

MINUTES
WEST BATON ROUGE PARISH
COUNCIL REGULAR MEETING
GOVERNMENT BUILDING

880 North Alexander Avenue, Port
Allen Thursday, March 24, 2022
5:30 PM

The Following Minutes Are Summarized For Brevity, For Precise Meeting Information Please Refer To Meeting Audio Or Video.

1. CALL MEETING TO ORDER & REQUEST ALL ELECTRONIC DEVICES BE SILENCED

A Regular Meeting of the West Baton Rouge Parish Council was held on Thursday, March 24, 2022 and called to order at 05:30 PM. Council Chairman Carey Denstel asked that all electronic devices be placed on silent.

2. OPENING PRAYER

Councilman Atley Walker Jr. led everyone in an opening prayer.

3. PLEDGE OF ALLEGIANCE

Chairman Denstel recognized Councilman Kenneth Gordon who led everyone in the Pledge of Allegiance.

4. LOG ATTENDANCE

The following members were recorded as being present: Messrs. Kirk Allain, Atley Walker, Kenneth Gordon, Carey Denstel, Alan Crowe, and Gary Joseph.

Absent: Mr. Chris Kershaw, Caleb Kleinpeter, and Craig Bergeron

Also present were, Mr. Riley Berthelot Jr, Parish President, Mr. Phillip Bourgoyne, Director of Finance, Mr. Jason Manola, Executive Assistant, Mrs. Mallorie Davis, Planning & Zoning, and Mrs. Michelle Tullier, Council Clerk.

5. MINUTES APPROVAL

A. Approval of Minutes from March 10, 2022 Regular Meeting

A motion was made by Kirk Allain, seconded by Kenneth Gordon to approve the minutes from March 10, 2022 Regular Meeting.

The vote was recorded as follows:

YEAS: 6 (Messrs. Kirk Allain, Atley Walker, Kenneth Gordon, Carey Denstel, Alan Crowe, Gary Joseph)

NAYS: 0 (None)

ABSENT: 3 (Messrs. Chris Kershaw, Caleb Kleinpeter, and Craig Bergeron)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

6. CONSIDER ANY AMENDMENTS TO THE AGENDA

A. A Resolution Of The West Baton Rouge Parish Council In Support Of The Louisiana Legislature To Enact Legislation Relative To The Official Journal Of Parish Governments And Police Juries

A motion was made by Kirk Allain, seconded by Alan Crowe to amend the agenda to include A Resolution Of The West Baton Rouge Parish Council In Support Of The Louisiana Legislature To Enact Legislation Relative To The Official Journal Of Parish Governments And Police Juries .

The vote was recorded as follows:

YEAS: 6 (Messrs. Kirk Allain, Atley Walker, Kenneth Gordon, Carey Denstel, Alan Crowe, Gary Joseph)

NAYS: 0 (None)

ABSENT: 3 (Messrs. Chris Kershaw, Caleb Kleinpeter, and Craig Bergeron)

ABSTAIN: 0 (None)

As a result of the votes, the motion Passed, the agenda was therefore amended.

7. **2022 STATE OF THE PARISH**

Parish President Riley L. Berthelot Jr. was recognized and gave the State of the Parish presentation which can be found at the end of these minutes.

8. **PARISH PRESIDENT'S REPORT**

Parish President Riley Berthelot was recognized and covered the following items:
415 Connector Project cost updates, and information on the State requesting for our Parish to contribute some monies to fill the gap in the budget;
Thermalayne facility bankruptcy;
ITEP process is being reconsidered at the State level;
Recent application through AT&T for local broadband grant money.

9. **PUBLIC COMMENTS**

Mr. Tom Acosta, President of the West Baton Rouge Historical Association, was recognized and spoke briefly asking for the Council's support for the upcoming Museum millage renewal which will be on the ballot April 30, 2022.
Mr. Victor was recognized and went over his feelings about the COVID 19 vaccinations and why they are as important as the flu vaccinations.

Councilman Chris Kershaw entered the meeting at 5:50pm.

