

RS 25:740

§740. Commission enforcement powers

A. A historic preservation district commission shall have the power to institute suit in any court of competent jurisdiction, to prevent any unlawful action in violation of the provisions of this Chapter or of any of the rules and regulations adopted by the commission in conformity with it.

B. Any owner, agent, lessee, or other person acting for or in conjunction with him, who shall violate the ordinance or law or rules, regulations, or decisions of a commission, shall be fined not less than fifty dollars nor more than one hundred dollars for each violation, except as hereinafter provided.

Any owner, agent, lessee, or other person acting for or in conjunction with him, who shall demolish a structure or edifice without having received an appropriate certificate of appropriateness may be fined a single fine of not less than one thousand dollars nor more than ten thousand dollars. For violations other than demolition without an appropriate certificate of appropriateness, each day that a violation continues shall constitute a separate offense.

Acts 1970, No. 147, §10. Amended by Acts 1975, No. 804, §10; Acts 1979, No. 223, §1, eff. July 8, 1979.

8.1.7 Definition of historical district

The following area of the City of Hammond is hereby designated as the "Hammond Historical District," to-wit: Beginning at the corner of West Morris and South Spruce Streets in the City of Hammond and thence running northerly along Spruce Street to its intersection with West Charles Street and thence easterly along West Charles Street to North Magnolia Street; thence northerly along North Magnolia Street to West Robert Street; thence easterly along Robert Street to North Cypress Street; thence southerly along North Cypress to East Charles Street; thence easterly to North Cherry Street; thence southerly to East Morris Street, thence westerly along East Morris Street to South Magnolia Street; thence southerly along South Magnolia Street to West Hanson Street; thence westerly along West Hanson to South Spruce Street; thence northerly along Spruce Street to the said point beginning at the corner of West Morris and South Spruce Streets. The historical district above designated shall include all building sites or lots and all structures, houses or other buildings on a building site or lot touching any of the streets of the perimeter of the area. It is the intent of this definition to include all properties which are diagonally opposite (catty corner) from the intersection of streets on the perimeter of the area.

8.1.8 Commission enforcement powers; criminal penalty; continuing violations

- A. The historic district commission shall have the power to institute suit in any court of competent jurisdiction to prevent any unlawful action in violation of the provisions of Chapter 16 of Title 25 of the Louisiana Revised Statutes, as amended from time to time, or of any of the rules and regulations adopted by the commission in conformity with it.
- B. Any owner, agent, lessee, or other person acting for or in conjunction with him, who shall violate the ordinance or law or rules, regulations, or decision of the historic district commission shall for each offense be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00), or suffer imprisonment for not more than thirty (30) days, or both fine and imprisonment. Any owner, agent, lessee, or other person acting for or in conjunction with him, who shall demolish a structure or edifice without having been issued a certificate of appropriateness shall be fined a single fine of not less than one thousand dollars (\$1,000.00). (Appendix H)
- C. For violations other than demolition without a certificate of appropriateness, each day that a violation continues shall constitute a separate offense.

8.1.9 Injunctions

Whenever any person has engaged in or is about to engage in any act or practice which constitutes or will constitute a violation of this chapter or of any of the rules and regulations of the commission, the commission may make application to the appropriate court for an order enjoining such act or practice, or requiring such person to refrain from such prospective violation or to remedy such violation by restoring the affected property to its previous condition. Upon a showing by the commission, the building inspector, or the city, that such person has engaged or is about to engage in such act or practice, a permanent or temporary injunction, temporary restraining order, or other appropriate action shall be granted without bond.

8.1.10 Submission of plans for exterior changes to commission

Before the commencement of any work in the erection of any new building or in the alteration or addition to, or painting or repainting or demolishing of any existing building, any portion of which is to front on any public street or alley in the Hammond Historical District application by the owner for a permit therefore shall be made to the commission, accompanied by the full plans and specifications thereof so far as they relate to the proposed appearance, color, texture or materials, and architectural design of the exterior, including the front, sides, rear and roof of such building, alteration, addition and any outbuilding, party wall, courtyard, fence or other dependency thereof. Proposed Improvements shall be in accordance with the Design Guideline for the Hammond Historic District located in Appendix E of the UDC.

8.1.11 Certificate of appropriateness, commission recommendation and action thereon