



17 declaring or certifying the property to be blighted or a public nuisance and may authorize  
18 the expropriation thereof. The order shall identify the specific violations of this code that  
19 justify the finding.

20 (b) If the city demolishes any uninhabitable and hazardous structure located on a premises, the  
21 blight and public nuisance order shall not be deemed satisfied.”

1 **SECTION 2.** That the Code of City of New Orleans is amended to add Section 26-237.1  
2 which shall read as follows:

3 **“Chapter 26 – BUILDINGS, BUILDING REGULATIONS AND HOUSING STANDARDS**

4 \* \* \*

5 **ARTICLE IV. – MINIMUM PROPERTY MAINTENANCE CODE**

6 \* \* \*

7 **DIVISION 8. – PROCEDURE AND SPECIFIC DETERMINATIONS**

8 \* \* \*

9 **Sec. 26-237.1 – Declaration or certification of blight or public nuisance – occupied property.**

10 (a) Upon recommendation by the code official, at or following an administrative hearing  
11 conducted pursuant to this code, the hearing officer may declare or certify any occupied  
12 immovable property to be blighted or a public nuisance when the property contains any  
13 garage, shed, barn, house, building, apartment, or structure, that by reason of the condition  
14 in which it is permitted to remain, may endanger the health, life, limb, or property of any  
15 person, or cause any hurt, harm, damages, injury, or loss to any person and manifests any  
16 one or more of the following conditions:

17 (i) The property is dilapidated, decayed, unsafe, or unsanitary, is detrimental to health,  
18 morals, safety, public welfare, and the well-being of the community, endangers life  
19 or property, or is conducive to ill health, delinquency, and crime.

20 (ii) The property is a fire hazard.

21 (iii) The conditions present on the property and its surrounding grounds are not  
22 reasonably or adequately maintained, thereby causing deterioration and creating a  
23 blighting influence or condition on nearby properties and thereby depreciating the  
24 value, use, and enjoyment to such an extent that it is harmful to the public health,  
25 welfare, morals, safety, and the economic stability of the area, community, or  
26 neighborhood in which such public nuisance is located.

27 (b) A certification or declaration issued pursuant to this section shall identify the specific  
28 violations of this code that justify the finding, as well as the provisions of this section  
29 pursuant to which the certification or declaration is being made.”

**ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS** \_\_\_\_\_

\_\_\_\_\_  
**PRESIDENT OF THE COUNCIL**

**DELIVERED TO THE MAYOR ON** \_\_\_\_\_

**APPROVED:**  
**DISAPPROVED:** \_\_\_\_\_

\_\_\_\_\_  
**MAYOR**

**RETURNED BY THE MAYOR ON** \_\_\_\_\_ **AT** \_\_\_\_\_

\_\_\_\_\_  
**ASSISTANT CLERK OF COUNCIL**

**ROLL CALL VOTE:**

**YEAS:**

**NAYS:**

**ABSENT:**

**RECUSED:**

**ENGROSSED VERSION:**

The following engrossed version shows how the proposed law would modify City Code Sec. 26-237. Additions are **underlined**. Deletions are shown as ~~strike~~throughs. Proposed City Code Sec. 26-237.1 is entirely new.

**Sec. 26-237. – ~~Blight and public nuisance order.~~ Declaration or certification of blight or public nuisance; expropriation authorization - unoccupied property.**

- (a) Upon recommendation by the code official, ~~at a hearing,~~ **at or following an administrative hearing conducted pursuant to Chapter 6 of this code,** ~~if, in the opinion of the hearing officer,~~ **upon finding that any** the facts justify it, any vacant **or unoccupied structure and premises thereof or vacant land that** **immovable property or any component parts thereof** ~~creates an~~ **is in an** uninhabitable and hazardous condition as provided in section 26-236, **or otherwise constitutes a blight or public nuisance pursuant to applicable state law, may enter** an order ~~may be entered deeming~~ **declaring or certifying** the property a **to be blighted** ~~and~~ **or a** public nuisance and may authorize the expropriation thereof. The order shall ~~provide~~ **identify** the specific violations of this code that justify the finding.
- (b) If the city demolishes any uninhabitable and hazardous structure located on a premises, the blight and public nuisance order shall not be deemed satisfied.