10. **COMMUNICATIONS WITH COUNCIL MEMBERS AND/OR ELECTED OR APPOINTED OFFICIALS**

Mr. Jason Manola was recognized and went over the following items:
Advised on the Opioid Litigation money explaining his understanding of how the money will be distributed, and what the money can be used for;
ITEP non-compliance notices being received recently;
Recent I-10 wreck which shut down the interstate for the majority of the day, and how our parish was able to assist.

Councilman Kenneth Gordon Congratulated the Port Allen Boys Basketball team winning their 3rd consecutive Basketball State Championship, and notified everyone about the parade in their honor on April 10, 2022.

11. **PUBLIC HEARING ON PREVIOUSLY INTRODUCED ORDINANCES**

A. An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Part III ("Unified Development Code"), Chapter 101 (General Provisions) Section 101-1 (Definitions) To Update Flag Lot And Large Tracts Definitions.

The Chairman opened a public hearing for the purpose of receiving comment regarding the aforementioned item.

Mrs. Mallorie Davis was recognized and explained the Planning & Zoning Commission recommended approval of the aforementioned item.

No public comments for or against said ordinance were presented. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing closed.

There were a few questions for clarity from the Council regarding the aforementioned proposed ordinance, Mrs. Davis did point out a duplication in the amount of aggregate needed in the proposed ordinance. Councilman Kershaw asked that the indication of feet with ft be corrected to spell out "feet".

A motion was made by Kirk Allain, seconded by Chris Kershaw to approve with amendment/s An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Part III ("Unified Development Code"), Chapter 101 (General Provisions) Section 101-1 (Definitions) To Update Flag Lot And Large Tracts Definitions.

Mrs. Tullier clarified the sentence to be deleted regarding the amount of aggregate needed and confirmed correcting the abbreviation of the word feet.

The vote was recorded as follows:

YEAS: 7 (Messrs. Kirk Allain, Chris Kershaw, Atley Walker, Kenneth Gordon, Carey Denstel, Alan Crowe, Gary Joseph)
NAYS: 0 (None)
ABSENT: 2 (Messrs. Caleb Kleinpeter, Craig Bergeron)
ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

Ordinance 17 of 2022 can be found at the end of these minutes.

12. **INTRODUCTION OF ORDINANCES**

Mrs. Tullier, Council Clerk read by title the below proposed ordinance/s being introduced and publicized by title, and considered for adoption following a public hearing on April 28, 2022 at 5:30 pm in the Council Chambers, located at 880 North Alexander Avenue, Port Allen, La.:

- A. An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map For Rezoning Request. And Chapter 111 Administration and Enforcement, Article IV Zoning Enforcement, Section 111-78 Special, Conditional Use Requirements and Procedures For Louie Vielee.
- B. An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map For Rezoning Request. And Chapter 111 Administration and Enforcement, Article IV Zoning Enforcement, Section 111-78 Special, Conditional Use Requirements and Procedures For Louie Vielee.

13. **CONSIDER STATUS REPORT, CHANGE ORDER AND/OR OTHER MATTERS AS REQUIRED ON CURRENT PROJECTS**

There were no items to consider at this time.

14. **RESOLUTIONS**

- A. **A Resolution Ratifying the Parish President Signature on a Cooperative Endeavor Agreement with the 18th Judicial District Court regarding the Families in Need of Services (FINS) Program for West Baton Rouge Parish**
President Berthelot was recognized and gave a brief overview of why this resolution was needed.

A motion was made by Alan Crowe, seconded by Kirk Allain to approve A Resolution Ratifying the Parish President Signature on a Cooperative Endeavor Agreement with the 18th Judicial District Court regarding the Families in Need of Services (FINS) Program for West Baton Rouge Parish.

YEAS: 7 (Messrs. Kirk Allain, Chris Kershaw, Atley Walker, Kenneth Gordon, Carey Denstel, Alan Crowe, Gary Joseph)
NAYS: 0 (None)
ABSENT: 2 (Messrs. Caleb Kleinpeter, Craig Bergeron)
ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

Resolution 6 of 2022 can be found at the end of these minutes.

