



**TOWN COUNCIL MEETING
TUESDAY, JANUARY 20, 2026 AT 6PM
ABITA SPRINGS TOWN HALL
22161 LEVEL ST., ABITA SPRINGS, LA 70420**

Posted: January 15, 2026 4:30pm

CALL TO ORDER: Mayor Curtis
INVOCATION: Alderman Patterson
PLEDGE OF ALLEGIANCE: Alderman Boudreaux

MAYOR'S ANNOUNCEMENTS: 1.) Water System Update 2.) Push Mow Parade

ROLL CALL:

Call for Agenda Modifications
Accept December 2025, Town Council Meeting Minutes
Presentation of November Financial Report

NEW BUSINESS:

1. Consider the Adoption of A Resolution declaring the intention of the Town of Abita Springs, State of Louisiana, to issue Taxable Utility Revenue Bonds, in one or more series, in an amount not to exceed Three Million and Seven Hundred and Fifty Thousand Dollars (\$3,750,000.00) for the purpose of paying the cost of constructing, acquiring and installing additions, extensions, improvements to the sewer component of the combined waterworks system, sewer system, of said Town; and providing for other matters in connection therewith.
2. Discussion of the Operation of Golf Carts in the Town of Abita Springs
3. Discussion of Blighted Properties

OLD BUSINESS:

OPEN/ADJOURNMENT:

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE, PLEASE CONTACT US AT (985) 892-0711.
PLEASE CONTACT TOWN HALL AT THE SAME NUMBER FOR ADDITIONAL INFORMATION REGARDING THIS AGENDA.

(985) 892-0711 • P.O. Box 461 • Abita Springs, LA 70420 • townofabitasprings.com

The following resolution was offered by _____ and seconded by _____:

RESOLUTION

A resolution declaring the intention of the Town of Abita Springs, State of Louisiana, to issue Taxable Utilities Revenue Bonds in the name of the Town, in an amount not to exceed \$3,750,000, and providing for other matters in connection therewith.

WHEREAS, the Town of Abita Springs, State of Louisiana (the "Town"), now owns and operates a combined waterworks system, sewer system and natural gas system (the "System") as a revenue-producing work of public improvement; and

WHEREAS, the Town proposes to finance the costs of constructing and acquiring improvements, extensions, and replacements to the sewer component of the System (the "Project") through the sale and issuance of not exceeding Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000) of Taxable Utilities Revenue Bonds of the Town (the "Bonds"); and

WHEREAS, the Town proposes that the Bonds will be issued in the manner prescribed by and under the authority of Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority (the "Act"); and

WHEREAS, the Town has no outstanding indebtedness payable from the revenues of the System, EXCEPT for its outstanding Taxable Utilities Revenue Bond, Series 2017 (the "Outstanding Parity Bond"); and

WHEREAS, this Mayor and Board of Aldermen of the Town of Abita Springs, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Town, in accordance with the provisions of the Act, now desires to authorize the giving and publication of notice of intention generally describing the Bonds and the security therefor, setting forth a date and time when it will meet in open and public session to hear any and all objections to the proposed issuance of the Bonds and providing for the filing of a petition by a certain hereinafter described percentage of the electors objecting to the issuance of the Bonds unless an election is held on the question of the issuance thereof;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Abita Springs, State of Louisiana, acting as governing authority of the Town of Abita Springs, State of Louisiana, that:

SECTION 1. **Intent to Issue Revenue Bonds.** Pursuant to and in compliance with the provisions of the Act, this Governing Authority does hereby declare its intention to issue not exceeding Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000) of Taxable Utilities Revenue Bonds (DEQ) of the Town (the "Bonds"), the proceeds of which will be used for financing the cost of constructing and acquiring improvements, extensions, and replacements to the sewer component of the System, and paying costs incurred in connection therewith.

