

**FACT SHEET****CITY OF SHREVEPORT, LOUISIANA****TITLE**

An Ordinance to amend Chapter 38 of the Shreveport Code of Ordinances relative to vacant structures, and to otherwise provide with respect thereto.

**DATE**

6/5/2024

**ORIGINATING DEPARTMENT**

Administration

**COUNCIL DISTRICT**

B

**SPONSOR**

.

**PURPOSE**

To amend Chapter 38 relative to vacant property structures

**BACKGROUND INFORMATION**

In an effort to combat blight in the city more effectively, this piece of legislation proposes to govern vacant property structures in downtown Shreveport – the Vacant Property Regulation Ordinance (VPRO). The presence of vacant properties may constitute a threat to public health, general welfare, and safety of the residents of the city. Improperly maintained and unsecured vacant structures can become hazardous to the health and safety of persons who may come on or near the property. Furthermore, they can adversely affect the aesthetic and economic viability of the downtown community. As such, this proposed ordinance would contribute to protect persons and property by requiring owners, creditors, and other interested parties to provide the city with official information for contacting an individual or entity responsible for bringing vacant properties into compliance with the VPRO.

**TIMETABLE**

Introduction: 06/11/2024

Final Passage: 06/25/2024

**ATTACHMENTS****SPECIAL PROCEDURAL REQUIREMENTS**

N/A

**FINANCES**

N/A

**SOURCE OF FUNDS**

N/A

**ALTERNATIVES**

(1) Adopt the ordinance as submitted, or (2) amend the ordinance, or (3) reject the ordinance.

**RECOMMENDATION**

It is recommended the City Council adopt the ordinance.

**FACT SHEET PREPARED BY:**

Manushka Gracia-Desgage,  
Assistant City Attorney

**ORDINANCE NO. 70 OF 2024**

**AN ORDINANCE TO AMEND CHAPTER 38 OF THE  
SHREVEPORT CODE OF ORDINANCES RELATIVE TO  
VACANT STRUCTURES, AND TO OTHERWISE PROVIDE  
WITH RESPECT THERETO.**

**BY: COUNCILMAN**

**BE IT ORDAINED** by the City Council of Shreveport, Louisiana in due, legal and regular session convened, that Chapter 38 of the Code of Ordinances be hereby amended to read as follows:

\*\*\*

**ARTICLE VI. – VACANT STRUCTURES**

Sec. 38-116. - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Creditor* means a federal or state-chartered bank, savings bank, savings and loan association, credit union, mortgagee and any entity acting on behalf of the creditor named in a debt instrument including, but not limited to, servicers.

*Department* means the Department of Property Standards of the City of Shreveport, Louisiana.

*Director* means the Director of the Department or the Director's designee.

*District* means the area depicted in the attached map which includes the Downtown Commercial Historic District plus the buildings fronting Texas Avenue from Elvis Presley Boulevard to Murphy Street.

*Lawful Activity* means the current use of the structure is the commercial or residential use for which the structure was built or intended to be used or the lawful use of the structure in accordance with the Unified Development Code or other zoning ordinances of the City of Shreveport.

*Manager* means an individual with a place of business in this state in which he or she is authorized to accept inquiries, notices, and service of process on behalf of a vacant or foreclosed property owner. It includes the person designated pursuant to Section 38-120.

*One Block Perimeter* means a distance of one city block extending from the perimeter of the District.

*Owner or Property Owner* means any person, agent, firm, partnership, limited liability company, corporation, or other entity having a legal interest in the Structure.

*Secured, Secure, and Securing* shall have the meanings and standards as set out in Section 38-11 through 38-16 of the Code of Ordinances unless expressly provided otherwise in this chapter.

*Structure* means any edifice or construction, notwithstanding its condition or stage of completion.

*Unaffiliated third party* means a person, agent, firm, partnership, limited liability company, corporation, or other entity that is not owned or controlled, directly or indirectly, by the same interests of the Owner or Manager.

*Vacant Structure* means a Structure in or on which all active lawful commercial or residential activity has ceased, or reasonably appears to have ceased for a continuous period of thirty (30) days or longer. Such conditions include but are not limited to overgrown or dead vegetation, accumulation of flyers, mail, or trash, disconnected utilities, and the absence of window coverings or furniture. Storage or warehousing is not considered an active lawful commercial activity or a non-residential Structure that has occupancy or commercial utilization rate of less than 15%.

#### Sec. 38-117. – Statement of Purpose

It is the purpose and intent of this ordinance to establish a vacant property registration and maintenance program as a mechanism to protect the District and minimize hazards to persons and property as a result of the vacancy.