- B. **A Resolution Of The West Baton Rouge Parish Council In Support Of The Louisiana Legislature To Enact Legislation Relative To The Official Journal Of Parish Governments And Police Juries**

President Berthelot explained the need for the proposed resolution.

A motion was made by Kirk Allain, seconded by Atley Walker to approve A Resolution Of The West Baton Rouge Parish Council In Support Of The Louisiana Legislature To Enact Legislation Relative To The Official Journal Of Parish Governments And Police Juries.

The vote was recorded as follows:

YEAS: 7 (Messrs. Kirk Allain, Chris Kershaw, Atley Walker, Kenneth Gordon, Carey Denstel, Alan Crowe, Gary Joseph)
NAYS: 0 (None)
ABSENT: 2 (Messrs. Caleb Kleinpeter, Craig Bergeron)
ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

Resolution 7 of 2022 can be found at the end of these minutes.

15. **CONSIDER SUBDIVISION PLATS, CONDEMNATIONS, WAIVERS AND MATTERS RELATED THERETO**

A. **File# 2022-04 Ratify Declaration of derelict structure located at 12437 Maple Street Port Allen, La 70767**

Mr. Danny Rabalais, Code Compliance Officer, was recognized and explained the status of the aforementioned location and, upon inspection, the following structure has been deemed derelict according to Parish Code 109-42 and hereby request that this/these structure(s) be demolished.

A motion was made by Chris Kershaw, seconded by Gary Joseph to approve File# 2022-04 Ratify Declaration of derelict structure located at 12437 Maple Street, Port Allen, La 70767.

The vote was recorded as follows:

YEAS: 7 (Messrs. Kirk Allain, Chris Kershaw, Atley Walker, Kenneth Gordon, Carey Denstel, Alan Crowe, Gary Joseph)
NAYS: 0 (None)
ABSENT: 2 (Messrs. Caleb Kleinpeter, Craig Bergeron)
ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

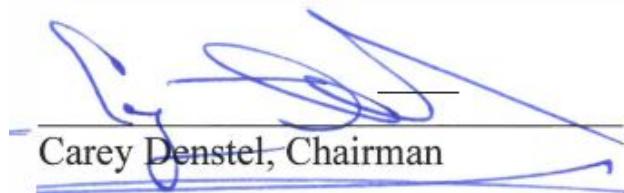
16. **CORRESPONDENCE REPORT**

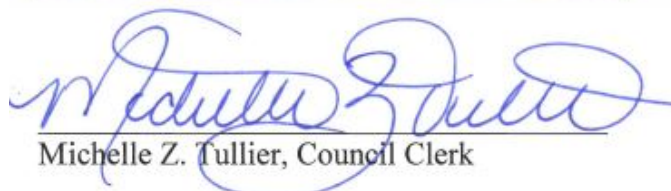
Correspondence Report from Council Clerk, Mrs. Michelle Tullier included the following items:

- Upcoming Capital Region Planning Commission Training;
- Next Planning & Zoning Meeting April 19, 2022 at 5:30pm.
- Next Council Meeting April 28, 2022 at 5:30pm.

17. **ADJOURN**

There being no further business, a motion to adjourn was made by Councilman Kershaw and was adopted by acclamation at 06:17 PM.


Carey Denstel, Chairman


Michelle Z. Tullier, Council Clerk

Parish of West Baton Rouge



Office of the Parish
President

Riley L. Berthelot, Jr.

2021 State of the Parish

March 24, 2022

Mr. Chairman, Councilmen, and Citizens of West Baton Rouge Parish,

I am pleased to inform you that 2021 was a record year for West Baton Rouge Parish. When looking at financial health, we see that sales tax revenue collections were approximately 25% above the budgeted revenues, while operating expenditures were 14% below the budgeted expenditures. The Parish General Fund remains in good standing, despite the use of 1.2 million in 2021 for one-time projects. Much of this was surplus funds set aside in expectation of these expenditures which included \$850,000 for the Asphalt Road Rehabilitation Program and \$257,000 for the Concrete Road Rehabilitation Program. The 2020 census calculations resulted in an approximate 4% decrease in the Parish's portion of sales tax for 2022.

