

CITY ORDINANCE NO. CO-025-2024

**AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL DECLARING THE
BUILDING OR STRUCTURE LOCATED AT 121 MARTIN STREET, LAFAYETTE,
LOUISIANA, OWNED BY ROBERT L. SHORT TO BE DILAPIDATED AND
DANGEROUS TO THE PUBLIC WELFARE AND ORDERING THE CONDEMNATION
OF SAME**

BE IT ORDAINED by the Lafayette City Council, that:

SECTION 1: La. R.S. 33:4761, *et seq.* allows the governing authority of any municipality to condemn and cause to be demolished or removed any building or structure within the municipality when it is in a dilapidated and dangerous condition which endangers the public welfare.

SECTION 2: The Lafayette City Council has received a written report from an authorized official within the Community Development and Planning Department of the Lafayette City-Parish Consolidated Government that recommends the condemnation and demolition of the certain building(s) or structure(s) located at municipal number 121 Martin Street, Lafayette, Louisiana, owned by Robert L. Short. A copy of the written report is attached hereto and incorporated herein.

SECTION 3: A notice to show cause will be served on said owner, Robert L. Short and any occupant(s) residing therein, setting a hearing which will be held at the date and time of the final adoption of this ordinance, all in accordance with the provisions of La. R.S. 33:4761, *et seq.*

SECTION 4: It is in the opinion of the Lafayette City Council, as the governing authority of the Lafayette City-Parish Consolidated Government, that the facts prove that the building(s) or structure(s) located at 121 Martin Street, Lafayette, Louisiana, owned by Robert L. Short is in such a dilapidated and dangerous condition as to possibly cause immediate loss or damage to persons or property and thereby creates a dangerous condition and endangers the public welfare. Accordingly, the Lafayette City Council does hereby order the building(s) or structure(s) located at 121 Martin Street, Lafayette, Louisiana, owned by Robert L. Short to be condemned and further ordered to be demolished. The legal description upon which the building(s) or structure(s) is/are located is/are as follows:

Those two certain parcels of ground, with all improvements thereon, being known and designated as Lots 16 and 17, BLOCK F, O. B. HOPKINS ADDITION, Parish of Lafayette, Louisiana, said parcels are contiguous and together have such dimensions and boundaries as will be shown by plat survey and record in the Clerk of Court's Office for the Parish of Lafayette which is made a part hereof by reference thereto.

Being the same property acquired by the deceased DANIEL WILFRED SHORT through Act of Cash sale from CHRIS A. LEBLANC dated February 4, 2009 and recorded under Entry No 2009-00004238 of the Conveyance Records of Lafayette Parish, Louisiana.

The above described property bears a municipal address of 121 Martin Street, Lafayette, Louisiana.

SECTION 5: The building(s) or structure(s) located on the aforescribed property will be demolished by the Lafayette City-Parish Consolidated Government after 30 days from the effective date of this ordinance unless said owner, or his designated agent, exercises the following option:

1. Said owner, or his designated agent, may demolish and remove said building(s) or structure(s) under the following conditions:
 - A. Said owner, or his designated agent, shall execute a written contract with the City of Lafayette and/or the Lafayette City-Parish Consolidated Government, which contract shall obligate him to demolish and remove said building(s) or structure(s) within 30 days from the effective date of this ordinance.
 - B. Within 15 days from the effective date of this ordinance, said owner, or his designated agent, shall execute the aforescribed contract with the City of Lafayette and/or the Lafayette City-Parish Consolidated Government and shall provide a bond in the amount of \$50,000.00 in favor of the City of Lafayette and/or the Lafayette City-Parish Consolidated Government, guaranteeing performance by the owner, or his designated agent, of the obligation under the aforescribed contract.
 - C. The contract and bond shall be in the form provided by the City of Lafayette and/or the Lafayette City-Parish Consolidated Government. Any such surety bond shall be made either by a cash deposit with the City of Lafayette and/or the Lafayette City-Parish Consolidated Government or shall be written by a surety or insurance company on the U.S. Department of the Treasury Financial Management Service list of approved bonding companies which is published annually in the Federal Register, or by a Louisiana domiciled insurance company with at least an A minus rating in the latest printing of the A M Best Key Rating Guide to write individual bonds up to ten (10%) percent of the policy holder's surplus as shown in the A M Best Key Rating Guide or by an insurance company that is either domiciled in Louisiana or owned by Louisiana residents and is licensed to write surety bonds.