#### Sec. 38-118. – Applicability and administration.

- (a) This chapter shall apply to all Vacant Structures that are now in existence or which may hereafter be constructed or converted from other uses, and that are located within the boundaries of the District or are within a One Block Perimeter of the District's boundaries.
- (b) The Director is authorized to administer and enforce the provisions of this chapter.
- (c) Subject to review and approval by the Mayor, the Director shall have the authority to render interpretations of this Chapter and to adopt policies and procedures in order to clarify the application of its provisions. Subject to review and approval by the Mayor, the Director may also enter into an agreement with a registered Property Owner to obtain compliance with this Chapter by a date certain in lieu of the deadlines otherwise provided by this Chapter. In order to ensure uniform and consistent application of these provisions, the Director shall provide a detailed basis of decisions for entering into each such agreement.

- (d) Any objection to any determination by the Director shall be reviewed by the mayor within fifteen (15) days of receipt of written notice of objection from an Owner which requests a review by the mayor. Objections to a determination by the Director shall be made in writing to the mayor AND received by the office of the mayor within fifteen (15) days after the determination by the Director. An appeal of the decision of the mayor shall be heard at the next scheduled meeting of the City Council, but only *if* a written request for appeal is made within ten (10) days of the decision of the mayor. An appeal shall be considered filed upon receipt in the office of the clerk of council provided that it shall be considered timely filed if it is mailed on or before the due date as evidenced by the official postmark thereon and received on the first day on which mail is delivered following expiration of the delay. Once an appeal has been properly and timely filed with the clerk of the council, the procedure for the appeal shall follow the procedures outlined in Section 13 of the City Council Rules of Procedure or other applicable rules of procedure.

Sec. 38-119. - Standard of care for Vacant Structures.

- (a) The standard of care for Vacant Structures in the District shall be subject to approval by the Director, and shall include, but is not limited to:
  - (1) *Protective treatment:* All exterior surfaces, including, but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks, and fences, shall be maintained in good condition, weather tight and in such condition so as to prevent the entry of rodents and other pests. All exposed wood or metal surfaces subject to rust or corrosion, other than decay resistant woods or surfaces designed for stabilization by oxidation shall be protected from the elements and against decay or rust by periodic application of weather coating materials such as paint or similar surface treatment. All surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. All siding, cladding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors, and skylights, shall be maintained weather resistant and watertight.
  - (2) *Premises identification:* The Structure shall have address numbers placed in a position to be plainly legible and visible from the street or road fronting the Structure. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of four (4) inches (102 mm) high with a minimum stroke width of one-half inch (12.7 mm). All Vacant Structures shall display a vacant building identification placard unless waived by the Director.
  - (3) *Structure:* All structural members and foundation shall be maintained free from deterioration and shall be capable of safely supporting the imposed loads.

- (4) *Exterior walls:* All exterior walls shall be kept in good condition and shall be free from holes, breaks, and loose or rotting materials. Exterior walls shall be maintained weatherproof and properly surface coated where necessary to prevent deterioration.
- (5) *Roof and drainage:* The roof and flashing shall be sound, tight, and not have defects that admit rain. Roof drainage shall be adequate to prevent accumulation, dampness, or deterioration. Roof drains, gutters, and downspouts shall be maintained in good repair, free from obstructions and operational, and shall properly direct rainwater towards storm drains, and prevent ponding of water next to foundation for an extended period of time.
- (6) *Decorative features:* All cornices, belt courses, corbels, applications, wall facings, and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.
- (7) *Overhang extensions and awnings:* All overhang extensions including, but not limited to, canopies, marquees, signs, awnings, and fire escapes shall be maintained in good repair and be properly anchored and supported as to be kept in a sound and safe condition.
- (8) *Stairways, decks, porches, and balconies:* Every exterior stairway, deck, porch, and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.
- (9) *Chimneys and towers:* All chimneys, cooling towers, smokestacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair.
- (10) *Handrails and guards:* Every exterior handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.
- (11) *Window, skylight, and door:* Every window, storefront, skylight transom, and exterior door part, including, but not limited to, the frame, the trim, window screens, and hardware shall be kept in sound condition and good repair. All broken or missing windows shall be replaced with glass and Secured in a manner so as to prevent unauthorized entry. All broken or missing doors shall be replaced with new doors which shall be Secured to prevent unauthorized entry. All glass shall be maintained in sound condition and good repair. All exterior doors, door assemblies, and hardware shall be maintained in good condition and Secured. Locks at all exterior doors, exterior attic access, windows, or exterior hatchways shall tightly Secure the opening. Windows and doors shall not be Secured by plywood or other similar means mounted on the exterior except as a temporary

securing measure, generally not to exceed a period of three (3) months except as expressly approved by the Director, and such securing shall be removed within the period of time designated by the Director.

