

Calendar No.

(Rev)

(Exp)

Name Martha Griset Ext. 3605
 Person responsible for routing

**CHECK SHEET TO BE USED FOR
 CLEARING ORDINANCES, MOTIONS, AND RESOLUTIONS
 BEFORE SUBMISSION TO COUNCIL CLERK**

The originating agency shall attach a copy of each proposed ordinance, motion, or resolution to the check sheet for processing in the sequence indicated after preparing a synopsis. The detailed memorandum of explanation shall also be attached to this check sheet.

SYNOPSIS OF DOCUMENT: Update Article II- City Owned Cemeteries to be contemporary (last
update was in 1956), and to reflect current pricing and department structure, as well as moving cemetery
funds from the general fund to a revolving account.

1. NRG 9/16/2020
 Department Head
2. [Signature] 9/16/2020
 Department of Law
3. [Signature]
 Chief Administrative Officer
4. [Signature]
 Director of Council Relations
5. _____
 Initials of Sponsoring Council Member

COUNCIL ACTION

Council Members Present: _____
 Absent: _____

AMENDMENTS:

FINAL ADOPTION:

 MOVED:
 2ND:
 YEAS:
 NAYS:
 ABSENT:
 RECUSED:

7. _____
 Reviewed by the Chief Administrative Officer after adoption by the City Council and prior to the Mayor's signature.

REF. POLICY MEMORANDUM NO. 3



LEGISLATIVE SUMMARY

TO ACCOMPANY ORDINANCES

BEFORE SUBMISSION TO CLERK OF COUNCIL

Requesting Department or Agency: Property Management

Name of Contact Person: Martha Griset

Telephone Number: 504-658-3605

Email Address: mjgriset@nola.gov

Initials of Sponsoring Councilmember(s): JB

DETAILED SYNOPSIS OF THE ORDINANCE

Please generally describe the purpose, intent, and effect of the proposed ordinance.

The purpose of this ordinance is to revise Article II.- City Owned Cemeteries to make it
more current (last revision was in 1956), and to reflect current pricing and department
structure. Change also requires funds from the use of city cemeteries to go into a
newly created Cemetery Repair and Maintenance Fund.



LEGISLATIVE SUMMARY

If the Ordinance is to effectuate a contract, CEA, or other similar agreement (hereafter contract), please provide the following additional information.



If this section is not applicable, please check this box.

The parties involved:

City of New Orleans

The obligations, expectations, and deliverables of the parties involved:

Any fiscal implications for the City with the contract:

The public purpose and need for the contract:

The duration of the contract:



LEGISLATIVE SUMMARY

If the Ordinance is to effectuate an amendment to the Codes of the City of New Orleans, please provide the following additional information.



If this section is not applicable, please check this box.

The existing provision(s) of the Code being proposed for amendment:

Article II, Division 1, 2, and 3

The general content/requirements of the existing Code provision:

City owned cemetery management, fees, and title issues

How the proposed ordinance will alter the existing Code provision(s):

remove sextons, change "director" to "superintendent," allow fees to be updated annually,

simplify servitudes for grave use, create a Cemetery Repair and Maintenance Fund

Why these changes are needed:

Last code revision was in 1956.

REQUESTED ADOPTION DATE: _____

Reference: Council Rule 41 & City Code Section 2-813

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: September 17, 2020

CALENDAR NO. 33,125

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER BANKS (BY REQUEST)

AN ORDINANCE to amend and reordain Divisions 1, 2, 3 and 4 of Article II of Chapter 38 of the Code of Ordinances of the City of New Orleans to revise said sections relating to cemeteries owned by the city and provide that all fees, charges, and revenues received by the city for the use of any city-owned cemetery or for cemetery services rendered or related goods sold or provided by the division of cemeteries or the department of property management shall be deposited into a newly created Cemetery Repair and Maintenance Fund to be used solely to operate, maintain, repair and/or improve city-owned cemeteries; and otherwise to provide with respect thereto.

SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That Divisions 1, 2, 3 and 4 of Article II of Chapter 38 of the Code of Ordinances of the Code of the City of New Orleans are hereby amended and reordained to read as follows:

“ DIVISION 1.- IN GENERAL

Sec. 38-51.- Maintained by the department of property management

The cemeteries owned by the city shall be operated, managed, and maintained by the division of city cemeteries within the department of property management.