In addition, numerous infrastructure improvements have taken place this year, including the American Rescue Plan Act. We will finish receiving funds from the American Rescue Plan Act by August of 2022, bringing in an estimated 5.1 million. These funds are set to be used on smart water meters, as well as on waterline upgrades for the northern end of the parish. Additionally, there were also great improvements to existing parish buildings and parks. The Registrar of Voters office saw building improvements of roughly \$100,000 to accommodate our growing parish and voters in the future. We also remodeled and opened up an early voting site on the south end of the parish at a cost of \$12,500. Building Maintenance was able to build a new workshop for \$70,000. The parish also spent approximately \$340,000 to renovate and complete new projects at several of our Parks and Community centers.

In closing, I would like to extend my appreciation to the Council and all Parish Employees for their support of the many improvements made throughout our Parish this past year. I look forward to working with you all in 2022, as we continue to better serve the people of the parish. I am confident that West Baton Rouge Parish will continue to remain financially stable, strong in community support, and successful in all its endeavors. As always, I stand by my commitment to improving and preserving the quality of life enjoyed here.

Sincerely,

Riley L. Berthelot, Jr

West Baton Rouge Parish President

ORDINANCE 17 OF 2022

As Introduced by the West Baton Rouge Parish Council

At the Regular Meeting of February 10, 2022

And Adopted March 24, 2022

AN ORDINANCE TO AMEND AND REENACT THE WEST BATON ROUGE PARISH CODE OF ORDINANCES, PART III (“UNIFIED DEVELOPMENT CODE”), CHAPTER 101 (GENERAL PROVISIONS) SECTION 101-1 (DEFINITIONS) TO UPDATE FLAG LOT AND LARGE TRACTS DEFINITIONS

WHEREAS, one of the primary functions of local governments is to protect the health, safety and welfare of its people; **AND**

WHEREAS, in exercising its role to carry-out the above, the West Baton Rouge Parish Council utilizes its police powers under the Constitution and laws of the State of Louisiana; **AND**

WHEREAS, such exercise of police power involves from time-to-time creating or amending local development laws in order to protect the public.

NOW, THEREFORE, BE IT ORDAINED that An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Part III(“Unified Development Code”), Chapter 101 (General Provisions), Section 101-1 (Definitions), be amended and readopted to read as follows:

(NOTE: underlined words are additions and strikethrough words are deletions. Three asterisks - * * * indicate sections of the code skipped for brevity of this ordinance. Such sections are to be retained by the code editors.):

PART III – UNIFIED DEVELOPMENT CODE

* * *
CHAPTER 101

* * *

GENERAL PROVISIONS

* * *

Sec. 101-1 Definitions

* * *

Lot, flag, means a lot ("the flag") having access to a street by means of a private driveway, access easement, or parcel of land (each instance being "the pole") not meeting the requirements of these land use regulations ordinance for lot width, but having a dimension of at least 50 feet at its narrowest point (which includes a 20-foot West Baton Rouge Parish utility servitude within the 50 feet). The pole must include at least a 12 foot wide driveway which may be constructed of crushed limestone, or equivalent, four inches thick as approved by the director of public works. The purpose of a flag lot is to allow land development in deep tracts that otherwise could not occur and fall short of a "minor subdivision" as defined elsewhere. When the construction of standard public streets is feasible, flag lot development should be avoided. A flag lot may only be created in single-family residential and agricultural districts and they must have the proper lot width as mandated by other portions of the West Baton Rouge Parish Unified Development Code at the location of the building setback ("front yard") line. Owners of tracts that request a "flag lot" at the time of a subdivision are limited to one and only one "flag lot" for that particular tract and any other tracts within 1,000 feet of any of the original tract's property lines. If there are tracts, parcels or lots of land owned by immediate family members within 1,000 feet of the original tract's property lines, then those immediate family members must wait two years from the approval of their family member's flag lot prior to applying for a flag lot subdivision. Any additional flag lots created by an owner's request to subdivide must be accomplished under the laws for minor subdivision approvals. There must also be no more than 800 feet from the furthest point of a primary structure on a "flag lot" to the nearest fire hydrant. ~~Language requiring the installation of fire hydrants prior to building permits in accordance with the provisions of "flag lots" as defined herein shall clearly be placed on final plats for "flag lots" in bold, 14-point font. Additionally, the drive used to access the lot must be constructed of (and maintained as) four inches of aggregate material.~~ The method of accessing the "flag" portion of the lot and providing utility connectivity must be the "pole." The "pole" must be part of the flag lot, connect to a street and be under the same ownership as the flag portion of the lot. Access easements to allow for use of the "pole" by another lot may be required. Structures may only be located on the "flag" portion of the lot. The "flag" portion of a flag lot must meet all of the other site development requirements of their respective zoning district including, but not limited to minimum lot size, lot coverage, setbacks/yards, etc. Only the "flag" portion of a lot may be utilized when performing site development requirement calculations.