- (12) *Basement hatchways and windows*: Every basement hatchway shall be maintained to prevent the entrance of rodents, birds, rain, and surface drainage water. Every basement window that is openable shall be supplied with rodent shields, storm windows, or other approved protection against entry of rodents.
- (13) A Vacant Structure shall be Secured pursuant to the provisions of Section 38-11 through 38-16 of the Code of Ordinances; provided, however. Securing with plywood shall not exceed three (3) months except as expressly approved by the Director in writing, and then only if in full compliance with rules and regulations established by the Director.
- (14) The Owner or Manager shall post "No Trespass" placards on the premises of such type and at such locations as required by the Director, unless waived by the Director.
- (15) Upon the Director's request, the Owner or Manager shall employ security services for the Structure at the cost of the Owner for a specified number of hours each day.
- (b) All repairs shall be subject to approval by the Director or the Director's designee. All required permits and final inspections prior to and/or following repairs shall be in accordance with applicable laws and ordinances. Historic properties and properties within designated Historic Districts are additionally subject to all applicable rules and regulations provided by the Code of Ordinances.
- (c) Continued failure to maintain the Vacant Structure to the standards of care required by this chapter after written notice from City regarding the obligations of this chapter shall be a violation and subject to the provisions of Section 38-125.

Sec. 38-120. - Registration required.

- (a) The Property Owner of any Vacant Structure shall register with Department within ninety (90) days from the date that written notice from the Director is issued to the Property Owner. Written notice shall be issued to the Property Owner by means of personal service, or by first class mail to its last known address according to the records of the Caddo or Bossier Parish Assessor's Office, the City of Shreveport, or the Downtown Development Authority or by posting on the Structure. Upon presentation of evidence satisfactory to the Director that the Vacant Structure is being actively marketed for sale or lease, the Director may extend the deadline required for registration.

- (b) Upon filing a complaint of foreclosure/notice of default, or executing a deed in lieu of foreclosure on a residential property located in the City of Shreveport, and a registration as prescribed by Sec. 38-121 has not yet been completed, a Creditor shall within thirty (30) days register the property as a property in foreclosure with the Department for the purpose of minimizing hazards to persons and property as a result of the potential for vacancy.
- (c) In the registration, a Vacant Structure Property Owners or Creditor shall designate a Manager for each Structure and include all relevant contact information including cellular telephone number and email address for the designated Manager. Managers shall act as agents for the Property Owner or Creditor for purposes of accepting legal service; however, the designation of a Manager does not limit the responsibilities of the Property Owner or Creditor under the provisions of this Chapter. The Owner or Creditor shall provide updated contact information for its Manager immediately upon any change in that information.
- (d) The Manager shall be available at the cellular telephone number and email address provided to the Department at all times in the event of an emergency or catastrophe. For all vacant Structures except for single-family residential Structures, the original and any updated name, cellular telephone number, and email address of the Manager shall be provided to the Shreveport Fire Department, and the Shreveport Police Department and must be kept current.
- (e) Upon the issuance of notice to register a Vacant Structure, a Property Owner shall register with the Department and provide the following information:
  - (1) The address and legal description of the Structure.
  - (2) The current name, physical address, mailing address, telephone number, and email information for every Owner with an ownership interest in the Structure. Entities shall submit the same information pertaining to their registered agent, and other legal representations.
  - (3) The contact information for a Manager of the Structure, pursuant to provisions of this Chapter.
  - (4) Proof of comprehensive general liability insurance coverage, in an amount no less than one hundred thousand dollars (\$100,000.00) and covering the Structure. This requirement is not applicable to single-family residential Structures.
  - (5) A Comprehensive Plan of Action in a form provided by the Department, detailing a timeline for correcting violations, rehabilitation, maintenance while vacant, and future use of the Structure as well as detailed evidence as to repairs and marketing of the Structure during the previous six (6) months. The plan of action must be updated every six (6) months.

