

MUNICIPAL MINUTES, TOWN OF CHURCH POINT, STATE OF LOUISIANA

REGULAR MEETING AUGUST 12TH, 2019

ATTENDANCE

MAYOR: Ryan “Spanky” Meche

ALDERMEN: Christine Semien (Ward 1), Kim Cormier (Ward 2), Pat O’Pry (Ward 3), Chris Lebas (Ward 4),
Errol “Slu” Comeaux (Ward 5)

CHIEF OF POLICE: Dale Thibodeaux

TOWN ATTORNEY: Brad Andrus

MUNICIPAL CLERK: Rowdy Latiolais

ABSENT: None

COMMENCEMENT

CALL TO ORDER

Mayor Meche called the Regular Council Meeting to order.

INVOCATION AND PLEDGE

Prayer lead by Alderman Errol “Slu” Comeaux / Pledge led by Alderman Pat O’Pry

AMENDMENT TO AGENDA

It was moved Comeaux, seconded by O’Pry to amend the agenda to include an introduction of an ordinance amending the restrictions regarding closing hours at bars, saloons, taverns, pubs, lounges or the like.

Vote: All in favor

Agenda amended

It was moved by Comeaux, seconded by Cormier to amend the agenda to include an introduction of an ordinance creating a “LACE” program for the Church Point Police Department.

Vote: All in favor

Agenda amended

It was moved by O’Pry, seconded by Lebas to amend the agenda to include an introduction of an ordinance adopting an operating budget of revenues and expenditures for the fiscal year beginning October 1, 2019 and ending September 30, 2020.

Vote: All in favor

Agenda amended

It was moved by Comeaux, seconded by Lebas to amend the agenda to include an introduction of an ordinance adopting an amended operating budget of revenues and expenditures for the fiscal year beginning October 1, 2018 and ending September 30, 2019.

Vote: All in favor

Agenda amended

READING AND APPROVAL OF PREVIOUS MINUTES

It was moved by Lebas, seconded by Semien to accept the minutes as written.

Vote: All in favor

Minutes unanimously accepted

APPROVAL OF FINANCIAL REPORT

It was moved by Comeaux, seconded by Lebas to accept the June 2019 financial report.

Vote: All in favor

Financial report unanimously accepted.

MAYORAL ADDRESS

Mayor Meche updated the public on the new street lights on Main Street, the success of Unity in the Community, and also let the public know that branches on town streets from Hurricane Barry are still in the process of being removed, and will be soon completed.

It was moved by Cormier, seconded by Semien, to move the date of the September 2, 2019 council meeting to September 9, 2019 due to the regular meeting falling on Labor Day.

Vote: All in favor

Meeting rescheduled

OLD BUSINESS

It was moved by Lebas, seconded by Comeaux to table the potential adoption of the telecommunications contract with Cajun Broadband for a potential water tower lease.

Vote: All in favor

Vote tabled

AGENDA AMENDMENTS

It was moved by Comeaux, seconded by Lebas to introduce an ordinance adopting an amended operating budget of revenues and expenditures for the fiscal year beginning October 1, 2018 and ending September 30, 2019.

Vote: All in favor

Ordinance unanimously introduced

It was moved by Cormier, seconded by Semien to introduce an ordinance adopting an operating budget of revenues and expenditures for the fiscal year beginning October 1, 2019 and ending September 30, 2020.

Vote: All in favor

Ordinance unanimously introduced

It was moved by O’Pry, seconded by Lebas to introduce an ordinance amending the restrictions regarding closing hours at bars, saloons, taverns, pubs, lounges or the like.

Vote: All in favor

Ordinance unanimously introduced

It was moved by Comeaux, seconded by Lebas to introduce an ordinance creating a “LACE” program for the Church Point Police Department.

Vote: All in favor

Ordinance unanimously introduced

NEW BUSINESS

It was moved Semien, seconded by Cormier to approve authorization of utility clerks Monique Leger and Gina Breau to pick up bank bags at Home Bank.