The Bonds shall be limited and special revenue Bonds of the Town, secured by and payable in principal and interest, equally with the Outstanding Parity Bond, solely from the income and revenues derived or to be derived by the Town from the operation of the System, after payment therefrom of the reasonable and necessary expenses of operating and maintaining the System. The Bonds shall not be a charge on the other income and revenues of the Town, nor shall they constitute an indebtedness or pledge of the general credit of the Town. The Bonds will be issued and authorized by an ordinance adopted by this Governing Authority. The Bonds shall be of such series, bear such date, mature at such time or times (not to exceed 22 years from their date of issuance), bear interest at such rate or rates not to exceed 0.95% per annum (which rate shall include a 0.50% administrative fee), be in such denomination or denominations, in fully registered form, carry such registration privileges, be payable in such medium of payment and at such place or places, be subject to such terms of prepayment and be entitled to such priorities on the income and revenues of the System as such ordinance may provide.

SECTION 2. **Sale of Bonds.** The Bonds are expected to be sold at private sale to the Clean Water State Revolving Fund, in the custody of the Louisiana Department of Environmental Quality, and may be issued and sold in installments as needed, all as provided for in the Act.

SECTION 3. **Public Hearing.** This Governing Authority will meet in open and public session on *Tuesday, February 24, 2026, at Six o'clock (6:00) p.m.*, at the Abita Springs Town Hall, 22161 Level Street, Abita Springs, Louisiana 70420, or at an earlier or later regular or special meeting of the Governing Authority to be determined by the Governing Authority, in consultation with bond counsel and duly advertised in the manner provided by law, to hear any objections to the proposed issuance of the Bonds; provided, however, if at such hearing a petition or petitions duly signed by the electors of the Issuer in an aggregate number not less than five percent (5%) of the number of the electors of the Issuer voting in the last election held in the Issuer object to the issuance of the Bonds, then the Bonds shall not be issued until approved by a vote of a majority of the qualified electors of the Issuer who vote at a special election held for that purpose in the manner provided by law. Any such petition shall be accompanied by a certificate of the St. Tammany Parish Registrar of Voters certifying that the signers of the petition are registered electors of the Issuer and the number of signers amounts to not less than five percent (5%) of the registered voters that voted in the last election held in the Issuer, all as provided by the Act.

SECTION 4. **Notice of Intention.** The Clerk is hereby authorized, empowered and directed to publish an appropriate notice of the intention of the Issuer to issue the Bonds in accordance with the provisions of this resolution and the Act. Such notice of intention shall be published in four (4) consecutive weekly issues of the official journal of the Issuer, and shall be substantially in the form attached as **Exhibit A** hereto, with any such changes as may be necessary upon the advice of bond counsel.

SECTION 5. **State Bond Commission.** Application is hereby made to the State Bond Commission, Baton Rouge, Louisiana, for approval of the Bonds as described above. A certified copy of this resolution shall be submitted to the State Bond Commission, together with a request for prompt consideration and approval of this application.

By virtue of the Issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that the Issuer understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns, to full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.", adopted by the State Bond Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

SECTION 6. Employment of Bond Counsel. This Governing Authority finds and determines that a real necessity exists for the employment of special counsel in connection with the issuance of the Bonds, and accordingly, Foley & Judell, L.L.P., of New Orleans, Louisiana, as Bond Counsel, is hereby employed to do and perform work of a traditional legal nature as bond counsel with respect to the issuance and sale of said Bonds. Said Bond Counsel shall prepare and submit to this Governing Authority for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of such Bonds, shall counsel and advise this Governing Authority as to the issuance and sale thereof and shall furnish its opinions covering the legality of the issuance of the Bonds. The fee of Bond Counsel for each series of bonds shall be fixed at a sum not exceeding the fee allowed by the Attorney General's fee guidelines for such bond counsel work and based on the amount of said Bonds actually issued, sold, delivered and paid for, plus Aout-of-pocket@ expenses, said fees to be contingent upon the issuance, sale and delivery of said Bonds. The Mayor is hereby authorized and directed to execute, and this Governing Authority hereby agrees to and accepts the terms of, the engagement letter of Bond Counsel appended hereto. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for approval of said employment and of the fees herein designated, and payment for the work herein specified upon completion thereof and under the conditions herein enumerated is hereby approved without further action of this Governing Authority.

The foregoing having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

ABSTAIN:

And the resolution was declared adopted on this, the 20th day of January, 2026.