- (6) An accurate floor plan of the Structure for use by first responders in the event of a fire or other catastrophic event, except that the Fire Department may waive any or all of this requirement based on its existing information and needs.
- (7) Vacant Structure Property Owners shall provide written notice to the Director, including providing a copy of any new deed, of any change in:
  - 1) Ownership of the Structure;
  - 2) Contact information for either the Owner or the Manager. Written notice must be provided to the Department no later than fifteen (15) days after such changes have occurred; and
  - 3) Proper Registration shall be valid for a period of six (6) months. Following expiration of six (6) months, the building Owner must again register the Structure and shall continue to do so each six (6) months until the Structure, in the determination of the Director, is deemed occupied and in compliance with all relevant requirements of this Code. Such determination shall be made by the Director in his sole discretion.
- (f) A creditor is required to update the registration form with all pertinent information if:
  - (1) The residential, commercial or industrial property becomes vacant at any time after a creditor submits a registration as prescribed in Section 38-121); or
  - (2) A creditor files a complaint of foreclosure/notice of default, or executes a deed in lieu of foreclosure at any time after a creditor submits a registration as prescribed in Section 38-121; or
  - (3) The creditor acquires title to the property at sheriff/foreclosure sale, or otherwise; or
  - (4) Any previously provided information changes

Sec.38-121. - Registration fees.

- (a) Vacant Structure Property Owners shall tender a new registration fee with each new registration required pursuant to Sec. 38-120. The registration fee at the time of the first registration shall be two hundred fifty dollars (\$250.00) for single-family residential Structures, and five hundred dollars (\$500.00) for all other Structures.
- (b) The registration fees shall be pro-rated for the first time a Structure is registered with the city. Subsequent registration fees shall be due and postmarked no later than January 31 and July 31 of each year.

- (c) If the registration paperwork is submitted in its entirety within forty-five (45) days of the date the written notice provided in subsection 38-120(a) is mailed, then the Owner shall be entitled to a one-hundred-dollar (\$100.00) discount. However, failure to submit the registration paperwork in its entirety within the 90-day time period provided in subsection 38-120(a) shall result in a late fee of one hundred fifty dollars (\$150.00).
- (d) The registration fee for each subsequent registration shall increase by fifty (50) percent of the registration fee paid during the previous period, with a maximum registration fee of three thousand dollars (\$3,000.00).
- (e) All registration fees and inspection fees shall be used to offset the costs implementing the provisions of this Section and, to improve or promote the District in ways intended to improve the ability of Property Owners to sell, lease, or develop the properties within the District.

Sec. 38-122. – Inspection fees.

In addition to any registration fees, there shall be an annual inspection fee of one cent (\$0.01) per square foot (with a \$50.00 minimum charge) due and payable at the time of first registration and annually by January 31 thereafter. If a second inspection fee is due within five (5) months of the first inspection fee, there shall be no inspection fee for the second inspection period.

Sec. 38-123. - Fee waivers.

- (a) All fee waivers must be applied for using forms provided by the Department, on an annual basis, and are subject to approval by the Director, under and only under the circumstances described in this Section A fee waiver is valid for a maximum of twelve (12) months.
- (b) Fees may be waived by the Director, in his discretion, under the following circumstances:
  - (1) A Structure that has been devastated by a catastrophe such as fire or flood significantly damaging in excess of fifty (50) percent of the Structure: The Owner has thirty (30) days to register from the date of the disaster but shall be exempt from the fees. This exemption is for the duration of one year from the date of the catastrophe; thereafter all applicable fees are due.
  - (2) An Owner who is indigent must register and is otherwise subject to this chapter but shall be exempt from the fees. In order to establish indigency, an Owner must provide all financial information requested by the Director, including income tax returns and a list of all properties owned by the Owner.

- (3) The representatives of an Owner subject to the provisions of Sec. 38-120 and 38-121 but who is deceased or is no longer legally competent must register the Vacant Structure but shall be exempt from the registration fees for a period of six (6) months.
- (4) When the Owner of the Structure has obtained a building permit and, in the sole discretion of the Director, is progressing in an expedient manner to prepare the premises for occupancy, the Owner must register the Structure and is otherwise subject to this Chapter but shall be exempt from the registration fees.