Sec. 38-52. Deposit of funds.

All fees, charges, and revenues received by the city for the use of any city-owned

cemetery or for cemetery services rendered or related goods sold or provided by the division of cemeteries or the department of property management shall be deposited into a newly created Cemetery Repair and Maintenance Fund, created pursuant to Ordinance No. _____ M.C.S. and codified at Sec. 70-415.298 et seq. of the Code of the City of New Orleans.

Sec. 38-53. Superintendent of city cemeteries; duties.

The city cemeteries shall be under the control of a superintendent of city cemeteries who shall exercise immediate supervision of necessary personnel, activities, operations, and hours of city cemeteries, and shall be in the classified service of the city.

Sec. 38-54 Regulations; suspension.

The superintendent of city cemeteries may make and enforce such other regulations governing the operation of the city cemeteries which are not inconsistent with this article or state law.

Sec. 38-55 Record of Burials.

The superintendent of cemeteries shall keep a permanent record of each interment in the city cemeteries under his supervision, which record shall include a copy of the certificate of death of the individual interred and the plot number, square, and location of the place of interment. Such records shall be maintained in perpetuity in the superintendent of cemeteries office.

Sec. 38-56.- Personnel to perform cemetery work.

No person other than cemetery personnel under the supervision of the superintendent of cemeteries shall inter, disinter, or reinter any human remains within the confines of any city cemeteries, provided that the superintendent of city cemeteries may permit the performance of such work by noncity parties, so long as said work is performed to the standards set by the superintendent.

Sec. 38-57.- Depth and Spacing of Graves

Any cemetery sexton or other person digging graves for underground interments shall dig sufficiently deep to allow for at least two feet of soil to cover the entire area of the casket, unless the said interment is in a burial vault, coping or lawn crypt. Spacing shall be adjacent, but not overlapping, the grave shafts on either side.

Sec. 38-58.- Plot, Space, or Structure to be Kept Orderly.

All persons having an interest in plots, spaces, or structures within city cemeteries shall keep the same in good repair and free from vegetative overgrowth at all times.

Sec. 38-59.- Maintenance of cemetery tombs and/or spaces more than fifty years old; sale of repaired abandoned cemetery spaces

(a) The cemeteries division may renovate and repair but not demolish, at its own cost and/or in conjunction with any private, state, or federal grant or fund, titled cemetery spaces within any city cemetery that are more than fifty years old and which have deteriorated, when the record owner or his spouse or heirs, assigns, or successors have neglected to do such repair or renovation within one year after written notice mailed by registered or certified mail to the last known address of the last record owner on the records of the city, the posting of notice on each of such cemetery spaces and /or tombs, and advertising in the official journal of the parish or municipality notifying the owner thereof that such renovation and/or repair will be made, unless the owner thereof objects by written notice to the office of the cemetery authority before the end of the one year period. Upon failing to receive any objections, after due notice has been given, the city may proceed with the repairs or renovations with impunity.

(b) The cemetery superintendent shall require the payment by the record owner, heirs, or assigns of all documented repair and/or renovation costs before any such renovated or repaired interment space and/or tomb may thereafter be used.

(c) The repaired space and/or tomb shall revert to the ownership of the city if the cemetery superintendent has been unable to locate, after diligent efforts, any of the owners or their successors, assigns, or heirs for a period of three years following the repair or renovation, and the city shall take possession of such interment spaces and/or tombs and sell and convey same subject to rules and regulations as set forth in La. R.S. 8:308(A).

(d) If the city takes ownership of such space and/or tomb and the cemetery space and it is resold by the city, the existing remains shall remain as a servitude burdening the new ownership of the vault

Sec. 38-60.- Cemeteries; maintenance of vaults and wall vaults more than fifty years old; reclamation by authority

(a) The cemeteries division may renovate, repair, and/or maintain vaults, at its own cost and/or in conjunction with any private, state, or federal grant or fund, vaults and/or wall vaults that are more than fifty years old located in city cemeteries, which have deteriorated or are in a ruinous state under the following conditions:

(1) In the event that the cemetery superintendent has no evidence of ownership or interments in the vault and/or wall vault in question, it may immediately make the repairs, renovations, and maintenance and after same have been completed, publish as part of a general notice in the official journal of the parish or municipality a notice notifying all persons that if no one comes forward to the office of the cemetery superintendent with written evidence of ownership of the

vault and/or wall vault in question within sixty days of the date of publication then the cemetery authority shall have the right to reclaim the ownership of the vault and/or wall vault in question and resell same.