/s/ Leanne Schaefer

Clerk

/s/ Daniel J. Curtis

Mayor

**NOTICE OF INTENTION TO ISSUE
NOT EXCEEDING \$3,750,000
OF TAXABLE UTILITIES REVENUE BONDS
OF THE
TOWN OF ABITA SPRINGS, STATE OF LOUISIANA**

PUBLIC NOTICE IS HEREBY GIVEN, pursuant to and in compliance with the provisions of Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and/or other applicable laws (the "Act"), that the Mayor and Board of Aldermen of the Town of Abita Springs, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Town of Abita Springs, State of Louisiana (the "Town"), does hereby declare its intention to issue not exceeding Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000) of Taxable Utilities Revenue Bonds of the Town, the proceeds of which will be used to finance the costs of constructing and acquiring improvements, extensions and replacements to the sewer component of the Town's combined waterworks system, sewer system and natural gas system (the "System"), and paying costs incurred in connection therewith.

The Bonds shall be limited and special revenue bonds of the Town secured by and payable in principal and interest, equally with the Town's outstanding Taxable Utilities Revenue Bond, Series 2017, solely from the income and revenues derived or to be derived by the Town from the operation of the System, after payment therefrom of the reasonable and necessary expenses of operating and maintaining the System. The Bonds shall not be a charge on the other income and revenues of the Town, nor shall they constitute an indebtedness or pledge of the general credit of the Town.

The Bonds will be authorized and issued by an ordinance to be adopted by the Governing Authority. The Bonds shall bear such date, mature at such time or times not to exceed 22 years from their date of issuance, be sold at par, bear interest at such rate or rates not exceeding 0.95% per annum (which rate includes a 0.50% administrative fee), be in such denomination or denominations, in fully registered form, carry such registration privileges, be payable in such medium of payment and at such place or places, be subject to such terms of redemption and be entitled to such priorities on the income and revenues of the System as such ordinance may provide.

As provided by the Act, all of the other details of the Bonds will be set forth in the ordinances(s) authorizing their issuance, including the following: covenants relating to the management and operation of the System, the imposition and collection of rates and charges from the System's customers, the expenditure of such rates and charges, the issuance of future Bonds and the creation of future liens and encumbrances against the System and all other pertinent matters as may be necessary to the authorization and issuance of the Bonds.

NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority will meet in open and public session on *Tuesday, February 24, 2026, at Six o'clock (6:00) p.m.*, at the Abita Springs Town Hall, 22161 Level Street, Abita Springs, Louisiana 70420, to hear any objections to the proposed issuance of the Bonds; provided, however, if at such hearing a petition duly signed by electors of the Town in a number not less than five percent (5%) of the number of the electors

of the Town voting in the last special or general election held in the Town object to the issuance of the Bonds, then the Bonds shall not be issued until approved by a vote of a majority of the qualified electors of the Town who vote at a special election held for that purpose in the manner provided by Chapter 6-A, Title 18 of the Louisiana Revised Statutes of 1950, as amended. Any such petition shall be accompanied by a certificate of the St. Tammany Parish Registrar of Voters certifying that the signers of the petition are registered electors of the Town, and the number of signers amounts to not less than five percent (5%) of the registered voters that voted in the last election held in the Town, all as provided by the Act.

THUS DONE AND SIGNED at Abita Springs, Louisiana, on this, the 20th day of January, 2026.

TOWN OF ABITA SPRINGS, STATE OF LOUISIANA

ENGAGEMENT LETTER

January 20, 2026

Honorable Daniel J. Curtis, Mayor
Town of Abita Springs, State of Louisiana
Abita Springs, Louisiana

Re: Proposed Taxable Utilities Revenue Bonds of
the Town of Abita Springs, State of Louisiana

Dear Mayor Curtis:

The purpose of this engagement letter is to set forth certain matters concerning the role we will serve and the legal services we will provide as bond counsel to the Town of Abita Springs, State of Louisiana (the "Issuer") in connection with the issuance of the captioned Bonds (the "Bonds"). We understand that the Bonds will be issued for the purpose (the "Project") described in the resolution adopted by the Mayor and Board of Aldermen of the Town (the "Governing Authority"), acting as the governing authority of the Issuer, on January 20, 2026.

