in this Item. The new fee amount shall be as provided by duly adopted resolution of the board of commissioners of the district and 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. Such election shall be held only if requested by duly adopted resolution of the board of commissioners of the district and shall be held only at the 2006 mayoral primary election.

(ii) Upon request of the board of commissioners by duly adopted resolution, the proposition for the election authorized by this Subparagraph may be combined with the proposition for the election authorized by Item (3)(c)(iii) of this Subsection and placed on the ballot as one proposition.

(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, or an individual tract and does not mean a "condominium parcel" as defined in R.S. 9:1121.103. Thus, with respect to condominiums, the fee collector shall impose the parcel fee on each lot on which condominiums are situated and not on individual condominium units.

(c) The owner of the parcel shall be responsible for payment of the fee. The tax collector shall submit the bill for a parcel fee which is to be collected from the condominium owners to the condominium owners association and the association shall pay the fee from funds available for that purpose. The association shall remain liable for the entire fee until it is paid.

(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.

(b) The election on the question of the imposition of the fee shall be held at the same time as the 1998 mayoral primary election is held in the city.

(c)(i) The fee shall expire four years from its initial levy.

(ii) The fee may be renewed as provided in Subparagraph (3)(a) of this Subsection at a mayoral primary election subsequent to the 1998 mayoral primary election.

(iii) Notwithstanding the provisions of Item (i) of this Subparagraph, the fee shall expire not later than December thirty-first of the year of the mayoral primary election for the city of New Orleans that occurs eight years after the year in which the fee is renewed, but only if such renewal term is 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. Such election shall be held only if requested by duly adopted resolution of the board of commissioners of the district and shall be held only at the 2006 mayoral primary election. If requested by duly adopted resolution of the board of commissioners, the proposition at such election or a separate proposition at such election may provide that the term of the fee approved at the mayoral primary election in 2006 shall expire on December 31, 2014, and if such proposition is approved by a majority of the registered voters of the district voting on the proposition at such election, the term of the fee approved at the mayoral primary election in 2006 shall expire on such date.

(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 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 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 herein 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 1997, No. 1132, §1, eff. July 14, 1997; Acts 1999, No. 1078, §2; Acts 1999, No. 1233, §2; Acts 2000, 1st Ex. Sess., No. 8, §1; Acts 2005, No. 414, §1.

NOTE: Acts 2000, 1st Ex. Sess., No. 8, §2 provides that the Act is applicable during any tax period after December 31, 2000.