(2) In the event that there is evidence of an interment or interments in the vault and/or wall vault in question, and the cemetery superintendent has no evidence of ownership, the remains may be immediately removed and temporarily reinterred at another location, and the city shall then have the power to immediately make the renovations, repairs, and maintenance necessary, and the same notice procedure set forth in Paragraph (1) shall be followed, except that all persons shall have six months to come forward to the office of the cemetery superintendent and present written evidence of ownership in the vault and/or wall vault in question, and in the event that anyone fails to do so within the time prescribed, then the vault and/or wall vault may be reclaimed by the city and resold. If the vault is resold by the city, the existing remains shall remain as a servitude burdening the new ownership of the vault.

(3) In the event that records of the cemetery superintendent indicate that there is a record owner of the vault and/or wall vault in question, the remains, if any, may be immediately removed and temporarily reinterred at another location, and the cemetery superintendent shall have the right and power to immediately make the necessary renovations, repairs, and maintenance; then the cemetery authority shall attempt to contact the owner by registered or certified mail at his last known address, and also publish as part of a general notice in the official journal of the parish or municipality in question a notice stating that in the event the owner or his heirs, assigns, or successors fail to come forward to the office of the cemetery superintendent within six months of the date of the notice and submit written proof of ownership, then the vault and/or wall vault in question may be reclaimed and resold by the city. If the vault is resold by the city, the existing

102 remains shall remain as a servitude burdening the new ownership of the vault.

103 (4) In addition to the notifications called for in Paragraphs (1), (2), and (3) hereinabove, the
104 cemetery superintendent shall also post a common or general sign or notice in a conspicuous
105 place in the cemetery informing the public of the above so that claimants may come forward in
106 the manner prescribed herein to assert their rights.

107 (5) Under no circumstances shall the city be prevented from doing repairs, renovations, and
108 maintenance to vaults and/or wall vaults if same are necessary for the preservation of the section
109 of vaults and/or wall vaults in question and/or the beautification of the cemetery. If it becomes
110 necessary to remove remains therefrom, the cemetery authority shall have this right and power
111 as set forth above, but the remains must be kept separate and returned to their original location
112 after work is complete

113 (6) After the renovations, repairs, and maintenance have been completed and the prescribed
114 time period has lapsed, and the city has reclaimed the ownership of the vault and/or wall vault
115 in question, then all of the remains removed in accordance with the provisions of this Paragraph,
116 shall be reinterred, and the cemetery superintendent shall retain records, tablets, stones, and
117 other information regarding which vaults and/or wall vaults the remains were removed from
118 and the interments therein, and the names of the deceased persons in question, if they are
119 available.

120 (7) Under no circumstances shall any of the above be construed in such a fashion as to prevent
121 the city from immediately making repairs, renovations, and/or maintenance of wall vaults in
122 the event that same are deemed necessary for the protection of the health, safety, and welfare
123 of the general public.

124 (8) If a person comes forward to the cemetery superintendent within the time periods prescribed

in Paragraphs (1) through (3) hereof with satisfactory written evidence of ownership or title to the vault and/or wall vault in question, the cemetery superintendent may require that they pay their pro rata share, to be reasonably determined by the cemetery superintendent, of all actual costs and expenses of repairs, renovations, and maintenance before the said vault and/or wall vault may thereafter be used by them and their title thereto confirmed. If there is some other impediment or objection to reuse of the vault and/or wall vault in question, they must still pay their pro rata share of all costs as set forth hereinabove to confirm their title to same, otherwise ownership or title may be reclaimed by the city and the space resold. Under no circumstances shall the owner of the vault and/or wall vault in question be able to object to the repairs, renovations, and maintenance done or to be done if it is necessary for the preservation of the section of vaults, and/or wall vaults in question, or the protection of the health, safety, and welfare of the general public.

Sec. 38-61.- Fees

Fees for cemetery services and use shall be set annually by the superintendent of cemeteries. The fees shall be re-evaluated annually and based on the fair market value of the service or use. Said fees shall annually be posted in a public location.