As bond counsel, we will prepare and submit to the Governing Authority for adoption all of the legal proceedings required for the authorization, issuance, sale and delivery of the Bonds and provide advice of a traditional legal nature as to the issuance and sale of the Bonds. Our job is principally to render certain opinions to the Issuer regarding (i) the validity of the Bonds under applicable Louisiana law, and (ii) other matters as may be applicable. The bond opinion will be based on facts and law existing as of its date. In rendering such opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to our firm without undertaking to verify the same by independent investigation, and we will assume continuing compliance by the Issuer with applicable laws and other resolutions relating to the Bonds. During the course of this engagement, we will rely upon the staff of the Issuer and the members of the Governing Authority to provide us with complete and timely information on all developments pertaining to any aspect of the Bonds.

In our engagement as bond counsel, we will:

- Confer with members of the working group, including you and other officials of the Issuer, relating to the Project and review legal issues relating to the structure of the Bonds issue;
- Prepare the Issuing Bond Ordinance and all related financing documents (collectively, the "Bond Documents");
- As requested, attend meetings of the Governing Authority at which the Bond Documents are adopted;
- Prepare the application for approval of the issuance of the Bonds by the State Bond Commission and attend the State Bond Commission meeting at which such approval will be considered;

- Prepare the closing index and various closing certificates, and supervise the execution of certain closing documents by the various parties thereto;
- Prepare the Bonds and supervise their execution and authentication;
- Prepare complete transcripts of record covering the issuance of the Bonds and furnishing the transcripts to various parties in connection therewith; and
- Submit applicable post-closing reports to the State Bond Commission.

Our fee as bond counsel is based upon the terms, structure, size and schedule of the financing, the services provided, and the responsibilities assumed; however, our fee will not exceed that permitted by guidelines set forth by the Attorney General of the State of Louisiana and is subject to the approval of the Attorney General. Our fee as bond counsel is a "contingent fee," meaning you are required to pay for our legal services only in the event the Bonds are actually sold and delivered. Other vendors or members of the working group may charge additional fees or costs for their services, which may not be contingent upon a successful delivery.

We will continue to serve as bond counsel until the delivery of the Bonds; however, the Issuer and our firm each have the right to terminate this engagement at any time after providing reasonable advanced written notice, subject to the applicable rules of professional responsibility. Upon conclusion or termination of our representation of the Issuer, papers and property furnished by the Issuer will be returned promptly upon request.

Please note that we are not municipal advisors, and we do not render financial advice or other financial services to the Issuer; however, in the course of providing traditional legal services, we may provide factual information to the Issuer that is not specifically tailored to the Bonds or that does not rise to the level of a recommendation concerning a course of action. We will, however, analyze and advise the Issuer regarding the legal ramifications of the structure, timing, terms and other provisions of the Bonds, as these functions are essential to developing a plan of finance.

Applicable ethical rules in Louisiana prohibit us from undertaking this representation if we represent another party that is directly adverse to the Issuer or if there is a significant risk that other considerations will materially limit our representation of the Issuer. We understand that the Bonds are to be sold to Revolving Loan Fund (the "Fund"), operated by the Louisiana Department of Environmental Quality (the "Department"). Our firm is currently engaged by the Department as its counsel in connection with loans made by the Fund; therefore, we are obligated by Louisiana Rules of Professional Conduct to consult with you and obtain your written consent and waiver of any conflict of interest to provide the requested services as bond counsel to the Issuer.

The nature of our assignments is such that we do not believe our engagement will adversely impact any existing professional relationship with the Issuer or the Department. Loans made by the Fund have defined terms and conditions that are either set by the Department or required by applicable federal or state law, rule or regulation. Our role as Department counsel will be limited to ensuring compliance with the Fund's programmatic requirements, and our role as bond counsel to the Issuer, as set forth above, will be limited to ensuring the Bonds are valid and binding obligations, issued in accordance with those federal, state, and local laws, rules, and regulations applicable to the Issuer. We believe the interests of the Department and the Issuer are currently aligned, which minimizes

the risk we will be asked to favor either party; nonetheless, to ensure we don't violate our ethical obligations, we affirm that we will not advocate on behalf of either party. Be advised that if a legal dispute arises between the Issuer and the Department, our firm cannot and will not represent either party in any litigation. We understand you will be represented by your general counsel during this process as well.