Sec. 38-124. – Exemptions from Registration or Inspection

- (a) The following circumstances may warrant an exemption from registration and inspection:
  - (1) If the Structure is habitable wherein all building systems are in sound working order evidenced by the issuance of a Certificate of Occupancy, and the building and grounds are maintained in good order, and the building is being actively marketed for sale or rental and actively maintained. Evidence of property being marketed for sale or rent could include, but is not limited to, retaining a licensed real estate agent or broker to list the property for sale or rent, taking out advertisements in various media forms such as newspapers and online services, and need to be provided to the Department. The Department may request additional information.
  - (2) An Owner submits plans to the Director demonstrating that the Structure will be completely rehabilitated and restored to productive use and occupancy within twelve (12) months following the initial property registration along with a certified letter from a licensed contractor or architect stating that the Structure is capable of being completely rehabilitated and restored to productive use and occupancy within the twelve (12) months following the initial property registration. While exempt, the Owner shall actively maintain the Structure as provided in this Chapter.
  - (3) The Owner certifies to the Director that the vacancy is a result of damage from a natural disaster within the past six (6) months and the Owner is actively seeking insurance proceeds or Federal/State assistance to rehabilitate the Structure. The Owner is required to update the Director monthly until the Structure is rehabilitated.
  - (4) The Owner certifies to the Director that the vacancy is a result of a fire in the past 30 days and the Owner is actively seeking insurance proceeds to rehabilitate. The Owner is required to update the Director monthly until the Structure is rehabilitated.
  - (5) The Owner certifies to the Director that the vacancy is not an abandonment and is utilized as a vacation home, or conversely the Structure is vacant while the Owner resides at a vacation home and the Structure is actively maintained.
  - (6) The Owner is on active duty with any branch of the U.S. Armed Services.

- (b) The Director may require additional information to determine any exemption, such as photographs or other images, plots, plans, or other layouts. Upon receipt of evidentiary documentation citing any of the aforementioned bases for exemption, the Director, or his designee, shall make a recommendation for approval or denial of the exemption. Within thirty (30) days of the date the recommendation is rendered, the Director must forward its recommendation to the mayor. Upon receipt of a copy of the Director's recommendation, the mayor shall make a determination within thirty (30) days affirming or reversing the Director's recommendation.
- (c) An Owner shall have the right to appeal the determination of the mayor to the City Council. An appeal of the decision of the Mayor shall be heard at the next scheduled meeting of the City Council, but only if a written request for appeal is made within ten (10) days of the determination of the Mayor. An appeal shall be considered filed upon receipt in the office of the clerk of the council provided that it shall be considered timely filed if it is mailed on or before the due date as evidenced by the official postmark thereon and received on the first day on which mail is delivered following expiration of the delay. Once an appeal has been properly and timely filed with the clerk of the council, the procedure for the appeal shall follow the procedures outlined in Section 13 of the City Council Rules of Procedure or other applicable rules of procedure. The City Council shall render a decision to approve the exemption with a two-thirds vote of the members present at the meeting.

#### Sec. 38-125. – De-registration.

Any registered property that transfers to an unaffiliated third party, or the foreclosure action is dismissed, and the property is occupied, or is legally re-occupied and not subject to a foreclosure action, or the registering creditor releases the lien, a de-registration is to be completed. Registration forms and instructions will be provided by the Director.

#### Sec. 38-126. - Jurisdiction, enforcement, and penalties.

- (a) Failure by the Owner to bring a Vacant Structure into compliance with this Chapter within the time set forth herein after written notice to the Owner or Manager shall be a misdemeanor. Written notice of violation will precede the issuance of a criminal citation, in which the Owner will be given a reasonable length of time, as determined by the Director, to remedy the violation. Written notice may be issued to the Owner or Manager by means of personal service, or by first class mail to the last known address according to records of the Caddo or Bossier Parish Assessor's Office, the City of Shreveport, or by posting a copy of the notice on the Structure.

The fine for this offense shall be \$500 for the first offense, \$750 for the second offense, and \$1,000 for the third offense. Each violation of this chapter shall constitute a separate offense.

- (b) Administrative, civil, and criminal enforcement are alternative remedies which may be sought independently of each other. Criminal prosecution may occur regardless of pursuit of civil or administrative remedies, and vice versa.
- (c) Each thirty (30) days a Property Owner has not complied with the provisions of this chapter after the Director's notice pursuant hereto shall be a separate offense.

A violation of this Chapter is separate and apart from any other violation of a provision of the Code, and prosecution for a violation of this chapter shall not limit or otherwise affect actions for other violations under this Code of Ordinances.

\*\*\*

**BE IT FURTHER ORDAINED** 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 affect without the invalid provisions, items or applications and to this end the provisions of this Ordinance are hereby declared severable.

**BE IT FURTHER ORDAINED** that all Ordinances or parts thereof in conflict herewith are hereby repealed.

**BE IT FURTHER ORDAINED** that this Ordinance shall become effective in accordance with the provisions of [Shreveport City Charter Section 4.23](#).

**THUS DONE AND ORDAINED** by the City Council of the City of Shreveport, Louisiana.

**APPROVED AS TO LEGAL FORM:**

---

City Attorney's Office