Sec. 38-62. - Interment days and hours of operation

The director of the department of property management shall establish the hours of operation for city cemeteries provided however, that all cemeteries shall be open for visitation for an eight-hour period on All Saint's Day, Father's Day and Mother's Day of each year.

The superintendent of cemeteries may determine specific days for interments in each of the city cemeteries.

Secs. 38-64—38-85. - Reserved.

DIVISION 2. –SERVITUDES FOR PLOTS IN CITY CEMETERIES

Sec. 38-86. – Servitudes: Right of use of city cemetery space.

On/in specified areas of city cemeteries, there shall be granted by the city only the servitude of the right of use of space, and no one shall be granted, nor shall the city alienate for the purpose of the interment of human remains, the full ownership of any space or plot.

Sec. 38-87. - Application for right of use of space.

(a) Any person desiring to purchase a servitude of the right of use of a space or plot within a city cemetery shall make application for same to the superintendent of cemeteries. The application shall be nontransferable and shall be accompanied by a nonrefundable application fee as provided for in this chapter. No person shall have more than one application pending for a space or plot within a city cemetery at any time.

(b) Applicants shall be granted a right of use for a space or plot within a city cemetery on a first-come, first-served basis. The superintendent of the division of city cemeteries may establish, for each city cemetery, a waiting list, or lists, of applicants for the use of spaces or plots within that cemetery based upon the size or type of space or plot desired or such other criteria as may be deemed desirable.

(c) Upon approval of the application or a grant of servitude of right of use and acceptance by the applicant of the space or plot available, the superintendent of city cemeteries shall cause the right of use of space within a city cemetery to be granted by the execution by the applicant of a written act of grant of servitude of the right of use in a form approved by the city attorney and the director of the department of property management.

Sec. 38-88. - Restrictions upon right of use.

Every servitude of right of use granted by the city shall contain the following restrictions:

(1) Transferability. The servitude of right of use granted pursuant to this division shall not be transferable except upon the written approval of the director of the department of property management in a form approved by the city attorney. No person granted a servitude of right of use pursuant to this article shall demand or receive from the transferee of such servitude any remuneration whatsoever, provided, however, that the transferor of such servitude may demand, as a condition of the transfer, that the transferee pay a pro-rata amount of the fee for the right of use charged by the city. Nothing in this section shall be construed to deny to co-owners in indivision a right to seek partition by licitation of their jointly held right of use.

(2) Extent of right of use. The servitude of right of use granted by this article may be exercised by, and at the exclusive discretion of, the person in whose name the servitude of right of use is granted, his heirs, assigns, or successors in interest, solely for the interment of human remains and subject to the restrictions provided by this chapter, applicable law and the regulations of the department of property management. In no event shall the person in whose name the servitude of right of use is granted, his heirs, assigns, or successors in interest, impose any fee or charge for the interment of human remains in such city cemetery space or plot.

(3) Term. All servitudes of right of use granted pursuant to this article shall terminate on the tenth anniversary of the date of grant thereof.

(4) Renewal of servitude.

a. Every person granted a servitude of right of use pursuant to this article, or

granted a renewal of such servitude, his heirs, assigns, or successors in interest, shall have the right to renew, for a succeeding ten-year period, the servitude of the right of use granted to him. The right of renewal granted by this subsection shall be exercised by:

1. Written notice of the intention to renew the servitude filed with the superintendent of the division of city cemeteries not sooner than one year, nor later than 30 days, prior to the expiration of the then-current term of such servitude, and accompanied by;

2. The applicable renewal fee; and

3. In the case of renewal by an heir, assign, or successor in interest, a judgment of possession of a court of competent jurisdiction, an act translatif of title or an affidavit which meets the requirements of section 38-92(a)(1)

b. The renewal of any servitude of right of use shall be conditioned upon the payment by the renewing grantee of the then-current fee for the grant of the servitude of right of use.

Sec. 38-89.- Extinguishment of servitude of right of use.

Absent renewal of the servitude as set out in Sec. 38-88 above, the servitude for a right of use shall extinguish at the end of 10 years without any required notice or action by the city or the superintendent of cemeteries.

Sec. 38-90. - Construction pursuant to servitude of right of use.

Markers, copings, boxes, railings, and other enclosures:

(1) must not exceed 3.5' x 8' in dimension on the outside of the form and

(2) must not interfere with the long-term use of the grave shaft or site.