As you are further aware, our firm represents the State of Louisiana and many other political subdivisions, including others in St. Tammany Parish. At this time, we do not believe any other current or past engagement of our firm adversely affects our ability to represent the Issuer as provided in this letter; however, we invite you to discuss any concerns you have with us.

In the interest of facilitating our services to you, we may (i) send documents, information or data electronically or via the Internet or (ii) store electronic documents or data via computer software applications hosted remotely or utilize cloud-based storage. Confidential electronic documents or data of the Town may be transmitted or stored using these methods. We may use third party service providers to store or transmit these documents or data. In using these electronic communication and storage methods, we employ reasonable efforts to keep such communications, documents and data secure in accordance with our obligations under applicable laws, regulations, and professional standards; however, the Town recognizes and accepts that we have no control over the unauthorized interception or breach of any communications, documents or data once it has been transmitted or if it has been subject to unauthorized access while stored, notwithstanding all reasonable security measures employed by us or by our third party service providers. By acceptance of this letter, the Town consents to our use of these electronic devices and applications and submission of confidential client information to or through third party service providers during this engagement.

If this letter is acceptable to the Issuer, please so indicate by executing below and returning a copy to us, retaining an original for your files. By signing this letter, you acknowledge that you have read and understand the foregoing, and on behalf of the Issuer, expressly waive any conflict of interest that may exist and consent to Foley & Judell, L.L.P.'s provision of the services described herein. Your execution of this letter is a representation that such execution has been duly authorized and that this waiver is knowingly made, valid and enforceable.

We appreciate the opportunity to serve the Issuer and look forward to working with you.

FOLEY & JUDELL, L.L.P.

By: _____
J. Hardy Andrews

**ACCEPTED AND APPROVED:
TOWN OF ABITA SPRINGS,
STATE OF LOUISIANA**

By: _____

Name: Daniel J. Curtis

Title: Mayor

Dated: January 20, 2026

STATE OF LOUISIANA

PARISH OF ST. TAMMANY

I, the undersigned Clerk of the Town of Abita Springs, State of Louisiana (the "Town"), do hereby certify that the foregoing pages constitute a true and correct copy of the resolution adopted by the Mayor and Board of Aldermen of the Town on January 20, 2026, declaring the intention of the Town to issue Taxable Utilities Revenue Bonds in the name of the Town, in an amount not to exceed \$3,750,000, and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature on this, the 20th day of January, 2026.

Clerk

An ordinance to amend Part 5 Chapter 2 Traffic Regulations

WHEREAS, pursuant to state law (LA. R.S. 32:299.4) the operation of golf carts upon public roads and streets is prohibited except when the relevant governing authority has designated streets for the operation of qualified cards; and

WHEREAS, the Board of Alderman desires to authorize, under specific conditions, the operation of golf carts upon certain town roads and streets.

NOW THEREFORE, BE IT ORDAINED by the Board of Alderman that it does hereby amend the town's Code as follows:

Golf Cart- Definitions.

A *golf cart* means an electric four-wheeled vehicle originally intended for use off-road on golf courses and other green spaces whose maximum speed is twenty-five miles per hour. The term *golf cart* shall not include lawn mowers, tractors, four-wheelers, ATVs, go-carts, or other motor propelled carts.

A reflective triangle is a "slow moving vehicle: sign that is mounted to the rear of the golf cart and is clearly visible at all times. The reflective triangle must be a minimum of 12 inches by 12 inches.