Large tracts means those parcels of land containing five or more acres but less than 20 acres to sell or agreement to purchase, lease, or donate any division or subdivision of land either by lot description or by metes and bounds as defined herein shall constitute a subdivision of land, subject to the following development requirements contained in section 105-40(6) and (7), utilities, and shall also include a 30 foot predial servitude of passage to said parcels, which shall include a 15 foot utility servitude and a 12

foot predial servitude of passage with aggregate material such as crushed limestone, or equivalent, four inches thick as approved by the director of public works . The aforementioned 30 foot servitude shall extend at least 10 feet into said parcel or 800 feet from the rear property line. Further subdivision of any properties approved under this provision shall be subject to the remaining development requirements contained herein.

* * *

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council that this ordinance shall become effective thirty (30) days after adoption pursuant to Section 2-12 (C) of the Home Rule Charter.

THEREFORE BE IT FURTHER RESOLVED by the West Baton Rouge Parish Council, that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety.

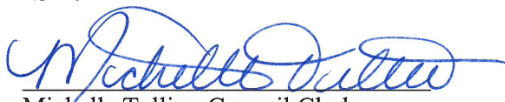
NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items, or applications of this ordinance are hereby declared severable.

THE FOREGOING ORDINANCE AFTER HAVING BEEN SUBMITTED TO A PUBLIC HEARING WAS CONSIDERED, AND UPON MOTION BY COUNCIL MEMBER KIRK ALLAIN, WHICH WAS SECONDED BY COUNCIL MEMBER CHRIS KERSHAW. THE ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

- YEAS: 7 (MESSRS. ALLAIN, KERSHAW, WALKER, DENSTEL, GORDON, CROWE, JOSEPH)**
- NAYS: 0 (NONE)**
- ABSENT: 2 (MESSRS. KLEINPETER, BERGERON)**
- ABSTAIN: 0 (NONE)**

WHEREUPON the ordinance was declared adopted on the **24th Day of March, 2022.**

ATTEST:


Michelle Tullier, Council Clerk

RESOLUTION 6 OF 2022

A Resolution Ratifying the Parish President Signature on a Cooperative Endeavor Agreement with the 18th Judicial District Court regarding the Families in Need of Services (FINS) Program for West Baton Rouge Parish

WHEREAS, West Baton Rouge Parish agrees to enter into an Cooperative Endeavor Agreement, with the 18th Judicial District Court and;

WHEREAS, in order to proceed with said agreement, West Baton Rouge Parish requires that the legislative body of the local government authorizes its chief executive “The Parish President” to execute agreement titled:

COOPERATIVE ENDEAVOR AGREEMENT
BY: WEST BATON ROUGE COUNCIL
AND: 18TH JUDICIAL DISTRICT COURT

WHEREAS, said agreement is attached hereto and identified as “Exhibit A”.

NOW THEREFORE BE IT RESOLVED, the West Baton Rouge Parish Council does hereby authorize Parish President Riley L. Berthelot, Jr. to execute on behalf of the Parish of West Baton Rouge, an agreement with the 18th Judicial District Court, and sign all future documentation regarding the same.