DIVISION 3. -TITLE TO PLOTS IN CITY CEMETERIES

Sec. 38-91. - Title transfers; judgment of possession, act translative of title.

(a) Any person claiming to be the successor in interest of any person in whose name title to a space or plot within a city cemetery is held, and who desires that the title to such space or plot be transferred to claimant's name shall make written application, in a form approved by the department of property management, to the superintendent of city cemeteries for a transfer of title, and shall present to the director together with such application either:

(1) A judgment of a court of competent jurisdiction recognizing the person requesting such transfer as the rightful heir or legatee of the title holder of record and placing them in possession of the space or plot in question, or,

(2) An act translative of title and in authentic form, showing the person requesting such transfer to be the successor in interest of the title holder of record to the space or plot in question.

Sect. 38-91 (b) The superintendent of the division of city cemeteries shall present the application and the documents required under this division to the city attorney for approval as to form and legality, and, if so approved by the city attorney, shall issue a new title in the name or names of the persons requesting the transfer.

Sec. 38-92. - Title transfer requests without judgment of possession, act translative of title.

(a) Any person claiming to be the successor in interest of any person in whose name title to a space or plot within a city cemetery is held, and who desires that the title to such space or plot be transferred to the claimant's name, and who does not or cannot comply with the provisions of section 38-91(a), shall include with the application for transfer:

(1) A notarized affidavit of death and heirship showing the relationship of the person requesting such transfer to the title holder of record of the space or plot for which the title transfer is requested and outlining the requesting party's line of descent from the title holder of record,

stating the names of all of the descendants and all of the collateral relations, and their descendants, of the title holder of record and whether such persons are dead or alive, and further stating that the person requesting the transfer of title shall hold the city harmless from and indemnify the city for all claims, suits, demands or judgments arising out of or in connection with the use, by the party requesting the transfer of title, of the space or plot within the city cemetery; and

(2) An affidavit of a disinterested, but informed, person, setting forth the facts of the death of the title holder of record and identifying the spouse and descendants and heirs of the title holder of record. The affidavits shall be approved as to form and legality by the city attorney.

Secs. 38-93—38-120. - Reserved.

DIVISION 4. - STRUCTURES WITHIN CITY CEMETERIES

Sec. 38-121. - Characteristics of tombs; repairs, etc.

All tombs must be built of high-quality components approved by the superintendent of cemeteries. All the tombs must be kept in good order by the owners.

Sec. 38-122. - Construction and alteration permit required.

(a) No contractor, builder, monument dealer, gardener or other person shall place or construct any tomb, coping, vault of any description, headstone, marker, tablet, statue, trees or shrubbery, make any repairs, redesign or alter, or demolish in whole or part, any existing structure within a city cemetery without first obtaining the approval of the superintendent of city cemeteries, who, upon approving such work to be in accordance with the provisions of this article, will issue a construction and alteration permit.

(b) The provisions of this article shall not be deemed to apply to routine maintenance or the routine trimming of grass, trees or shrubbery, the inscribing of names upon tablets or headstones

already in place or other work incidental, as a matter of course, to interment, disinterment or reinterment.

Sec. 38-123. - Permit application; fees; criteria.

The superintendent of city cemeteries shall prescribe the procedure and forms for making application for a construction and alteration permit and fees for such permit shall be charged in accordance with fair market value as determined annually. The superintendent of city cemeteries shall issue such permit provided that the quality and grade of materials used in the construction or alteration and the general design and general arrangement meet criteria which the superintendent deems appropriate.

Sec. 38-124. - Historic cemeteries—Designation; certificate required.

(a) Any city cemetery designated a National Historic Site or Landmark, entered upon the National Register of Historic Places, accorded historic site status by the state department of culture, recreation and tourism or which is bounded by or falls within any historic district shall be considered a historic cemetery. No contractor, builder, monument dealer, gardener or other person shall place or construct any tomb, coping, vault of any description, headstone, marker, tablet, statue, tree or shrubbery, make any repairs, redesign or alter or demolish in whole or part, any existing structure within a city cemetery, without first obtaining the approval of the superintendent of city cemeteries, who upon approving the design and plan to be in accordance with the provisions of this division, will issue a certificate of appropriateness.

(b) Such certificate shall be in lieu of a construction and alteration permit provided, however, that the fees established by Section 38-61 shall be applicable to the application and receipt of the certificate.