Section 5-209 of Part 5 Chapter 2 of the Code, previously reserved, is added to read:

The operation of any golf cart with the following minimum and functioning motor vehicle safety equipment; a seatbelt for each passenger, efficient brakes (including a parking brake), horn, reliable steering apparatus, safe tires, rear view mirror, red reflectorized warning devices in both the front and rear of the vehicle (to include a reflective triangle on the back of the golf cart), front and rear turn signal lamps, tail lamps, brake lamps, headlamps, and vehicle identification number or serial number; and

The golf cart is being operated by a person with a valid driver's license; and

The golf cart operator is covered by a policy of liability insurance, with respect to the golf cart, with at least the minimum amounts as required by the provisions of La. R.S. 32:900(B); and

The golf cart is registered with the state of Louisiana through the Department of Public Safety and Corrections, office of motor vehicles, as an off-road vehicle and displays the requisite decal issued by the office of motor vehicles; and

The golf cart is registered with the town and displays the requisite decal issued by the Town of Abita Springs or its designed; and

The golf cart may only be operated on a public road or street with a speed limit of twenty-five (25) miles per hour or less.

Occupants of the golf car are seated and buckled, the number of passengers in the golf cart does not exceed the amount for which the golf cart is designed, an no passenger is riding on the lap of any other passenger.

Section 5-210 of Part 5 Chapter 2 of the Code, previously reserved, is added to read:

Prior to initial registration of a golf car with the town, the cart must pass inspection by the Town of Abita Springs or its designee.

Registrations shall be issued on a biennial basis from, at the earliest, July 1 of an odd-numbered year through June 30 of the next odd-numbered year, except that the first registration period for those registering on or before July 1, 2023, shall be the date of registration through June 30, 2025, and any renewal registration may be obtained up to sixty (60) days prior to expiration of the then current registration.

A biennial registration fee of \$100.00 shall be payable at the time of registration and for each renewal period thereafter. Registrations obtained for a registration period for which there is less than one (1) year remaining in the biennial period may be obtained for \$50.00

Registrations are non-transferable and non-assignable. Any new golf cart owner must obtain his or her own city registration if he or she intends to operate the golf cart on public roads or streets within the town.

The town may refuse to issue a town registration for a golf cart, or it may revoke a previously issued registration, if the golf cart or the owner of same is involved in two or more violations of the golf-cart related provisions of this article within a one-year period. Said denial or revocation shall be effective for up to one year.

The Town of Abita Springs administration may develop, implement, and update, from time to time as may be necessary, forms and processes to carry out the provisions of this section and may set the implementation date for the first registration period. The Town of Abita Springs administration may also designate the location on the golf cart on which a registration decal must be displayed.

Section 5-211 of Part 5 Chapter 2 of the Code, previously reserved, is added to read:

Golf carts may only be parked in the same manner and at the same places designated for parking of motor vehicles or in parking spaces specifically designated for golf carts.

Operators of golf carts shall be subject to the provisions of La. R.S. 32:2999.4, as amended, and the rules and regulations for golf carts promulgated by the Louisiana Department of Public Safety and Corrections.

Operators of golf carts shall be subject to all traffic, open container, and alcohol and drug laws of the city and the state of Louisiana to the same extent as an operator of any other vehicle on the roads and streets of the town.

The public roads and streets of the town do not include town sidewalks, parks, or trails. Golf carts are not allowed to be operated on public sidewalks, parks, or trails in the town.

License, insurance, and registration information must be in immediate possession of the operator of the golf cart.

Any person who operates, or rides upon, a golf cart within the town assumes the risk of such activity. The regulation by the town of the golf cart operations on town roads and streets, as set forth in the preceding sections is not a determination by the town that any such operations are safe or advisable. The town has no liability and assumes no liability, under any theory, for permitting golf carts, in conformity with state law, to be operated on its public roads and streets.

Sec. 3-304. Order to owner to clear property; notice; charge for work done by town.