BE IT FURTHER RESOLVED, that the West Baton Rouge Parish Council does hereby ratify the Parish President signature for the aforementioned agreement.

BE IT FURTHER RESOLVED that if any portion or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED, that all resolutions or parts thereof in conflict herewith are hereby repealed.

The Foregoing Resolution Was Considered, And, After Public Discussion, A Motion To Approve Was Made By Council Member Alan Crowe, Which Was Seconded By Council Member Kirk Allain.

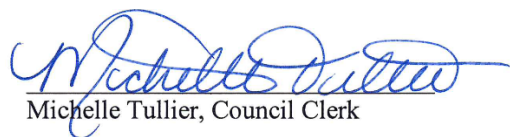
The Resolution Was Submitted To A Vote, The Vote Thereon Was As Follows:

YEAS: 7 (Messrs. Allain, Kershaw, Walker, Denstel, Gordon, Crowe, and Joseph)
NAYS: 0 (None)
ABSENT: 2 (Messrs. Kleinpeter, and Bergeron)
ABSTAIN: 0 (None)

As a result of the votes the resolution was adopted this **24th day of March, 2022**.

CERTIFICATE

I, Michelle Tullier, Council Clerk of the West Baton Rouge Parish Council do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by said body at its Regular Meeting of March 24, 2022 at which meeting a majority of the members were present and voting.


Michelle Tullier, Council Clerk

RESOLUTION 7 OF 2022

A Resolution Of The West Baton Rouge Parish Council In Support Of The Louisiana Legislature To Enact Legislation Relative To The Official Journal Of Parish Governments And Police Juries

WHEREAS, present law requires police juries, city and parish councils, municipal corporations, and school boards in all the parishes, except Orleans, to select, at their first meeting in June of each year, a newspaper as official journal for their respective parishes, towns, or cities for a term of one year; and

WHEREAS, present law provides further with respect to official journals and requirements, therefore requires publication of minutes, ordinances, resolutions, budgets, and official proceedings in the official journal; and

WHEREAS, SB 322 by Senator Fred Mills provides that the parish governing authority may decrease the size of the publication to a quarter of a page that contains a citation to the statutory requirement for publication; a description of the official proceeding; the website address and the website link, if available, where the full proceeding may be viewed; and a telephone number, mailing address, and email address where citizens may request a physical copy of the complete notification via email or U.S. Mail; and

WHEREAS, SB 322 is attached hereto and identified as “Exhibit A”.

BE IT RESOLVED, the West Baton Rouge Parish Council does hereby support SB 322 by Senator Fred Mills in order to help with publication costs for parish government.

THEREFORE, BE IT FURTHER RESOLVED, that the West Baton Rouge Parish Council asks the Louisiana Legislature to support SB 322 by Senator Fred Mills which provides that the parish governing authority may decrease the size of the publication to a quarter of a page that contains a citation to the statutory requirement for publication; a description of the official proceeding; the website address and the website link, if available, where the full proceeding may be viewed; and a telephone number, mailing address, and email address where citizens may request a physical copy of the complete notification via email or U.S. Mail.

BE IT FURTHER RESOLVED that if any portion or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED, that all resolutions or parts thereof in conflict herewith are hereby repealed.

The Foregoing Resolution Was Considered, And, After Public Discussion, A Motion To Approve Was Made By Council Member Kirk Allain, Which Was Seconded By Council Member Atley Walker.

The Resolution Was Submitted To A Vote, The Vote Thereon Was As Follows:

YEAS: 7 (Messrs. Walker, Allain, Denstel, Gordon, Crowe, Kershaw, and Joseph)
NAYS: 0 (None)
ABSENT: 2 (Messrs. Kleinpeter, and Bergeron)
ABSTAIN: 0 (None)

As a result of the votes the resolution was adopted this **24th day of March, 2022.**

CERTIFICATE

I, Michelle Tullier, Council Clerk of the West Baton Rouge Parish Council do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by said body at its Regular Meeting of March 24, 2022 at which meeting a majority of the members were present and voting.