286 **Sec. 38-125. - Same—Criteria.**

287 (a)The superintendent of cemeteries, in passing upon an application for a certificate of
288 appropriateness for construction, alteration or demolition in any city cemetery which is bounded
289 by or falls within any historic district shall consider the following criteria in addition to the
290 criteria set forth in section 38-127:

291 (1) *New construction.*

292 a. All new construction shall be visually compatible with the cemetery structures and
293 environment with which it is related;

294 b. The general design, scale, gross volume, arrangement of the site plan, texture, material and
295 exterior architectural features shall be in harmony with its surroundings and shall not impair
296 the "tout ensemble" of the cemetery;

297 c. No one architectural style shall be imposed;

298 d. Quality and excellence in design should be major considerations.

299 (2) *Alterations.* Exterior alterations shall not affect the architectural quality or historic character
300 of the structure.

301 (3) *Demolition.*

302 a. The historic or architectural significance of the structure and its importance to the
303 "tout ensemble" of the cemetery;

304 b. The special character and aesthetic interest that the structure adds to the cemetery;

305 c. The cost of renovation and repair of the structure;

306 d. The danger posted to life or property from collapse of the structure.

307 (b) These criteria shall also be accorded consideration in any review of an application for a
308 certificate of appropriateness by the superintendent of city cemeteries.

Sec. 38-126. - Certificate of appropriateness—Posting; expiration.

(a) The certificate of appropriateness shall be posted where plainly visible on or near the exterior of the structure to be constructed, altered or demolished during the period of such construction, alteration or demolition.

(b) All certificates of appropriateness shall expire 90 days after the date of issuance if the work approved has not commenced.

Sec. 38-127. - Same—Denial; appeal.

(a) The superintendent of city cemeteries shall notify by certified mail every applicant who is denied a certificate of appropriateness.

(b) Any applicant denied a certificate of appropriateness may appeal the finding of the superintendent of city cemeteries by filing a written request for review of the superintendent's determination with the director of the department of property management within 15 days of the applicant's receipt of the notice of denial.

(c) The director of the department of property management shall afford the applicant reasonable opportunity to present testimony or documentary evidence regarding the construction, alteration or demolition proposed by the applicant and may solicit expert testimony regarding the architectural or historic importance or significance of the structure in question. In reviewing the denial of an application for a certificate of appropriateness, the director of the department of property management shall consider the quality and grade of materials to be used in the construction or alteration, the general design and general arrangement, the architectural style, the scale, the historic or architectural significance of the structure in question and such other criteria as the director may deem appropriate.

d) The director of the department of property management shall either affirm or overrule

the denial of the superintendent of city cemeteries and shall notify the applicant of his decision by certified mail.

(e) Any applicant denied a certificate of appropriateness by decision of the director of property management may appeal the finding of the director of property management by filing a written request for review of the director's determination with the clerk of council within 15 days of the applicant's receipt of the property management director's notice of denial.

(f) The council shall consider the applicant's request for review at its next regular meeting, or at any regular meeting within 60 days of the applicant's filing of appeal with the clerk of council, and the council may affirm or overrule the denial of a certificate of appropriateness by an affirmative vote of a majority of all of its members, failing which the decision of the director of the department of property management shall stand as final.

Sec. 38-128. - Sanctions.

Whoever shall place or construct any tomb, coping, vault of any description, headstone, marker, tablet, statue, trees or shrubbery or make any repairs, redesign, alter or demolish any existing structure within a city cemetery without first securing a certificate of appropriateness in accordance with the provisions of this article shall be guilty of a misdemeanor, which shall be punishable by a fine not to exceed \$300.00 and/or 90 days in jail. Each day upon which a violation of this section shall occur shall be deemed a separate offense.

Sec. 38-129. - Temporary or emergency constructions.

Nothing contained in this division shall prevent the making of a temporary construction, alteration or demolition of any structure within a city cemetery when such construction, alteration or demolition is undertaken under or by the order of any court or governmental agency for the purpose of remedying emergency conditions determined to be dangerous to life, health

355 or property.

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ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS _____

PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON _____

APPROVED:

DISAPPROVED: _____

MAYOR

RETURNED BY THE MAYOR ON _____ AT _____

CLERK OF COUNCIL

ROLL CALL VOTE:

YEAS:

NAYS:

ABSENT:

RECUSED: