

ORDINANCE NO. 227

AN ORDINANCE AUTHORIZING THE GOVERNING AUTHORITY OF THE CITY OF DUBACH TO CONDEMN AND CAUSE TO BE DEMOLISHED OR REMOVED ANY BUILDING OR STRUCTURE WITHIN THE CORPORATE LIMITS WHEN THE SAME IS IN A DILAPIDATED AND DANGEROUS CONDITION WHICH ENDANGERS THE PUBLIC WELFARE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

SECTION 1. Be it ordained by the Mayor and Board of Aldermen of the city of Dubach, Louisiana, in legal session convened that said governing authority may condemn and cause to be demolished or removed any building or structure within the corporate limits of the municipality when it is in a dilapidated and dangerous condition which endangers the public welfare.

SECTION 2. Be it further ordained that before any building or structure is condemned there must be submitted to said governing authority a written report recommending the demolition or removal of said building signed by the Mayor, or by someone appointed by him to act in the matter. The Mayor shall thereupon serve notice on the owner of the building or other structure requiring him to show cause at a meeting of the Mayor and Board of Aldermen why the building or structure should not be condemned. The date and hour of the meeting shall be stated in the notice which shall be served at least ten days before the date of the hearing, except in case of grave public emergency as hereinafter provided. The notice may be served by the City Marshal of Dubach or by any Sheriff, Deputy Sheriff, or Constable having jurisdiction and power to serve legal process where the owner of the building or structure is in the State of Louisiana. The officer making said service shall make return thereof as in ordinary cases.

SECTION 3. Be it further ordained that if the owner of the building or structure is absent from the State and is unrepresented therein, then the notice shall be served upon the occupant of the condemned building or structure and also upon an Attorney at Law appointed by the Mayor to represent the absentee.

SECTION 4. Be it further ordained that in case of grave public emergency where the condition of the building is such as to cause possible immediate loss or damage to person or property the Mayor and Board of Aldermen as governing authority of said city may condemn the building after 24 hours notice served upon the owner or his agent, or upon the occupant and the Attorney at Law appointed to represent the absent owner.

SECTION 5. Be it further ordained that after a hearing on the matter, if, in the opinion of said governing authority the facts justify it, an order shall be entered condemning the building and ordering that it be demolished or removed within a certain delay. If repairs will correct the dilapidated, dangerous or unsafe condition the Mayor and Board of Aldermen may grant the owner the option of making such repairs, but in such case the general nature or extent of the repairs to be made, the time thereof, and the defects to be corrected shall be specified in the decision of said governing authority. Said decision shall be in writing and shall be final unless appealed from within five days as provided in R.S. 33:4763

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SECTION 6. Be it further ordained that the owner or his designated agent may proceed to demolish and remove the building, or have it repaired, in accordance with the order of the Mayor and Board of Aldermen provided he executed a contract in writing obligating himself to have the work done within the required time, and files with the Mayor a copy or said contract together with a bond to guarantee performance.

In the event the owner or occupant of the building or structure fails or refuses to comply with the decision of the Mayor and Board of Aldermen and fails to appeal there from within the legal delays as provided by R.S. 33:4764 then the Mayor may proceed with the demolition or removal of the condemned building or structure in which case neither he nor the Town of Dubach shall be liable for damages.

Prior to the demolition or removal of the building or structure, the mayor or some official designated by him shall serve notice on the owner or his agent, and on the occupant of the building if any there be, or upon the Attorney at Law appointed to represent the absentee giving the time when the work will begin upon the demolition or removal of the building.

SECTION 7. Be it further ordained that the City shall have a lien and privilege for the cost of demolishing or removing the building or structure against the lot and improvements upon which the building or structure is situated and same may be preserved as set forth in R.S. 33:4766. The Mayor shall appoint an Attorney at Law to represent the absentee minor or interdict upon whom notices or other proceedings may be served and he shall be paid a reasonable fee to be taxed as part of the costs of demolition.

SECTION 8. Be it further ordained that all ordinances or parts of ordinances in conflict herewith and hereby repealed.

Motion to adopt Ordinance as read made by Seth Tatum seconded by Murel Graham.  
Yeas: Darrell McAdams, Seth Tatum, Murel Graham, J. T. Rogers and Dwaine James.  
Nays: None  
Absent: None

C. R. Colvin  
C. R. Colvin, Mayor

ATTEST:

Margaret Rogers  
Margaret Rogers, Clerk

CERTIFICATE

I hereby certify that the above is a true copy of an ordinance adopted at the meeting of the Mayor and Board of Aldermen of the Town of Dubach, Louisiana on the Sixteenth day of December, 1991.

Margaret Rogers  
Margaret Rogers, Clerk

- (9) First Street off Voss Drive is renamed and designated as 1ST STREET.
- (10) Second Street is renamed and designated as 2ND STREET.
- (11) Third Street is renamed and designated as 3RD STREET.
- (12) Fourth Street is renamed and designated as 4TH STREET.
- (13) Fifth Street is renamed and designated as 5TH STREET.
- (14) Sixth Street is renamed and designated as 6TH STREET.
- (15) Featherstone Street and Adams Street are renamed and the entire street is designated as FEATHERSTONE STREET.
- (16) Hico Street from Hwy. 167 east to Pearl Street is renamed and designated as EAST HICO STREET.
- (17) Lincoln Parish Road 673 is renamed and designated as HENRY GRAVEYARD RD.
- (18) Lincoln Parish Road 608 is named HOLLIS RD.
- (19) Within the city limits of the Town of Dubach, LA., Hwy 151 west of US Hwy 167 will be known as HICO STREET.
- (20) That portion of LA Hwy 151 east of US 167 will be known as ANNIE LEE STREET to the intersection of McDaniel St. and LA Hwy 151. This portion of LA Hwy 151 will be known as Fellowship Rd. to the eastern city limits.
- (21) US Hwy 167 within the city limits will be renamed and designated as MC MULLEN STREET.
- (22) Boulevard St. west of Main Street to Rex Street will remain BOULEVARD STREET.

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BE IT FURTHER ORDAINED that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any such section, paragraph, sentence, clause, or phrase shall be declared unconstitutional by a valid judgment of any court of competent jurisdiction, then such unconstitutionality shall not affect any of the remaining section, paragraphs, sentences, clauses or phrases not specifically declared unconstitutional.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately after final adoption by the Board of Aldermen of the Town of Dubach upon the execution of approval by the Mayor.

ORDINANCE INTRODUCED on the 17th day of June, 1991.

NOTICE PUBLISHED on the 9th day of July, 1991.

This Ordinance having been submitted in writing, introduced and published, was then submitted to a vote as a whole, the vote thereon being as follows:

AYES: Dwaine James, Murel Graham, Darrell McAdams, J.T. Rogers

NAYS: Seth Tatum

ABSENT: None

And the Ordinance was declared ADOPTED On the 15th day of July, 1991.

J.T. Rogers  
CHAIRMAN

Margaret Rogers  
CITY CLERK

C. R. Colvin  
MAYOR'S APPROVAL

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MAYOR'S VETO