- (a) Should the owner of any parcels of land allow it to be in an unsafe or unsanitary condition due to the failure to do any of the following:
- (1) Cut grass
 - (2) Control weeds
 - (3) Remove trash, debris, refuse, discard or noxious matter
 - (4) Remove any stripped parked motor vehicles as defined in section 3-201 herein
 - (5) Maintain any building or other structures being any construction for which a building permit is required, in a condition which does not endanger the public welfare or safety.
- (b) (1) Before the board of aldermen may condemn any building or structure or remedy any conditions set out above there shall be submitted to the mayor a written report recommending the necessary action signed by the town inspector. The mayor shall thereupon serve notice on the owner of the building or structure or parcel of land requiring him to show cause at a meeting of the board of aldermen, regular or special, why the building or structure should not be condemned or other listed conditions remedied. The date and hour of the meeting shall be stated in the notice which shall be served at least ten days prior to the date of the hearing, except in case of grave public emergency as provided in subsection c of this section.
- (2) a. The notice may be served by mailing it via the United States Postal Service, by either registered or certified mail, return receipt requested, to the owner at the owner's last known address.
- b. Service by registered or certified mail shall be considered personal service if the certified return receipt or the return form is signed by the addressee. Service by registered or certified mail shall be considered domiciliary service if the certified return receipt or the return form is signed by anyone other than the addressee.
 - c. If the registered or certified mail is returned for failure to obtain a signature on the return receipt form or returned due to refusal of delivery, service may be accomplished by first class mail, with a certificate of mailing. Service by first class mail in accordance with this subparagraph shall be considered personal service and is effective when mailed.
- (3) The notice may also be served by the marshal of the municipality or by any sheriff or deputy sheriff or constable having jurisdiction and power to serve legal process where the owner of the building or structure is found in the state, and the officer shall make return of the service as in ordinary cases.
- (4) a. If the owner is absent from the state or unrepresented therein, then the notice shall be served upon the occupant of the condemned building or structure, if any, and also upon an attorney at law appointed by mayor, to represent the absentee. Domiciliary service may be made as in ordinary cases.
- b. 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 board of aldermen authority may condemn the building after 24 hours notice served upon the owner or his agent or the occupant and attorney at law appointed to represent the absentee owner. Any such notice may be attached to a door or entrance of the premises and shall have the same effect as delivery to or personal service on the owner, occupant, or attorney at law appointed to represent the absentee owner.
 - c. Any notice served pursuant to this section shall be filed by the clerk of the board of aldermen in the mortgage records of the clerk of court for the Parish of St. Tammany. Once filed, said notice shall be deemed notice to all subsequent transferees.

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- d. For purposes of any type of funding assistance being sought by the building or structure owner, any notice served pursuant to this section shall be de facto proof that the building or structure is more than 50 percent damaged.
 - e. After the hearing, if, in the opinion of the board of aldermen the facts justify it, an order shall be entered to perform the necessary action to remedy the listed sanitary deficiencies or condemning the building or structure and ordering that it be demolished or removed within a certain delay. If repairs will correct the dilapidated, dangerous, or unsafe condition, the board of aldermen authority may grant the owner the option of making such repairs, but in such a 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 the board of aldermen.
 - f. The decision and order of the board of aldermen shall be in writing and shall be final unless appealed from within five days as hereinafter provided.
 - g. The owner, occupant, agent, or other representative of the owner may appeal from the decision of the board of aldermen to the 22 Judicial District Court. The appeal shall be made by the filing of a suit against the town, setting forth the reasons why the decision or order of the board of aldermen is illegal or improper, and the issue shall be tried de novo and by preference in the district court. Where a grave public emergency has been declared by the board of aldermen, the owner of the building who desires to prevent the demolition or removal thereof must file his petition within 48 hours and must, at the time of the filing of the petition, furnish such bond as may be fixed by the district judge to cover any damage that might be caused by the condition of the building. Either party may appeal from the judgment of the district court as in other cases.
 - h. 1. The owner or his designated agent may proceed to remedy the unsanitary condition as set out in the order of the board of aldermen to demolish and remove the building, or have it repaired, in accordance with the order of the board of aldermen provided the owner or his agent executes a contract in writing obligating himself to have the work done within the required time and files with the mayor a copy of the contract, together with a bond to guarantee performance.
 - 2. In the event the owner or occupant of the parcel of land, building or structure fails or refuses to comply with the decision of the board of aldermen and fails to appeal there from within the legal delays provided herein, then, in that event, the mayor may proceed with the demolition or removal of the building, structure, or public nuisance set out in the order of the board of aldermen, in which case neither the board of aldermen, mayor nor the town, shall be liable in damages.
 - 3. Prior to the demolition or removal of the building or structure, the mayor 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 minor, interdict, or absentee owner, giving the time when work will begin upon the demolition or removal of the building, structure, or public nuisance.
 - 4. The board of aldermen may request and the adjutant general may assign, subject to the approval of the governor, national guard personnel and equipment to assist in the removal and demolition of condemned buildings, structures, or public nuisances. The provisions of this subsection shall be applicable when the budget for the demolition and removal of condemned structures has been expended the town. However, the request must be accompanied by documentation that all procedural protections and substantive restraints have been adhered to by the town.
 - 5. In the event all procedural protections and substantive restraints have been adhered to by the board of aldermen, the mayor and the national guard and their personnel shall not be

liable to the owner of the building, structure, or public nuisance for any damages sustained resulting from the demolition of the building, structure, or remedy of the public nuisance.

- i. 1. Upon failure of the property owner to pay any fine levied as provided by ordinance or any costs incurred by the town for securing, or demolition or removal, or both, of such structures, and for maintenance of property in a sanitary condition, the town may file a certified copy of the order levying a fine or fines and/or a copy of an invoice reflecting the amount of such costs in the mortgage records of the clerk of court for the Parish of St. Tammany, and the same, when so filed and recorded, shall operate as a lien and privilege in favor of the town against the property.
2. In addition, the property owner shall be liable for interest on costs incurred by the town, which shall be paid prior to cancellation of the lien. The rate of interest shall not exceed the rate of legal interest, as provided in R.S. 9:3500, and shall be computed from the date of recordation of the lien until paid or enforced.
3. The lien obtained by the town pursuant to this section shall include not only the costs provided for in this section but shall include all attorney's fees and all costs incurred in the locating of the owner, notification of the owner, and the enforcement and collection of the amount secured by the lien.
4. i. After the town has levied such fine or fines or incurred such costs as constitute the lien and privilege on the property, the town clerk may add said amounts to the next ad valorem tax bill of the owner, and said amount shall be subject to the same interest and penalties as delinquent ad valorem taxes.
 - ii. If within six months after the filing of the lien provided for herein, the property owner fails to pay such lien and any interest thereon, the mayor may offer for sale and subsequently sell or otherwise convey such property. The procedure for notice, advertisement, and sale of the property shall be governed by the law applicable to the sale of real property for delinquent municipal or parish taxes except that the property owner's right of redemption shall be limited to six months from the time the property is sold, or as provided by state law in such case. Redemption by the original owner shall require reimbursement of any expenses incurred by the purchaser in the purchase and renovation of the property or remedy of the listed unsanitary condition in addition to payment of liens placed on the property pursuant to this section, interest thereon, and any amounts required by law applicable to the redemption of property sold for delinquent taxes.
 - iii. Alternatively, the privilege and lien may be enforced in the district court pursuant to the Code of Civil Procedure, and may be enforced either against the subject property or against the owner personally by ordinary process and subsequent seizure and sale or garnishment of other movable or immovable property of the owner pursuant to the Code of Civil Procedure.
 - iv. The amount of any lien operating against the property and any interest accruing thereon may be canceled in whole or in part by the town in order to facilitate the sale or disposition of the property for the unpaid lien.
 - v. The provisions of this section shall not apply to any building or appurtenances on agricultural land when such land is used for agricultural purposes.
 - vi. For the purposes of this section, the term "secured" shall mean the closing of the building or structure by means of placing or attaching boards or other materials over doors, windows, and other means of entrance in order to

prohibit persons from entering the building or structure and in order to maintain it in its present condition without further damage to such building or structure or danger to the public welfare and safety.

- vii. In the event all procedural protections and substantive restraints have been adhered to by the respective municipality and its personnel and the national guard and its personnel shall not be liable to the owner of the building, structure, or public nuisance for any damages sustained resulting from the demolition of the building, structure, or public nuisance.

(Ord. No. 35B, § 4; Ord. No. 380, 5-17-2011; Ord. No. 444, 7-16-2013)