SECTION 6: Should the owner fail or refuse to comply with the contract and bond as above stipulated, the Lafayette City-Parish Consolidated Government will execute upon the performance bond filed by the owner, or his designated agent, and will proceed with the demolition of the condemned building with all costs thereof, as well as all other costs, legal interest and attorney's

fees, as provided by La. R.S. 33:4761, *et seq.*, being taxed as a lien on the property and this also shall be the personal obligation of the owner.

SECTION 7: If the City of Lafayette and/or the Lafayette City-Parish Consolidated Government undertakes the demolition and removal, the cost of demolition and removal, as well as all legal interest on said amount together with attorney's fees and costs incurred with reference to the condemnation and demolition, shall create a lien and privilege on the immovable property which privilege lien shall be preserved by the filing and recording of an affidavit signed by the Lafayette Mayor-President and recorded in the mortgage records of the Parish of Lafayette. The said lien shall not be canceled until all amounts, including costs, attorney's fees and interest have been paid. The privilege and lien may be enforced by assessing the amount of the privilege and lien against the immovable property as a tax to be assessed against the property. The costs shown in the privilege and lien shall also be the personal obligations and liability of the owner(s).

SECTION 8: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 9: This ordinance shall become effective upon signature of the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon an override of a veto, whichever occurs first.

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**LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT
PROPERTY MAINTENANCE CODE
INSPECTOR'S REPORT**

Case Number 22-324-PMC

Generated 12/28/2022

Site Address 121 Martin St

Type / Subtype
VACANT, COMMERCIAL BLDG

Lafayette, LA 70501

Owner Robert Short

Agent N/A

Address 109 Clay Rd, Scott, LA 70583

Address

Phone Cell

Phone Cell

Officer Christopher Holland

Use: Commercial

Type Construction: Brick Veneer

Occupancy: Vacant

Commodities:

Tubs:

Showers:

Lavatories:

Kitchen:

Full Baths:

Hot Water: No

Type Heat:

Electricity: No

Gas: No

Conditions Indicate: Demolish

The findings of inspection contained herein are intended to report conditions of non-compliance with code standards that are readily apparent at the time of inspection. The inspection does not involve a detailed examination of the mechanical systems or the building and premises. No warranty of the operation, use, or durability of equipment and materials not specifically cited herein is expressed or implied.

NOTES

Exterior Inspection

NON-COMPLIANCE CODE VIOLATIONS ARE LISTED BELOW:

- 1 SECTION 102.2 - Maintenance - All buildings or structures, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by this code in a building when erected, altered, or repaired, shall be maintained in good working order.
- 2 SECTION 305.3 - Interior surfaces - (Walls) - Repair or replace walls to be substantially rodent proof and in sound condition.
- 3 SECTION 305 - INTERIOR STRUCTURE - (Ceilings) - Repair or replace ceilings to be substantially rodent proof and in sound condition.
- 4 Section 305 Interior Structure. Interior of structure shall be maintained free of deterioration and capable of supporting the loads of the structure.
- 5 SECTION 304.13 - Window, skylight and door frames - (Window Sash) - Repair or replace window sash(es) to be properly fitted and weather tight within the window frame.
- 6 SECTION 304.13 - Window, skylight and door frames - (Window Glass) - Replace all cracked, broken, and missing glass in windows and doors.
- 7 SECTION 304.7 - Roofs and drainage - Repair or replace roof to be structurally sound and maintained in a safe manner and have no defects which might admit rain or dampness to the interior of structure.
- 8 SECTION 304.3 - Premises identification - Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7mm).
- 9 SECTION 307 - RUBBISH AND GARBAGE (Premises Clean-up) - Clean up premises.
- 10 SECTION 304.2 - Protective treatment (Painting) - Paint exterior of structure including doors, windows, overhang, and trim.
- 11 SECTION 304.15 - Doors - Repair or replace door(s) to be substantially weather tight, watertight, rodent proof, in sound working condition, and provided with the proper hardware.

