

Code Enforcement and Demolition Program Policy Guidelines



Adopted by Ordinance #9527-2016, #101-2017 and #133-2020
Updated September 1, 2020

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Preface

The City of Alexandria's *Housing Code Enforcement and Demolition Program* is a function of the Community Development Department (CmDv) and funded through the CDBG funds, authorized by the Department of Housing and Urban Development (HUD). This program may also be funded with City General fund dollars at the discretion of the Mayor and City Council. The City must adopt policies and procedures, to the degree practical, for adequate and consistent implementation guidelines and administration of programs that conform to local, state and federal law.

The intent of the scope of work to be performed under this program is to address complaints concerning unoccupied, vacant and/or abandoned structures within the City limits to minimize blight and remove health, safety and welfare hazards within our community. The upkeep of these structures and lots is imperative to maintain the structure and property within the conditions defined in the current International Property Maintenance Code (IPMC) and City Ordinances. This maintenance effort impacts property values, potential development and growth, crime rate, fire calls and serves as potential shelters for the homeless population. It is the Property Owners responsibility to maintain the property within code compliance.

HUD requires that documentation and description of blighted conditions are identified every ten (10) years per 24 CFR 570.208.b.1.ii.A and 570.208.b.1.ii.B.iii. In 2009, J-Quad Consultants performed a physical survey of the City to define areas of predominately low to moderate income (LMI) families and areas of deterioration and blight. This survey was adopted by City Council and accepted by HUD to define 5 Target Neighborhoods in 2010 to serve as areas in need of revitalization. These 5 Target Neighborhoods are the areas where the City's Community Development office focuses a minimum of 70% of its annual grant funds for spending. Louisiana State Statute, LA RS 33:4625, also requires the area of slum and blight to be defined for more aggressive revitalization investment strategies.

The LMI, blighted property survey for revitalization effort was updated in 2020 by TDA Consulting, as part of and included in the PY2020-2024 Five (5) Year Consolidated Plan, and adopted by City Council Resolution #56-2020. It also included the necessary language to comply with LA RS 33:4625.

Article I - National Objectives

Every Code Enforcement and/or Demolition Clearance activity must satisfy one of the following National Objectives, if the expenses are to be paid with HUD CDBG funds:

1. Code Enforcement (CE) – LMA (Low and moderate income area benefit)
 - a. LMA applies when property complaints are within the defined 5 Target Neighborhoods.
 - b. CDBG funds are used to investigate these properties.
 - c. The maximum spending cap is within the 70% of grant funds for all CDBG programs.
2. Code Enforcement (SBS) – (Slum and Blight Spot)
 - a. SBS applies when property complaints are outside of the defined 5 Target Neighborhoods.
 - b. Only City general funds are used to investigate these properties.
3. Demolition – SBA (Slum and Blight area benefit)
 - a. This National Objective must be use if there is planned re-use of the property prior to the act of demolition.
 - b. Property must also be defined within one of the 5 Target Neighborhood Areas.
 - c. CDBG funds are used to demolish these properties.
 - d. The maximum spending cap is within the 70% of grant funds for all CDBG programs.
4. Demolition – SBS (Slum and Blight Spot)
 - a. This National Objective must be use if there is no planned re-use of the property prior to the act of demolition.

- b. Property is located inside or outside of the 5 Target Neighborhoods Areas.
- c. CDBG funds are generally used to demolish these residential properties because they convert to Exempt on Environmental Review. However, City general funds are used if the structure has ever been a commercial use so that an Environmental Review is not required.
- d. The maximum spending cap is within the 30% of CDBG grant funds for all CDBG programs.

Article II – State Statutes regulating Condemnation

The State of Louisiana has adopted State Statutes that regulate how a municipality can address dilapidated and dangerous conditions of properties. These regulations are to be adhered to in addition to any HUD and/or other Federal regulations. The six specific statutes are attached at the end of this document. They are under Title 33:

1. RS 33:4761 – Condemnation of buildings by all parishes and municipalities.
2. RS 33:4762 – Notice to Owner; hearing; notice filed with recorder of mortgages binds transferees; authority to municipality for emergency condemnation and demolition.
3. RS 33:4763 – Decision of parish or municipal governing authority; order to demolish or repair.
4. RS 33:4764 – Appeal from decision.
5. RS 33:4765 – Compliance with decision; demolition by parish or municipality where owner fails to comply; notice; assistance of National Guard.
6. RS 33:4766 – Lien and privilege for cost of demolition, removal and maintenance by parish or municipality; interest; attorney fees.

PHASE ONE – Code Enforcement

Article III – Code Enforcement Complaint

In general, Code Enforcement by CmDv is designed to track and manage the complaint until the complaint is resolved. The objective is to have the owner bring the property into code compliance.

Complaints are typically received from the general citizen who lives in this City. It can also come from a Community Leader, City Council member or a Neighborhood Group representative. A City Department, like SafeAlex or Public Work's Code Enforcement Department, may also report concerns.

CmDv Staff that is responsible for parts of this process are the Demo Program Manager (DPM), Permit Tech (PT1), Secretary (PT2), CBO Inspector (CBO) and the Administrator (ADM).

If the complaint is against a property located in the 5 Target Neighborhood Area as defined by the revitalization map, the Code Enforcement process is:

1. DPM or PT registers a complaint by completing a *Complaint Receipt Notification Form*. This can be made in person, over the telephone, via email or fax. The person filing the complaint must be willing to provide their address, name and phone number and explain the reason for the complaint. A specific address must also be provided when filing a complaint. A project file is created in My Permit Now (MPN) software.
2. DPM schedules the CBO to visit the site to verify the complaint. This inspection is called a *CDA Complaint Verification inspection*.

- a. CBO takes pictures of the structure and property, identifying issues that are in violation of the IPMC.
 - b. CBO measures from center of structure on the property to the center of nearest intersecting street so that the City's Address Agent can verify the legal address of the property.
 - c. If the complaint is valid, the project will move through the remaining steps.
 - d. If the complaint is not valid, the DPM will note the file and close the status.
3. If the complaint is valid, while still onsite, the CBO shall also perform a *CDA Deficiency Assessment inspection* which is a checklist of items that are not in compliance with the current adopted IPMC. This checklist will assist the CBO in determining if the property should be recommended for rehab or demolition. This decision may ultimately be presented to City Council for a public hearing to consider condemnation. However, the owner is afforded time to decide how they would like to address the code violations before any further action is taken by CmDv.
- a. The *CDA Deficiency Assessment inspection* checklist also requires the CBO to rank the severity of the damage to the structure. A ranking of 1 is high priority and a ranking of 5 is low priority. Typically, recommendations for demolition are ranked from 1 to 3 and recommendations for rehabs are ranked from 4 to 5.
 - i. If the cost of repairs to the structure are greater than 50% of the structures current Parish Tax Assessor's value, then the CBO will recommend demolition. If the structure is more than 50% burned, the CBO will also recommend demolition. This is in accordance with LA RS 33:4762.D.2.
 - ii. If the cost of repairs is less than 50% of the structures current Parish Tax Assessor's value, then the CBO will recommend rehab. If the repairs are mostly cosmetic, then the CBO will recommend rehab.
 - iii. In general, recommendations for demo with a severity ranking #1 are the properties that are presented for Condemnation Public Hearing and demolished first due to limited budget funding. These are generally properties that are severely burned or in danger of collapse.
4. DPM will check utility records in PCIS software (in the production database) to verify last known active utility date and *flag* utilities so that from this point forward, the utilities cannot be turned on and no one can move into the property without contacting the CmDv Office first. This affords CmDv an opportunity to have the Property Owner bring the structure into compliance. The flag shall read:
DO NOT RECONNECT. CMDV. (Staff Initials). DATE.
5. DPM will perform a property ownership research by using the Parish Tax Assessor and Parish Clerk of Court records online. All documents including mortgage, tax sale and/or redemption records required to determine ownership shall be uploaded to the project file.
6. If the structure is burned, DPM shall also collect a Fire Report from the City's Fire Prevention Office to add to the file.
7. DPM shall send certified mail notice to the property owner(s) of the CBO's recommendation to either rehab or demolish the structure. Either notice shall include a copy of the *Structure Complaint Validation Inspection Notice for Rehab -OR- Demo*, and the *Deficiency Assessment Inspection Notice*.

This is in accordance with LA RS 33:4763.A. The *Deficiency Assessment checklist* notifies the Owner of code violation items to be repaired. The last page of the notice is the *Property Compliance Intent Form*.

8. The Owner has thirty (30) calendar days to respond to the DPM and/or submit the signed *Property Compliance Intent Form* of acknowledgement. This is to afford the Owner time to obtain a permit to either rehab or demolish the property at their own expense. The objective is to bring the property into code compliance.
 - a. If the recommendation is for rehab, after the *Structure Complaint Validation Notice for Rehab* is sent, no further action is taken by CmDv and the file is closed. If another complaint is filed against the property, the process would then start over until it reaches a point of deterioration that demolition is recommended. A *Building Permit* issued will be issued by the *Construction Development Department* and all work must be brought into current code compliance with the *International Residential Code (IRC)* prior to occupancy. The Building Permit is valid for six (6) consecutive months with an opportunity for an extension from the Building Official. The typical scope of work for a Rehab Permit is:
Entire structure and property conditions must completely be brought up to current IRC codes and City Ordinances before the permit expiration date. After all passed inspections, a CoC will be issued in order to allow legal occupancy of the structure and permanent utility connections.
 - b. If the recommendation is for demolition, any *Demo Permit* issued will be issued by CmDv and all work must be brought into current code compliance with the *IPMC* and City Ordinances. The Demo Permit is valid for thirty (30) calendar days with an opportunity for up to two (2) thirty (30) calendar day extensions from the Building Official / CmDv Administrator. The typical scope of work for a Demo Permit is:
Each structure shall be completely removed to including: piping, wiring, plumbing, mechanical; steps, concrete slabs, piers, footings; driveways, parking surface areas; dispose of all trash, debris, dead trees; fencing; lot shall be graded to insure proper drainage towards the street; grading/fill shall prevent low spots capable of holding water; stabilize site with seed or sod for a minimum of 10 feet across the entire property line along City street; lot shall be mowed upon completion.
9. Once a complaint is filed on a property, it is preferred that the Owner hire a State Licensed Contractor who is also registered with the City of Alexandria's Construction Development Department. The reason for this is that the work is to be completed in a professional manner, having resources and equipment to meet all of the scope of work requirements and inspected as required in the Permit issued.
 - a. It has been past experience that when layman Owners demolish a structure, the debris is typically piled in the ditch or street of the subject property. This causes drainage issues which have the potential for flooding adjacent properties.
 - b. In addition, the City's Sanitation Department is then responsible for removing and disposing of debris causing more expense to the City. There have also been times where the debris was burned onsite, which is a violation of City Ordinances.
10. State Statute LA RS 33:4762.3.C allows municipalities provisions for removal of structures in "cases of grave public emergency". This measure will only be used on case by case basis where properties meet the defined criteria. See Article VI for more information.

Article IV – Condemnation Public Hearing by City Council

This step is still under the umbrella of the Code Enforcement process, however, is the next step in officially having the property condemned in order to begin the demolition process. The objective remains bringing the property into code compliance. These steps are used only when demolition is being recommended by the CBO.

1. State law requires that the Rapides Parish Court appoints an Attorney to represent absentee owners during public hearings with the City Council. This Attorney performs the same Ownership research and newspaper advertisements that CmDv does, in effort to contact Owners.
 - a. Once an Absentee Attorney (AA) is appointed by the Parish Court, the City Attorney is responsible to negotiate a fee by the hour for services. Any invoices submitted by the AA will be itemized by the quarter of the hour (.15). The AA may represent multiple Owners for one property. The AA will add receipts for reimbursement for newspaper advertisings.
 - b. The AA shall be required to physically represent Owners at the Condemnation Public Hearing and Cost Public Hearing. They shall also be served Demolition Notices for absentee Owners.
2. Should the certified mail items be sent in the above processes be returned to CmDv unsigned or not deliverable, those Owner contacts shall be assigned to an Absentee Attorney (AA) in accordance with LA RS 33:4762.A.3.B. There is an *Appointment of Absentee Attorney* Form letter to be signed by the Mayor for each property authorizing the Owner to be represented by the AA. Allow seven (7) business days to obtain the Mayor's signature and return form.
3. If Owner(s) do not respond within thirty (30) calendar days or fails to comply with notices listed above, a Public Hearing date is scheduled for City Council to consider condemning the property in accordance with LA RS 33:4762.A.1.
4. DPM must limit the number of addresses for a Condemnation Public Hearing to 25 properties per the request of the City Council. This is a more manageable number to deal with in a shorter amount of time.
 - a. DPM must review the severity ranking by the CBO, noted in Article III.3.a, in order to determine the 25 most dangerous structures to compile the list for the public hearing. The intent is to take the most hazardous structures down first for the health, safety and welfare of the public with the limited funding available.
 - b. As a general practice, CmDv should only present a list of properties that they can feasibly demolish that fiscal year based on the amount of funds available. If properties are condemned but not demolished, it increases the City's liability, in the event there is an accident on the property.
5. DPM shall prepare an Agenda Fact Sheet and send it to City Council requesting to set the public hearing date at least forty five (45) calendar days in advance of the actual hearing. This is because the request to set the hearing date must be introduced and a Resolution passed to authorize the Public Hearing on the date requested, then the actual Public Hearing will be held at the specified date. Attachments to the Agenda Fact Sheet shall include the list of properties to be considered, along with a picture of each structure and a location map. Allow a minimum of seven (7) business days to obtain the Administration's authorization to be added to the City Council agenda.
6. DPM shall prepare the certified mail letter for the *Condemnation Public Hearing 10 Day Notice Rule to Show Cause* and send, providing the Owner with a minimum of ten (10) calendar day notice before the

hearing and it must include the Resolution number authorizing the hearing date. This letter is in accordance with LA RS 33:4762.A and is recorded at the Parish Clerk of Court's Office in accordance with LA RS 33:4762.D. This notice should be sent as soon as the Resolution number is provided. DPM shall collect copies of the returned certified mail receipt cards, whether signed or not, as confirmation of notice sent and upload them in the MPN project file.

7. DPM shall submit a Public Hearing Advertisement in the local newspaper, the Town Talk, listing the properties to be considered for condemnation.
 - a. The ad must post a minimum of ten (10) calendar days prior to public hearing date. The ad is typically run two times before the hearing. The first advertised publication is generally not on a Sunday or a holiday.
8. If any Owners are assigned to an AA, the DPM shall compile those letters and send to the appointed AA via email with read receipt or hand delivered at least twenty (20) calendar days prior to the hearing. However, DPM shall try to submit the list as soon as possible to allow the AA time to process all of the addresses, which takes approximately thirty (30) calendar days. If hand delivery is made, there shall be a letter acknowledging delivery receipt signed and date and uploaded in the associated project file in accordance with LA RS 33:4762.A.3.
9. DPM shall verify the property ownership the week before Condemnation public hearing to be able to provide the Council with an update. If the ownership has changed, this may cause a delay or continuance of the Condemnation process for that particular property. The DPM may ask to have the property removed from the agenda, if applicable. The DPM shall *send the Condemnation Public Hearing 10 Day Notice Rule to Show Cause* letter to the new or additional Owners immediately.
10. CBO visits the site a minimum of one (1) day before the public hearing to take new pictures and verify that all structures presented to City Council are still standing and have not been demolished by Owner(s) without permits. This is called a *CDA Public Hearing inspection*. If there is a change in the status of the structure, the CBO shall investigate and will have to report the change to the DPM prior to the Council hearing.
 - a. In the event the CBO were to find the structure has been rehabbed and potentially occupied without knowledge or consent of CmDv, then the CBO shall contact the Contractor and Owner to discuss the terms of the Condemnation Order. DPM may need to ask for a Continuance on this property to afford time to have all work properly inspected. If found to be in compliance with the current IRC, DPM may then request to have it removed from the Condemnation list at the next Continuance Public Hearing. The Owner shall be present at the hearing to plea for additional time.
11. DPM and/or CBO must attend the City Council hearing to report recommendation for Condemnation and to answer any questions that might arise during Condemnation Hearing. Owners may attend to plead their hardship and request an extension as needed, in accordance with LA RS 33:4762.A.1. The AA must appear to represent the Owners who could not be contacted by CmDv. City Council makes final ruling.
12. City Council can also grant a Continuance, allowing the Owner additional time to secure a Rehab or Demo Permit to address any violations with personal funds. Continuances are typically issued for 30, 60 or 90 days, and are in accordance with LA RS 33:4765.A. It is the Owner's responsibility to confirm the date that the Continuance will expire and make arrangements to attend the next public hearing. Any inspections made to provide an update for a Continuance hearing is called a *CDA Continuance inspection*. This inspection shall be made a minimum of one (1) day prior to the Hearing.

13. The Owner does have the right to appeal within five (5) calendar days of the Council's decision in accordance with LA RS 33:4763.B and RS 33:4764. This process notification must be read aloud during the Council's public hearing so that it is on record as the method of notification to the Owner. Any appeals must be presented to the District Court for a ruling.
14. Once a property is officially condemned by Council via Resolution, CmDv continues to allow the Owners the ability to hire licensed Contractors to pull Demo Permits. This timeframe is typically thirty (30) calendar days. The goal here is to demolish as many properties as are condemned at the Owner's expense to avoid spending HUD or City general funds on these properties and filing liens against property. This is in accordance with LA RS 33:4765.A.

Article V – Condemned Resolution by City Council

This step is still under the umbrella of the Code Enforcement process, however, is the next step in officially having the property condemned. This is required in order to begin the demolition process. The objective remains bringing the property into code compliance.

1. Once action is officially authorized by Council, a *Resolution to take action on Condemnation* will be issued.
2. DPM prepares the certified mail letter stating the *Condemnation Order Notice* and sends to Owner(s) and/or AA. This is for only the properties that are condemned at this particular hearing.
3. If there was a Continuance granted by City Council, it is the Owner's responsibility to remember and/or inquire as to the date of the Continuance hearing and to appear. No other contact or notification is required by CmDv, however, if CmDv has the Owner's email or phone number, the DPM may elect to remind the Owner of the upcoming Continuance hearing date.
4. PT2 shall have the City Council Resolution of the Condemnation Order recorded at the Parish Clerk of Court's Office in accordance with LA RS 33:4762.D.1. Once filed against the Owner(s), notice shall be deemed notice to all subsequent transferees.
5. PT2 processes the invoice from AA for the Owners that were represented and any other costs associated with this phase. PT2 shall enter all expenses into the Grants Tab Account Activities and in the Funding Source module located in MPN. The Grants Tab Account shall be linked to the specific project file.
6. CmDv does have a Condemnation Revocation process that is available to a new owner of the condemned property, however,

Article VI – Condemnation Revocation Process

If a new property owner requests to have a Condemnation Order revoked, regardless of the reason, the following information must be provided to CmDv and verified before any revocation application will be submitted to the City's Legal Division for consideration.

1. This process should be very carefully considered as less than one percent (1%) of applicants actual follow through with rehabbing the property. The reason is that the building codes require that the structure must be brought completely up to code. This expense can far outweigh the cost of the property and therefore, is deem financially infeasible to rehab.

2. If the owner was the same prior to or at the time of the Condemnation Hearing and/or Order, the request will automatically be rejected because the owner was provided notice prior to the Condemnation Hearing and was provided five (5) business days to appeal the Condemnation Order.
3. The person applying for the revocation of a Condemnation Order must be the new legal property owner at the time of the application and shall be the responsible party for all requested documentation. The intent of the application is that owner wishes to rehab the property. Any other intent, such as to sell the property without repairs, will not be considered.
 - a. Should the owner wish to demolish the property, if this has not already been performed by CmDv, a Condemnation Revocation application is not required. The owner can visit the DPM for different requirements.
4. Completed written application of the Condemnation Order Revocation Form must be submitted with the following documents attached:
 - a. Payment of the non-refundable \$250 revocation request application fee.
 - b. Payment of the non-refundable \$250 CDA Deficiency Assessment re-inspection fee.
 - c. Proof of payment, in full, of *all* City incurred expenses involved in the Condemnation process to date, as confirmed by CmDv Program Manager.
 - d. Proof of payment, in full, of *all* existing unpaid taxes, fees, fines and/or penalties filed and/or pending to date with the City's Business Tax Office.
 - e. Copy of the Court House recorded bill of sale / ownership deed to prove ownership of the property and showing that ownership transaction occurred *after* the Condemnation Public Hearing.
 - i. If the owner was the same prior to or at the time of the Condemnation Hearing and/or Order, the request will automatically be rejected because the owner was provided notice prior to the Condemnation Hearing and was provided five (5) business days to appeal the Condemnation Order.
5. Once the above is received and if approved by Legal, within 30 days of the notice that the application is approved for processing, the following shall be required to be provided to CmDv in order to submit the revocation request to City Council at a public hearing.
 - a. A State Licensed Residential Contractor must be secured through proof of a signed contract with the owner that must include total cost for all work to be performed.
 - i. Contractor shall be responsible to schedule and attend the CDA Deficiency Assessment re-inspection by the CmDv's Inspector.
 - ii. Contractor must provide an itemized list of the scope of work to be performed. The work shall include any and all requirements necessary to bring the structure into full compliance with current adopted Codes and Ordinances. The Contractor's scope of work, at a minimum, must address all items listed in the updated CDA Deficiency Assessment re-inspection report and be approved by the CmDv's Inspector as satisfying the deficiencies.
 - iii. Contractor must provide a timeframe and schedule of proposed work from start through completion. Contractor shall be required to secure a Rehab Permit through CmDv *after* the Condemnation Order is *revoked* by City Council.

- b. Owner shall provide proof of funds or availability of funds from a legal financial institution to pay for all proposed renovation work. The funds must be for a total of 15% more than the Contractors written estimate for the work to be performed, to allow for any overages that may be charged.
 - i. If an estimate is not provided or appears to be unreasonably low, as determined by the City Inspector, a cost of \$85 per total square foot of the structure will be used to estimate the minimum proof of funds required.
6. Once all of the above is received by CmDv and approved, the property will be added to the City Council's agenda for a Condemnation Revocation Public Hearing. The owner and Contractor must be present at the City Council's public hearing. Please allow 45 calendar days to be added to the Council agenda.
 - a. In the event that a Condemnation Order is *revoked* by City Council, the Contractor shall be required to secure a Rehab Permit through CmDv *after* the Condemnation Order is *published*. The Rehab Permit shall require a fee payment of \$150. A Rehab Permit allows for 30 days to complete all work. Up to two (2) 30 day extensions can be requested, affording a total maximum of 90 days for all work to be completed and pass required inspections.
 - b. In the event that a Condemnation Order is *revoked* by City Council, the owner acknowledges that failure to comply with any of the above shall result in the City resuming a second Condemnation Public Hearing and shall include fines and penalties to the owner. Should a second Condemnation Order be granted, the property will be demolished as soon as funds are available and liens will be placed against the property. There will not be additional opportunity afforded for a second Condemnation Order revocation request, regardless of ownership.
 - c. The only time a Condemnation Order Revocation Request will be considered without the above criteria, is in the event that it can be proven proper notice was not afforded to the owner.

Article VII – Code Enforcement Activity Program Delivery Costs

In effort to keep accounting simple in IDIS, all Program Delivery Costs will be accounted for within the actual Code Enforcement Activity drawn in IDIS. All of Phase One, from the receipt of the complaint (Article III) up to filing the Condemnation Order (Article V), and Condemnation Revocation Process (Article VI) are considered Code Enforcement activity. By default, properties will be treated as *Slum Blight Spot Benefit*. This affects the amount that can be spent annually if using CDBG funds. Examples of these types of costs allowed for Code Enforcement efforts to file a lien against the property are:

1. All certified mail fees, Courthouse filing fees, postage fees and/or cost of materials to execute any of the steps in Phase One above are charged as Program Delivery;
2. All AA and administrative staff time and fees are charged as Program Delivery Costs;
3. All newspaper bid advertisement notices publication fees are charged as Program Delivery Costs;
4. See Article I for more on National Objectives.
5. DPM shall enter all processed addresses as Accomplishments in HUD's IDIS software under the correct Activity ID for annual reporting.

Typically, if the Owner proceeds with demolishing the property at their own expense, these “program delivery” potential fees are waived from filing a lien against the property. This is to incentivize the Owner to take action on the structure so that the City does not have to spend public / HUD funds. Only if the City ends up demolishing the structure are the fees enforced and added as a lien against on the taxes against the property. The Owner can pay these fees at any time during this process to either avoid the lien being filed or to remove the lien after recordation.

PHASE TWO – Demolition / Clearance

Article VIII – Emergency Condemnation Order and 3 Day Demolition Notice

There are occasions when a structure may burn and/or collapse and pose immediate threats to the community. The City has implemented an Emergency Condemnation Order process in accordance with LA RS 33:4762, for the condemnation and removal of structures that threaten grave public emergency. This process has also been adopted by City Council Resolution #55-2020 and is to be utilized to facilitate faster removal of extremely dangerous structures that require immediate attention and is to be utilized with great discretion.

1. Emergency and/or Expedited Razed Orders and subsequent demolition shall be in compliance with LA RS 33:4762.C.

LA RS 33:4762.C states: *In case of grave public emergency where the condition of the building is such as to cause possible immediate loss or damage to person or property, the municipal governing authority may condemn the building after twenty-four (24) hour notice served upon the owner or his agent or the occupant and attorney at law appointed to represent the absentee owner. Any such notice may be attached to the door or main entrance of the premises or in a conspicuous place on the exterior of the premises and shall have the same effect as delivery to or personal service on the owner, occupant, or attorney at law appointed to represent the absentee owner.*

2. It is the intent of CmDv to have the building hazards addressed as soon as possible to remove the immediate threat of danger to the surrounding area. This could include having the Demolition Contractor onsite as soon as possible to knock down a vertical wall or other part of the building that is in danger of collapse or clearing fallen debris from the City street, sidewalk or right away. However, the actual abatement, demolition and/or hauling of debris of the entire will be affected by the conditions and required processes listed below in this Article and especially in item #8.
 - a. The required Demolition Notice posted by CmDv indicates that the owner must remove belongings within a minimum of three (3) calendar days of the posted notice.
 - i. The minimum of three (3) days is used because LA RS 33:4764.A allows the owner to have forty eight (48) hours from the posting of the Condemnation and Demolition Notice to file a petition with the District Court to appeal the Order. The Owner must also provide a bond to cover any damage that might be cause by the condition of the building. Any ruling or judgement may also be appealed in District Court in accordance with LA RS 33:4764.B.
3. Once CBO validates a complaint and deems it a potential emergency, the CBO shall notify the ADM. The ADM will review pictures and inspection reports to render a preliminary opinion to determine compliance with the necessary criteria to validate an emergency. This rule will not apply to structures that are already burned and/or on a Condemnation list where to condition of the structure has been static. It will

only be applied to sudden, dramatic changes of a structure that poses an immediate threat and meets the required criteria where two of the three following conditions exist:

- a. Minimum of 75% structural damage confirmed
 - b. Imminent danger of collapse into a public right of way and/or onto an adjacent occupied structure
 - c. Potential for bodily harm for occupants and adjacent property owners
4. Once the ADM confirms a potential emergency, it will not be deemed an actual emergency until the responsible officials declares the same. If applicable, the responsible officials shall both sign an *Emergency Condemnation Razed Order for Demolition Authorization Form*. Execution of this form authorizes CmDv to issuance and post an *Emergency Condemnation Order and 3 Day Demolition Notice Placard* on the property immediately, which shall serve as a notice for owners, occupants and adjacent properties. Emergency declaration shall require authorization by both the City Building Official and the City Fire Prevention Chief as follows:
- a. City Building Official or his designee
 - i. The Building Official shall be the primary responsible party to validate the structural integrity if the building appears to be compromised.
 - ii. The Building Official may need to consult with the property owner and/or a structural Engineer to discuss the structural integrity, therefore, he/she shall be responsible to declare a date of when demolition activities can begin within a reasonable time.
 - b. City Fire Prevention Chief or his designee
 - i. The Fire Prevention Chief shall be the primary responsible party to validate the degree of destruction when the structure has fire damage.
 - ii. This is further supported by the fact that the Fire Prevention Office, an insurance company, Attorney or other entity may be investigating the source of the fire for insurance claims or criminal charges.
 - iii. Even if the Fire Prevention Chief deems the structure an emergency, he/she shall be responsible to declare when demolition activities can begin within a reasonable time after investigations are complete. This will be confirmed by signature and date on the *Emergency Condemnation Razed Order for Demolition Authorization Form*.
5. Once the City's responsible officials confirm an emergency or expedited need, the following steps will be taken by the CmDv. These things can be happening even though the responsible official has not released the structure for actual demolition activity but you have a verbal notice that the Emergency Condemnation Process is deemed necessary.
- a. DPM shall review Tax Assessors records to identify the legal owner of the subject emergency structure.
 - i. The CBO shall post the *Emergency Condemnation Order and 3 Day Demolition Notice Placard* on the exterior of the structure shall serve as notice to the owner, occupants and/or AA. No demolition or abatement action shall be taken until a minimum of 24 hours after the notice is posted.
 - ii. CmDv may also send certified postal mail notice to the property owner(s) and/or AA as quickly as possible, however, will likely not be received prior to an act of demolition.
 - b. The posted notice shall also serve as notice to the occupants of adjacent structures of the potential hazard nearby. CBO may also personally inform adjacent structures if there is a threat of

collapse or damage to their property and may provide information on the City's process for Emergency Razed Orders.

- c. The DPM shall review CIS Utility records to verify where or not utilities are active at the subject emergency structure and any adjacent impacted structure(s).
 - i. If utilities are active, disconnect requests shall be sent immediately to Utility Customer Service, Electrical Distribution, Gas Department and Water Department. This process normally takes seven (7) business days, however, expedited assistance must be requested.
 - ii. Please note that Dottie requires a minimum of 48 hours to identify lines prior to any disconnects.
 - iii. CmDv will not proceed to issue any Demolition Work Order until utility confirmation disconnects have been received from each Utility Department and the responsible officials have signed the Authorization Form for demolition activity to begin.

6. The cost to execute an Emergency Condemnation Order is significantly higher than a typical demolition because the Abatement and/or Demolition Contractors charge a higher fee for the expedited service. DPM will have to review the available budget to ensure the appropriate amount of funding is readily available for payment. Enforcement of this Emergency Condemnation Order should be used sparingly based on this because it could easily spend the year's budget allocation on a very small number of properties.
 - a. CmDv shall be responsible to manage the emergency or expedited demolition of the structure preferably via City general funds, based on availability. HUD requires environmental review on all structures demolished further explained in Article X, which does not allow for expedited action, therefore, expenses cannot be paid with federal funds.
 - b. If necessary, DPM shall submit an emergency agenda fact sheet to the Administration, then to City Council, requesting a budget amendment when needed for additional funding to execute the work.
 - c. Any work initiated by the City shall be totaled as a lien that will be filed against the structure on the Parish and City tax rolls.
 - d. DPM shall notify the next registered Demolition Contractor contracted for services to put them on notice of a potential Work Order to start demolition work at the appropriate time.
 - e. In the event that the structure is completely burned and there are no vertical pieces of the structure still erect, DPM shall contact the City's Code Enforcement Department to request debris removal as litter. Any work performed by Code Enforcement shall also be totaled as a lien that will be filed against the structure on the Parish and City tax rolls.

7. There are two options for the actual demolition activity:
 - a. The Owner has to option to elect to demolish the structure at their own expense. To do so, once utility disconnect verification is confirmed:
 - i. All work must be completed within fifteen (15) calendar days of emergency notice.
 - ii. Demolition Permit must be secured through CmDv by a State Licensed Contractor.
 - iii. Demolition Permit fee of \$50 must be paid.

- b. In the event the Owner fails to take action by the time utility disconnects are verified and approval to demolish has been given, CmDv will order the demolition activity by issuing a Work Order to a licensed Demolition Contractor who is contracted to do work for the City.
 - i. Code Enforcement shall assess the property a \$500 litter fine for the emergency structure debris prior to demolition.
 - ii. Demolition Permit must be secured through CmDv as a Notice to Proceed.
 - iii. Demolition Permit fee will be waived if CmDv is using the rotating Work Order system.
 - iv. Demolition Contractor must sign the *Work Order Assignment Form* that will describe the scope of work to be performed, abatement type and a set dollar amount based on a fixed unit price fee schedule established by CmDv.
 - v. All work must be completed within fifteen (15) calendar days of the issuance of the Work Order / Demolition Permit.
 - vi. Work will be paid with City general fund and/or HUD federal money.
 - vii. Demolition activity may be handled as a full RACM project since there will not be adequate time for asbestos sampling and testing. If applicable, WET demolition by the Contractor and the CBO will set cartridges for air monitoring samples.
 - viii. City policies for regular demolition activity shall be followed, including local, State and Federal regulations for compliance.
 - ix. Trees and/or vegetation on the property will also be removed if they are impacted by the emergency conditions. Such items shall be identified by paint markings by the CBO.
 - x. The City shall file a lien against the property for all expenses incurred to complete the work and for all fines and penalties assessed in the process.
8. Louisiana Department of Environmental Quality (LDEQ) requires the Demolition Contractor to submit a completed AAC-2 form, designated as emergency removal, in order to be authorized to transport the debris to the appropriate landfill through the issuance of an Asbestos Disposal Verification Form (ADVF). It must be noted that LDEQ requires a minimum of ten (10) business days to issue the ADVF, even in emergency situations, but it could take longer. The Demolition Contractor cannot begin abatement or demolition removal work until this ADVF is received.
 - a. DPM shall also collect a copy of the ADVF for CmDv's files either from the Contractor or from LDEQ's website. DMP can search LDEQ's website to access the forms as soon as they are executed by LDEQ. The website is: <https://edms.deq.louisiana.gov/app/doc/querydef.aspx>. The search can be performed by address or AI #.
 - b. It shall also be noted that a LDEQ Inspector is required to visit the site once abatement and/or demolition has started to document the amount of yards of debris were removed, including the start and end times for that process, the landfill that the debris is being hauled to, and that the Contractors have appropriate licenses and certifications to perform the work.

Article IX – Identifying the Structure

This step is under the umbrella of the Demolition / Clearance process, as it is required in order to begin the demolition process. The objective changes to removing the blighted structure for the health, safety and welfare of the public.

The act of demolishing structures within the 5 Target Neighborhood Area meets the *Slum Blight Spot Benefit* National Objective only and has a maximum spending cap of 30% of grant funds. Only when the City takes possession of the property and has a planned re-use can the *Slum Blight Low Mod Area* (SBA) benefit apply as the National Objective. See Article I.

1. CBO will post a copy of the Condemnation Order on the front of the structure. This inspection is called the *CDA Condemnation Identification inspection*. This is in accordance with LA RS 33:4765.C.2. This informs everyone that the structure is not safe for human occupancy and all belongings must be removed as the property will be demolished. The CBO must take a picture of the placard after it is posted. A minimum of ten (10) calendar days of notice is required.
 - a. CBO will also spray paint the address number of the structure in bright contrasting color on the front of the structure. This will help identify the structure to a Demolition, as well as for other Departments in the City for the disconnection of utilities.
 - b. CBO will also spray paint an "X" in bright contrasting color on the any item on the site that should also be removed by the Demolition Contractor. For example: a fence, dead tree, concrete slabs, underground tanks, catch basins, etc. This will help identify additional features for removal to potential Demolition Contractors.
2. While onsite, the CBO will also complete *Demo Scope Assessment Inspection*. This report itemizes the work to be completed by written description. The DPM then uses the report to add line item costs from a set dollar amount based on a fixed unit price fee schedule established by CmDv.
3. DPM will send requests to disconnect all utilities to the structure to all related utility Departments. Allow a minimum of five (5) business days for the disconnect verification from each Department. The standard notice to the Utility Departments shall read as follows:

Services will be disconnected as follows: Electric – pull meter; cut down and remove OH services; UG services should be disconnected and cut wire at ground level. Gas – pull meter and riser; shut off at the curb stop and disconnect service from curb stop. Water – pull meter; shut off at the corporation stop and disconnect service from corporation stop. Wastewater – no action required.

Article X – Environmental Review

This step is under the umbrella of the Demolition / Clearance process. This step is only required if the demolition activity will be paid with HUD funds. HUD requires notifications in a nine (9) step process to determine if the proposed demolition will adversely affect certain protected / endangered environmental classes. More information can be found in Basically CDBG Manual provided by HUD and at 24 CFR Part 58.35(b).

1. DPM shall begin the Environmental Review (ER) Checklist for all properties to be demolished and paid for with HUD funds. There are typically nine (9) steps in an ER, with one (1) step being to prepare and mail a list of the properties to potentially be demolished with a photo and map to State Historic Preservation Office (SHPO). Maps and other documentation are required. All Environmental Review steps must be entered into HEROS within the IDIS software. Copies of the entire Environmental packet shall be uploaded into the associated MPN project file. DPM should start this process as soon as the properties are identified for the Condemnation Public Hearing.
 - a. Residential properties with no negative environmental impacts and not in the floodplain are typically "convert to exempt". This is the easiest and fastest process in HEROS and takes a minimum of thirty (30) calendar days. Once entered and documentation signed by the DPM and ADM, CmDv can spend the HUD funds immediately to accomplish the task.
 - b. Residential properties located in the floodplain will not "convert to exempt" in HEROS, but instead "categorically excluded subject to". Therefore, allow 6 to 8 weeks to receive clearance

from HUD to demolish these. This includes a Request for Release of Funds (RROF) advertised in the newspaper, the City's Certifying Officer's signature and to wait on an Authorization to Use Grant Funds (AUGF) from HUD. See the actual advertisements for specific number of days that notice must be provided to the public.

- c. Commercial properties shall require an Environmental Review (EA) if being paid for with HUD funds, which is a higher level of review. This process takes more time, 8 weeks plus, to prepare and process in HEROS.
 - d. It would be strategically more advantageous for CmDv to plan to demolish all condemned, commercial properties and/or residential properties located within the floodplain with City General Fund money so that the higher levels of environmental review are not applicable.
2. Typically, each Mayor of the City will sign a formal "Delegation of Authority to Act as Certifying Officer for NEPA Environmental Clearance" document. This basically delegates the authority to sign as the Certifying Officer from the Mayor to the typically the City Attorney or could be whomever the Mayor deems appropriate. This document must be submitted and accepted by HUD, therefore, either party can sign any RROF's as required by HEROS.
 - a. In July 2015, Mayor Roy delegated authority to City Attorney Charles Johnson.
 - b. In December 2018, Mayor Hall delegated authority to City Attorney David Williams.
 3. Any ER's completed in HEROS are valid for five (5) calendar years, therefore, it is advantageous to start as soon as possible with the data entry. If the projects ultimately get funded with City money, there is no adverse effect. The HEROS file just has to be updated to acknowledge the same.
 4. DPM shall complete this process to determine the project environmental classification.
 - a. Historic Preservation (36 CFR Part 800)
 - b. Floodplain Management (24 CFR Part 55)
 - c. Wetland Protection (3 CFR 2, 5)
 - d. Sole Source Aquifers (40 CFR Part 149)
 - e. Endangered Species Act (50CFR Part 402)
 - f. Wild and Scenic Rivers Act (16 USC 1271, 7.b & c)
 - g. Coastal Zone Management Act (16 USC 1451, 307.c & d)
 - h. Clean Air Act (40 CFR Parts 6, 51, 93)
 - i. Farmland Protection Policy Act (7 CFR Part 658)
 - j. Environmental Justice (EO 12898)
 - k. Noise Abatement & Control (24 CFR Part 51, Subpart B)
 - l. Explosive & Flammable Operations (24 CFR 51, Subpart C)
 - m. Toxic Chemicals & Radioactive Materials (24 CFR Part 58, 5.i & 2)
 - n. Airport Clear Zones & Accident Potential Zones (24 CFR Part 51, Subpart D)
 5. The four environmental classifications are:
 - a. Exempt Activities not Subject to 58.5
 - b. Categorically Excluded Activities Subject to 58.5
 - c. Activities Requiring and Environmental Assessment
 - d. Activities Requiring Environmental Impact Statement