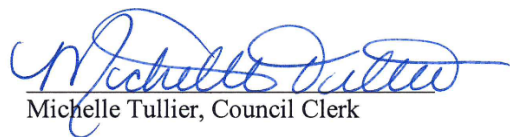

Michelle Tullier, Council Clerk

EXHIBIT “A”

2022 Regular Session SENATE

BILL NO. 322

BY SENATOR FRED MILLS

OFFICIAL JOURNALS. Provides relative to official journal publication by police juries, city and parish councils, municipal corporations, and school boards. (8/1/22)

AN ACT

To enact R.S. 43:212 and 213, relative to advertisements or publication of notices that are

required to be made in relation to judicial proceedings; to provide for exceptions for

certain public entities; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 43:212 and 213 are hereby enacted to read as follows:

§212. Judicial advertisements and legal notices; by certain political bodies

A. Notwithstanding any provisions of law to the contrary, all police

juries, city and parish councils, municipal corporations, and school boards,

when advertisements or publications of notices are required to be made by law,

may use a shortened newspaper advertisement that only requires a reference to

the public action and either a phone number and email address where citizens

can request a written copy, via mail or email, of the full advertisement or a

website where the full advertisement may be viewed.

B. Any advertisement made pursuant to this Section shall be no less than

a one-quarter page in size.

C. The price offered to any entity under this Section by the publication

shall never be less favorable than the price charged to any other party for a

similar form of advertisement.

§213. Advertisements of judicial sales by sheriffs

A. Notwithstanding any provisions of law to the contrary, the sheriff of

any parish may choose to use a shortened newspaper advertisement of the sale

of immovable property under judicial process that only requires the following:

(1) The suit number related to the immovable property for sale.

- 8 (2) The title of the suit in which the writ is issued.
- 9 (3) The date, time, and location of the sale.
- 10 (4) The municipal address where the property is located.
- 11 (5) A phone number and email address where citizens can
request a
- 12 written copy of the full legal advertisement of the immovable property for
sale.
- 13 B. The provisions of Subsection A of this Section may only be
utilized by
- 14 a sheriff that both:
- 15 (1) Maintains a website that posts the full legal advertisement of
the
- 16 immovable property for sale.
- 17 (2) Has an established process for providing citizens an
emailed or
- 18 mailed copy of the full legal advertisement upon request.
- 19 C. The price offered to any entity under this Section by the
publication
- 20 shall never be less favorable than the price charged to any other party
for a
- 21 similar form of advertisement.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by James Benton.

SB 322 Original	DIGEST 2022 Regular Session	Fred Mills
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Proposed law provides that all police juries, city and parish councils, municipal corporations, and school boards, when advertisements or publications of notices are required to be made in relation to judicial proceedings, or in the sale of property under judicial process, or in any other legal proceedings of any kind, may use a shortened newspaper advertisement that only requires a reference to the public action and either a phone number and email address where citizens can request a written copy of the full legal advertisement of the immovable property for sale or a website where the full legal advertisement may be viewed.

Proposed law provides that any advertisement made pursuant to proposed law will be no less than a one-quarter page in size.

Proposed law provides the sheriff of may parish may choose to use a shortened newspaper advertisement for the sale of immovable property under judicial process that only requires:

- (1) The suit number related to the immovable property for sale;
- (2) The title of the suit in which the writ is issued;
- (3) The date, time and location of the sale;
- (4) The municipal address where the property is located; and

- (5) A phone number and email address where citizens can request a written copy of the full legal advertisement of the immovable property for sale.

Proposed law provides that the provisions of proposed law may only be utilized by a sheriff that:

- (1) Maintains a website that posts the full legal advertisement of the immovable property for sale; and
- (2) Has an established process for providing citizens an emailed or mailed copy of the full legal advertisement upon request.

Proposed law provides that the price offered to any entity under proposed law by the publication will never be less favorable than the price charged to any other party for a similar form of advertisement.

Effective August 1, 2022.

(Adds R.S. 43:212 and 213)