Vote: All in favor

Authorizations approved

It was moved by Comeaux, seconded by Cormier to approve authorization of a \$9,900 budget amendment and expenditure from the utility fund pending reimbursement for 2018-2019 CWF grant.

Vote: All in favor

Budget amendment/Expenditure approved

It was moved by Semien, seconded by O’Pry to amend the budget in the amount of \$1,840 for police department costs incurred due to Hurricane Barry totaling \$1,125 along with computer repair totaling \$715.00.

Vote: All in favor

Budget unanimously amended

It was moved by Cormier, seconded by Semien to approve a budget amendment along with a resolution authorizing Mayor Meche to sign for a ninety day loan in the amount of \$24,000 for the outfitting of new police vehicles.

Vote: All in favor

Budget unanimously amended / Resolution unanimously approved

It was moved by Comeaux, seconded by Cormier to approve the allocation of \$18,740 into capital outlay for police radio units for the 2019-2020 fiscal budget along with an additional \$18,740 into capital outlay for police radio units for the 2020-2021 fiscal budget.

Vote: All in favor

Allocation unanimously approved

It was moved by O’Pry, seconded by Comeaux to approve a resolution to close the Certificate of Indebtedness Sinking Fund 1999 checking account and transfer the remaining balance into the utility fund with the release of all CDs linked to the account to allow for the re-working of said CDs with a new interest rate.

Vote: All in favor

Resolution approved

It was moved by Comeaux, seconded by Semien to declare surplus property 1999 Ford Pickup VIN # 1FTNX20L0XED63645, as vehicle is not needed for public purpose.

Vote: All in favor

Surplus property declared

It was moved by Lebas, seconded by Semien to approve a resolution requesting financial assistance from the state of Louisiana under the fiscal year 2019-2020 Local Government Assistance Program and Community Water Enrichment Fund Program.

Vote: All in favor

Resolution unanimously approved

LAW ENFORCEMENT

It was moved by Semien, seconded by O'Pry to approve the following hires and recommendations by Chief Dale Thibodeaux: Mark Reagan II hired as patrol officer, removal of Officer Starlet Higginbotham for medical reasons, accept the resignation of Officer Charles Doucet Jr., Jessica Laborde hired as full time patrol officer, Officer Shane Grundstrom moved from part-time to full-time patrol, Officer Gregory Mouton moved to officer pay of \$12.00 per hour, accept resignation of Officer Logan Campbell, Officer Sara Olivier moved from part-time to full-time communications officer, Bobbie Wimberly moved from part-time to full-time communications officer, Hannah Henry hired as patrol officer, and Briley David Briggs hired on as reserve officer.

Vote: All in favor

Chief Thibodeaux hires and recommendations unanimously approved

LEGAL

It was moved by Cormier, seconded by Comeaux to adopt an ordinance adopting state statutes 13:2575, 13:2576, and 14:107.3 regarding blighted property.

Vote: All in favor

Ordinance unanimously approved; posted in appendix

It was moved by Comeaux, seconded by O'Pry to table the potential adoption of a proposed ordinance regarding vehicles and commercial vehicles parking on town streets and alleyways.

Vote: All in favor

Potential adoption of ordinance unanimously tabled

It was moved by Comeaux, seconded by Cormier to condemn and demolish house and/or structure at 311 Estillette; property owner was not present.

Vote: All in favor

House and/or structure unanimously condemned and set for demolition

It was moved by Comeaux, seconded by Semien to condemn and demolish house and/or structure at 411 Roosevelt; property owner not present.

Vote: All in favor

House and/or structure unanimously condemned and set for demolition

It was moved by Cormier, seconded by O'Pry to condemn and demolish house and/or structure at 529 North Main; property owner not present.

Vote: All in favor

House and/or structure unanimously condemned and set for demolition

It was moved by Semien, seconded by Lebas to approve property owner's plan of action at 123 Guidry Alley. Owner submitted written proposal stating that property will be cleaned within 30 days, that all utilities will be on and working within 90 days, and that house repairs will begin if not finished within 120 days.

Vote: All in favor

Plan of action unanimously approved

It was moved by Comeaux, seconded by Semien to condemn and demolish house and/or structure at 106 Michelle; property owner not present.

Vote: All in favor

House and/or structure unanimously condemned and set for demolition

It was moved by O'Pry, seconded by Comeaux to condemn and demolish house and/or structure at 834 Elm; property owner not present.

Vote: All in favor

House and/or structure unanimously condemned and set for demolition

It was moved by Cormier, seconded by O'Pry to approve property owner's plan of action at 600 North Huckaby. Owner submitted written proposal stating that property will be torn down within 90 days.

Vote: All in favor

Plan of action unanimously approved

It was moved by Cormier, seconded by Comeaux to give a timeframe of 30 days for property owner at 606 North Moss to provide proper paperwork reflecting the correct owner of the property, at which point the correct owner will then offer a plan of action.

Vote: All in favor

Plan of action unanimously approved

It was moved by O'Pry, seconded by Semien to approve property owner's plan of action at 142 South Rogers. Owner was present and stated that house will be adequately repaired within 120 days.

Vote: All in favor

Plan of action unanimously approved

It was moved by O'Pry, seconded by Cormier to table decision regarding condemnation and demolition of property at 629 North Moss; property owner was present and stated that legal decision regarding the property was pending.

Vote: All in favor

Decision unanimously tabled

MISC/DISCUSSION

It was moved by O’Pry, seconded by Comeaux to approve a liquor license request for Savco Oil and Fuel, LLC (Texaco) for packaged to-go beer and liquor, and for Savco Oil and Fuel, LLC DBA The Pointe Daiquiri Café’ for on-premises consumption of beer and liquor.

Vote: All in favor

Liquor license unanimously approved

It was moved by O’Pry, seconded by Comeaux to approve a liquor license exemption for the Team Jessica benefit for Jessica Lavergne to be held on October 26th at Church Point City Park Pavilion.

Vote: All in favor

Liquor license exemption unanimously approved

Willie Bergeron, on behalf of Church Point Community Development, presented a check to Mayor Meche for the Town of Church Point in the amount of \$5,000 to go towards new street lighting and street signs on Main Street.

CLOSING

It was moved by O’Pry, seconded by Semien to adjourn the meeting.

Vote: All in favor

Meeting adjourned

APPROVED AS TO AUTHENTICITY:

RYAN MECHE, MAYOR

DATE

ROWDY LATIOLAIS, CLERK

DATE

APPENDIX

ORDINANCE# 081219-1

A ORDINANCE ADOPTING LOUISIANA REVISED STATUTE 14:107.3 LOUISIANA REVISED STATUTE 13:2575 AND LOUISIANA REVISED STATUTE 13:2576 REGARDING THE CRIMINAL BLIGHTING OF PROPERTIES LOCATED WITHIN THE CORPORATE LIMITS OF THE TOWN OF CHURCH POINT

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMAN OF THE TOWN OF CHURCH POINT,

proceeding under its legal authority to perform certain actions that are in the best interest of the town of Church Point and further pursuant to the laws of the State of Louisiana hereby state the following:

WHEREAS, the Church Point Board of Alderman hereby desires to have an ordinance available for the protection of its citizens and property values to make the blighting of properties a criminal offense.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Board of Alderman of the Town of Church Point, Louisiana, acting as the governing authority thereof, adopt the following ordinance:

La. R.S. 14:107.3

Criminal blighting of property

A. The terms used in this Section shall have the following meanings:

(1) "Blighted property" means those commercial or residential premises, including lots, which have been declared vacant, uninhabitable, and hazardous by an administrative hearing officer acting pursuant to R.S. 13:2575 or 2576 or other applicable law. Such premises may include premises which, because of their physical condition, are considered hazardous to persons or property, have been declared or certified blighted, and have been declared to be a public nuisance by an administrative hearing officer acting pursuant to R.S. 13:2575 or 2576, or any other applicable law.

(2) "Housing violations" means only those conditions in privately owned structures which are determined to constitute a threat or danger to the public health, safety, and welfare or to the

environment.

(3) "Public nuisance" means any garage, shed, barn, house, building, or structure, that by reason of the condition in which it is permitted to remain, may endanger the health, life, limb, or property of any person, or cause any hurt, harm, damages, injury, or loss to any person in any one or more of the following conditions:

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

(b) The property is a fire hazard.

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

B. Criminal blighting of property is the intentional or criminally negligent permitting of the existence of a condition of deterioration of property by the owner, which is deemed to have occurred when the property has been declared or certified as blighted after an administrative hearing, pursuant to R.S. 13:1575 or 2576, and after all reviews or appeals have occurred.

C. {1} On the first conviction, the offender shall be punished by a fine not to exceed five hundred dollars. Imposition of a fine may be suspended and in lieu thereof, the court may require the offender to correct all existing housing violations on the blighted property.

(2) On a second conviction, the offender shall be punished by a fine not to exceed five hundred dollars and ordered to perform not more than forty hours of community service. Additionally, the court shall require that the offender correct all existing housing violations on the blighted property.

(3) On any third or subsequent conviction, the offender shall be punished by a fine not to exceed two thousand dollars, and ordered to perform not more than eighty hours of community service, or both. Additionally, the court shall require that the offender correct all existing housing violations on the blighted property.

D. On any conviction under Paragraph (C){2} or (3) of this Section, the court may order the offender to occupy the blighted property for a designated period of time not to exceed sixty days.

E. Any offense committed more than five years prior to the commission of the crime for which the defendant is being tried shall not be considered in the assessment of penalties hereunder.

F. The satisfactory performance of correction of housing violations on the blighted property provided for in this Section shall include inspections by a municipal entity responsible for inspecting property and enforcing health, housing, fire, historic district, and environment codes, or any other entity designated by the local governing authority, whose representatives shall report to the court on the successful or otherwise, correction of housing violations on the blighted property.

G. Community service activities as used in this Section may include clearing properties that have been declared or certified as blighted or a public nuisance as set forth herein, of debris, cutting grass, performing repairs, and otherwise correcting any situations giving rise to housing violations. Correction of housing violations on the offender's own property will not be considered as fulfillment of the offender's community service hours requirement. All community service activities assessed under this Section will be under the direct supervision of a municipal entity responsible for inspecting property and enforcing health, housing, fire, historic district, and environmental codes, or any other entity designated by the local governing authority.

Blighted or abandoned property; public health, housing, fire code, building code and certain other ordinance violations; administrative adjudication; procedure; appeal; penalties

A.(1) Any municipality or parish may prescribe civil fines for blighted property, abandoned property, or violation of public health, housing, fire code, environmental, and historic district ordinances in the municipality or parish by owners of immovable property, their agents, tenants, or representatives pursuant to the procedures for administrative adjudication provided in this Chapter. For the purposes of this Chapter, "housing violations" shall encompass only those conditions in privately owned structures which are determined to constitute a threat or danger to the public health, safety or welfare, to the environment, or a historic district. In municipalities with a population of seventy thousand or more according to the latest federal decennial census, the term "housing violation" as used in this Chapter shall also encompass building codes, zoning, vegetation, and nuisance ordinances. However, nothing in this Section shall be construed to affect activities which occur on the premises of manufacturing facilities and which are regulated by Title 30 of the Louisiana Revised Statutes of 1950.

(2) For purposes of this Chapter, except in any parish with a population of more than three hundred thousand and less than four hundred thousand according to the latest federal decennial census, "blighted property" shall have the same meaning as provided in R.S. 33:1374(8)(1), and "abandoned property" shall have the same meaning as provided in R.S. 33:4720.59(0)(2).

B.(1) Any municipality or parish may adopt an ordinance or ordinances establishing an administrative adjudication hearing procedure under the provisions of this Chapter. The ordinance or ordinances shall provide for a time period for persons charged with owning blighted or abandoned property, or violating a public health, housing, fire code, environmental, and historic district ordinance to have a hearing under the provisions of this Chapter. The ordinance shall provide for the appointment of one or more hearing officers who may be the director of health of the municipality or parish or the health officer of the parish in which the municipality is located or the designee of such official or, in the discretion of the governing authority, who may be a person who shall have been licensed to practice law in Louisiana for two years.

(2) Except in any parish with a population of more than three hundred thousand and less than four hundred thousand according to the latest federal decennial census, any municipality or parish that adopts an ordinance establishing an administrative adjudication hearing procedure for determining property to be blighted or abandoned, shall provide notice to the property owners and to all mortgagees of record as provided in Paragraphs (0)(2) and (F)(2) of this Section.

(3) Each municipality or parish shall have the authority to empower the hearing officer with authority to:

- (a) Administer oaths and affirmations.
- (b) Issue orders compelling the attendance of witnesses and defendants and the production of documents.
- (c) Levy fines, fees, penalties, and hearing costs, the maximum of which shall not exceed those established for the parish or municipal courts.
- (d) Order violators to correct violations within a stipulated time.
- (e) Take necessary and lawful measures to effect correction of the violation if the violator fails to do so within the time allocated by the hearing officer.
- (f) Record orders, judgments, notices of judgments, or liens in the mortgage office of the parish in which the immovable property, or any portion thereof, in or on which the violation occurred is situated.

C.(1) The municipality or parish shall have a lien and privilege against the immovable property in or on which the violation occurred. The lien and privilege shall secure all fines, costs, and penalties which are assessed by the municipality or parish in accordance with this Section and described in the order, judgment, notice of judgment, or lien. For the lien and privilege to arise and exist, the order, judgment, notice of judgment, or lien assessing any fines, costs, and penalties shall be recorded in the mortgage office of the parish in which the immovable property, or any portion thereof, in or on which the violation occurred, is situated. The recordation shall have the effect of a judicial mortgage against the immovable

property described therein and may be enforced against the immovable property described t herein, upon application of the municipality or parish to the clerk of the district court for issuance of a writ in accordance with Code of Civil Procedure Article 2253. The remedies established in this Chapter are nonexclusive and may be pursued independently of each other and in addition to .other remedies provided by law. In order for the lien and privilege to arise, the order, judgment, notice of judgment, or lien shall be final and not subject to appeal when recorded in the mortgage office. The lien and privilege shall have ranking as provided by R.S. 9:4821(1).

(2) Any liens placed against such immovable property shall be included in the next annual ad valorem tax bill and shall be paid along with such taxes, subject, however, to any valid homestead exemption. Failure to pay the liens shall cause the immovable property in or on which the violation occurred to be subject to the same provisions of law as govern tax sales of immovable property when the immovable property has been declared blighted or a public nuisance by an administrative hearing officer acting in accordance with this Section, the property owners and other parties having interests in the property shall not have a right of redemption. However, if the immovable property has been sold for nonpayment of taxes to a tax sale purchaser other than the municipality, and if the right of redemption from the tax sale has not elapsed at least one year prior to the sale pursuant to this Section, the tax sale purchaser shall have a right of redemption from the sale pursuant to this Section until one year after the right of redemption from the tax sale elapses. In addition, failure to pay the liens shall also cause such liens and privileges to be subject to enforcement in accordance with R.S. 13:2576. Any liens placed against immovable property that has a legal homestead exemption from taxes will become payable ninety days after the death of the owner thereof or immediately upon recordation of any conventional mortgage on the immovable property or transfer of title to a new owner, whichever occurs first.

D.(1) Prior to holding an administrative hearing for public health, housing, fire code, environmental, and historic district violations, the municipality or parish shall notify the property owner at least fifteen days in advance of the date that such a hearing is scheduled . This notification shall state the time, date, and location of the hearing, the alleged violations, and it shall be sent by certified or registered United States mail to the violator or personally served on the violator at the address as listed in the assessor's office of the municipality or parish. The date of the postmark shall be deemed to be the date of delivery. Any notification so sent and returned by the United States Post Office shall be considered as having fulfilled the notification requirement. Failure of any person charged with a violation to appear at the hearing shall be considered an admission of liability for the charged violation. Any order compelling the attendance of witnesses or the production of documents may be enforced by the city or municipal court of the municipality or the parish court in whose jurisdiction the municipality is located, or in the parish court of the parish initiating the action .

(2) Except in any parish with a population of more than three hundred thousand and less than four hundred thousand according to the latest federal decennial census, prior to holding an administrative hearing for the determination of blight or abandonment of property, the municipality or parish shall notify the property owner and each mortgagee of record in the parish mortgage records, at least thirty days in advance of the date of the administrative hearing. The notification shall state the time, date, and location of the hearing, the location of the subject property, and an explanation that the hearing is for the purpose of making a determination whether the subject property is blighted or abandoned. The notice shall be sent by certified or registered United States mail or personally served on the property owner at the address listed in the assessor's office of the municipality or parish, and on each mortgagee of record at the address provided in the recorded mortgage.

E. Any administrative adjudication hearing held under the provisions of this Chapter shall be conducted in accordance with the rules of evidence of the Administrative Procedure Act. Testimony by

any person shall be taken under oath. The person charged with the ordinance violation may present any relevant evidence and testimony at such hearing and may be represented by an attorney at law. However, his physical presence shall not be required at the hearing if documentary evidence, duly verified by such person, is submitted to the hearing officer prior to the date of the hearing.

F. (1) The hearing officer shall issue an order within thirty days, excluding legal holidays, of the hearing stating whether or not the person charged is liable for the violation, and the amount of any fine, penalty, costs, or fee assessed against him, and a date by which the violation shall be corrected. In addition to the enforcement procedure and authority set forth in Paragraph (8)(2) of this Section, any order assessing a fine, penalty, costs, or fee or stipulating a correction date may be enforced by the city or municipal court of the municipality or the parish court in whose jurisdiction the municipality is located, or in the parish court of the parish initiating the action.

(2) Except in any parish with a population of more than three hundred thousand and less than four hundred thousand according to the latest federal decennial census, within thirty days, excluding legal holidays, after the hearing to determine whether a property is blighted or abandoned, the hearing officer shall send written post hearing notice to the property owner and each mortgagee of record explaining whether the hearing officer determined the subject property to be blighted or abandoned and state whether any fine, penalty, costs, or fees are assessed. The post hearing notice shall be sent to the property owner and mortgagees of record in the manner provided for in Paragraph (0)(2) of this Section.

G. The ordinance shall provide for the amount and disposition of fines, penalties, costs, and fees.

H. Any property owner or mortgagee of record of property determined to be blighted or abandoned property, or any person determined by the hearing officer to be in violation of a public health, housing, fire code, environmental, or historic district ordinance may appeal this determination to the appropriate district court. Such appeal shall be instituted by filing, within thirty calendar days of the hearing officer's order, a petition with the clerk of court for the district court along with payment of such reasonable costs as may be required by the clerk. After filing a petition for appeal, the clerk of court of the district court shall schedule a hearing and notify all parties of the date, time, and place of such hearing. Service of notice of appeal under this Subsection shall not stay the enforcement and collection of the judgment unless the person who files the appeal furnishes security prior to filing notice of appeal with the agency of the municipality or parish designated by ordinance to accept such payments in the amount to be fixed by the hearing officer sufficient to assure satisfaction of the finding of the hearing officer relative to the fine, fee, penalty, costs of the hearing, and costs, if any, of correcting the violation.

La. R.S. 13:2576

Administrative adjudication of blighted or abandoned property, public health, housing, fire code, environmental, and historic district violations

A. In any municipality or parish, the failure to pay the liens, privileges, judicial mortgages, and any fines, fees, penalties, or hearing costs imposed pursuant to R.S. 13:2575 shall cause the liens, privileges, judicial mortgages, and any fines, fees, penalties, or hearing costs to be enforceable pursuant to the following provisions, in addition to those provided for in R.S. 13:2575:

(1)(a) The municipality may, immediately after the recordation of the order, judgment, notice of judgment, or lien in the mortgage office of the parish in whose jurisdiction the municipality is located:

(i) Apply to the clerk of the district court for issuance of a writ in accordance with Code of Civil Procedure Article 2253, upon describing with particularity the immovable property and the manner in which the writ is to be enforced, or

(ii) Institute a suit by ordinary proceeding against the owner of record in any court of competent jurisdiction to enforce the order, judgment, notice of judgment, or lien.