Photos for Project

22-324-PMC



Description	Date Taken	Date Upload	Photo of Record
	7/10/23	7/10/23	<input checked="" type="checkbox"/>



Description	Date Taken	Date Upload	Photo of Record
	7/10/23	7/10/23	<input checked="" type="checkbox"/>

Photos for Project
 22-324-PMC



Description	Date Taken	Date Upload	Photo of Record
	7/10/23	7/10/23	<input checked="" type="checkbox"/>



Description	Date Taken	Date Upload	Photo of Record
	7/10/23	7/10/23	<input checked="" type="checkbox"/>



Internal Memorandum

Community Development and Planning Department
Office of the Director (Route 9041)

TO: Rachel Godeaux

DATE: January 30, 2024

FROM: Anne Famoso

SUBJECT: CONDEMNATION ORDINANCE FOR:
121 MARTIN STREET
ROBERT L SHORT

Attached is an ordinance requesting condemnation of the house located at 121 Martin Street, Lafayette, Louisiana, along with a recommendation to demolish/condemn, inspector's report, and agenda item submittal form.

If all is in order, please place on the agenda for introduction on February 20, 2024.

A handwritten signature in blue ink that reads "Anne Famoso".

Anne Famoso
Interim Director

AF/tw

Attachment

RECEIVED

JAN 31 2024

Lafayette Consolidated Government
Chief Administrative Officer

Internal Memorandum

Community Development and Planning
Compliance Division (9030)

TO: Lafayette City Council
Lafayette Mayor-President, Monique B. Boulet

DATE: January 29, 2024

THRU: Rachel Godeaux
Anne Famoso



FROM: Kathy Trahan

SUBJECT: Condemnation of Building

OWNER: Robert L. Short

ADDRESS: 121 Martin Street, Lafayette, LA

PROPERTY DESCRIPTION:

1. Building Description: Brick Veneer Commercial Building

2. Legal Description:

Those two certain parcels of ground, with all improvements thereon, being known and designated as Lots 16 and 17, BLOCK F, O. B. HOPKINS ADDITION, Parish of Lafayette, Louisiana, said parcels are contiguous and together have such dimensions and boundaries as will be shown by plat survey and record in the Clerk of Court's Office for the Parish of Lafayette which is made a part hereof by reference thereto.

Being the same property acquired by the deceased DANIEL WILFRED SHORT through Act of Cash sale from CHRIS A. LEBLANC dated February 4, 2009 and recorded under Entry No 2009-00004238 of the Conveyance Records of Lafayette Parish, Louisiana.

The above described property bears a municipal address of 121 Martin Street, Lafayette, Louisiana.

Lafayette City Council members and Lafayette Mayor-President, Monique B. Boulet:

The building described above has been found to be dilapidated and dangerous for the following reasons:

See inspector's report.

The building because of its condition endangers the public welfare for the following reasons: It is damaged and in disrepair. The condition of the building, therefore, creates a serious hazard for the health and safety of the general public.

I, therefore, recommend that the building be condemned forthwith as provided for in La. R.S. 33:4761, et seq.



Kathy L. Trahan
Compliance Manager
Community Development and Planning

LAFAYETTE CITY COUNCIL MEETING

AGENDA ITEM SUBMITTAL FORM

1. **JUSTIFICATION FOR REQUEST:** An Ordinance Of The Lafayette City Council Declaring The Building Or Structure Located At 121 Martin Street, Lafayette, Louisiana, Owned By Robert L. Short To Be Dilapidated And Dangerous To The Public Welfare And Ordering The Condemnation Of Same.
2. **ACTION REQUESTED:** Adoption by the Lafayette City Council.
3. **REQUEST ACTION OF COUNCIL:**
 - A) INTRODUCTION: February 20, 2024
 - B) FINAL ADOPTION: March 19, 2024
4. **DOCUMENTATION INCLUDED WITH THIS REQUEST:**
 - A) Cover Memo from Director (1 page)
 - B) Submittal Item Justification Form (1 page)
 - C) Proposed Ordinance (3 pages)
 - D) Internal Memo from Kathy Trahan, Compliance Manager (4 pages)
5. **FISCAL IMPACT:**
_____ Fiscal Impact (Explain)

_____XXX_____ No Fiscal Impact

Development and Planning will contract to have this building or structure demolished at a cost of about \$ 5,000.00. A lien will be placed on this property for this amount and it will be collected after one year through the Lafayette City-Parish Consolidated Government's tax collection procedure. Total cost to the Lafayette City-Parish Consolidated Government is \$0.

Recommended by:



Anne Famoso
Interim Community Development & Planning Director

Approved for agenda:



Rachel Godeaux
Chief Administrative Officer