(b) All money judgments rendered in favor of the municipality shall recognize the order, judgment, notice of judgment, or lien, which shall have the effect of establishing the ranking in accordance with R.S. 13:2575, and shall be enforced in accordance with all laws relative to the enforcement of such judgments.

(2) The suit shall be tried by preference over all other civil suits both in the lower and appellate courts and shall be prosecuted without costs of court to the municipality. However, the municipality shall, whenever revenue is received from property as provided in this Chapter, pay the court costs out of the first revenue received.

(3) All actions to annul or invalidate sales made hereunder, for any cause whatsoever, and all actions to subject the property to any mortgage which existed before the sale to the purchaser shall be prescribed by the lapse of one year from the date of registry in the conveyance office of the deed to the purchaser.

(4) The municipality may pay out of the proceeds of the sale all costs incurred in enforcement of this Chapter, including the cost and expense of executing and recording the lien, except for deeds and copies of same, which shall be paid for by the purchaser in addition to the price bid for the property.

(5) After payment of costs incurred in the enforcement of this Chapter, the remaining proceeds of any judicial sale shall be credited and applied in satisfaction of all outstanding taxes, charges, assessment liens, mortgages, privileges, and other encumbrances secured by the property in the order of their priority as provided by law.

(6) Any past due and unpaid ad valorem taxes remaining after applying the proceeds of the judicial sale as provided by Paragraph (A)(5) of this Section shall become, be, and remain the personal obligation of the tax debtor.

(7) If property for which tax sale title was acquired and held by a political subdivision pursuant to R.S. 47:2196 is sold pursuant to this Chapter, upon recordation of such sale the property shall no longer be deemed adjudicated property. For purposes of any rights of redemption required pursuant to state law, the redemption period shall be deemed to have commenced on the date of the recordation of the initial adjudication to the political subdivision and not on the date of sale pursuant to this Chapter.

B. The governing body of the municipality may waive the collection or enforcement of any code liens in accordance with procedures established by the municipality in order to serve the public health, safety, and welfare through the financing, reconstruction, or rehabilitation of deteriorated housing.

C. The governing body of the municipality may, by ordinance, establish a dedicated fund into which funds collected in accordance with this Chapter for the satisfaction of liens shall be deposited and from which such funds may be distributed in accordance with procedures established by the municipality in order to serve the public health, safety, and welfare through the financing, reconstruction, or rehabilitation of deteriorated housing.

BE IT FURTHER ORDAINED, by the Mayor and Alderman of the Town of Church Point, Louisiana, that any provisions or items of the Ordinance or the application thereof if held invalid, such invalidity shall not affect other provisions, items, or applications, and to this end, the provisions of this Ordinance are hereby declared severable.

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

This ordinance having been submitted to a vote in regular session assembled of the Mayor and Alderman of the Town of Church Point, Louisiana, the vote thereon being as follows:

MOTION: CORMIER

SECOND: COMEAUX

YEAS: LEBAS, O'PRY, SEMIEN

NAYS: NONE

ABSENT: NONE

THIS ORDINANCE WAS INTRODUCED ON THE 1ST DAY OF JULY, 2019 AND DECLARED ADOPTED ON THIS 12TH DAY OF AUGUST, 2019.

THIS ORDINANCE SHALL BECOME EFFECTIVE UPON THE MAYOR'S SIGNING SUCH AND THE PUBLISHING OF SUCH IN THE CHURCH POINT NEWS.

RYAN MECHE

Mayor

ATTEST:

ROWDY LATIOLAIS

Town Clerk