6. DPM must enter all related environmental data and supporting documents into HEROS in the IDIS software, prior to Demolition Services public bid or award.

Article XI – Asbestos Testing on NESHAP Regulated Structures

This step is still under the umbrella of the Demolition / Clearance process. This next series of steps is to begin to define the scope of work in regards to abatement requirements for the physical demolition and removal of the structure. The objective is to remove the blighted structure for the health, safety and welfare of the public.

1. DPM sorts the list of Condemned properties by the severity ranking. Those properties burned or in danger of collapse and with the highest severity ranking are selected for processing first. The intent is to remove the most dangerous structures first with the limited funds provided annually. DPM shall estimate an average cost of \$9,000 per structure for budget planning purposes.
 - a. In 2017, the average budget is \$8,600 per property for the Contractors cost to abatement and demolition services. The average cost for an Asbestos Test Report is \$1,400 each or \$925 each as a bulk discount for multiple properties that are ordered for testing at one time. With increasing EPA requirements on Contractors, this number is expected to continue to increase annually.
2. DPM submits Work Orders for the Asbestos Test Report / Hazard Survey for each of the condemned properties as required by LDEQ and EPA. The Work Orders are sent to the company that has been awarded the Citywide bid and contract for all Lead and Asbestos Testing Services. Asbestos Testing Survey Reports take approximately two weeks to be completed and results sent to CmDv. The following are all considerations for whether or not asbestos testing services shall be required.
 - a. The State has adopted more stringent regulations which subject condemned structures to LAC Title 33 Part III Chapters 27 & 51 defines:
 - i. *Facility as: any institutional, commercial, public, industrial, or residential structure, installation or building (including any structure, installation or building containing condominiums or individual dwelling units operated as a residential cooperative, and residential buildings having greater than four dwelling units); any ship; and any active or inactive waste disposal or ACD site. Residential buildings that have four or fewer dwelling units are exempt from the provisions of this Subchapter, except those residential structures that are intentionally demolished or renovated as part of a commercial or public project, such as urban renewal or highway right-of way projects and those that are intentionally burned.*
 - ii. *Urban Renewal as: demolitions or renovations of blighted or condemned properties authorized or conducted by government entities (city, parish, or state) as part of commercial or public projects.*
 - b. It is the City's Professional Engineers (Thomas David, PE) interpretation, from July 2017, is that when City Council randomly condemns privately owned properties, only in the event where more than two houses are being demolished within 330 feet of one another (as defined in 2009 by LDEQ) within the same time period, should asbestos testing be *required*. The intent is to not release a significant portion of asbestos toxins into the air at one time to potentially impair neighboring properties. The justification is that these demolitions are performed by private Contractors, often in succession rather than simultaneously, and the work is not a City urban renewal or City project because the City does not own the property. However, it is the opinion of the City Attorney at that time to test all structures for asbestos in effort to minimize liability risks to the City.

- c. It is CmDv's intent to perform nuisance abatement demolitions of the most dangerous condemned structures in the City irrelevant of their location or ownership. However, CmDv is of the opinion that when multiple properties are removed within a close proximity, it has a larger, more positive impact on that neighborhood.
3. The Asbestos Test Report / Hazard Survey shall confirm whether hazardous materials are found or not, what type of AAC-2 form is required and what type of abatement, if any, is required. There are different threshold of asbestos containing materials, which translates into different levels of abatement requirements.
 - a. The report shall also contain the applicable AAC-2 (a) or (b) form. This form is required to be completed by the Contractor, then submitted to DEQ and CmDv a minimum of ten (10) calendar days before the start of work.
 - b. The AAC-2 (a) form is for Notification of Demolition and Renovation and Asbestos Contaminated Debris Activity Form. This form indicates that asbestos containing materials (ACM) are present that are above the established thresholds and must be properly abated by a licensed Abatement Contractor. This form also requires LDEQ to provide an Asbestos Disposal Verification Form (ADVF) to the Contractor after it has reviewed the AAC-2(a) form to authorize transporting the debris to the appropriate landfill type. See the form for specific details.
 - c. The AAC-2 (b) form is for Asbestos Negative Declaration, Demolition Notification Form. This form indicates there is no asbestos containing materials (ACM) or when there is ACM below the established thresholds allowed in LAC 33:III.5151.F.1. Any amount of ACM must still be properly removed or abated per Federal and State law. An ADVF is not required. The Demolition Contractor can typically remove any noted ACM. See the form for specific details.
4. CBO shall accompany the hired Asbestos Tester on each site visit. This is to ensure they have entry, answer any questions and find out if the property is positive or negative for asbestos. This inspection is called the *CDA Hazard Testing inspection*. This helps identify which negative properties may need to be planned for demolition first in order to demolish the most structures with the limited budget. However, these findings are not official until the results of the actual Asbestos Test Report are provided by the hired Tester.

Article XII – NESHAP Exemptions

As documented above, LDEQ also allows an exemption to the LAC Title 33 Part III Chapters 27 & 51 regulations that is considered the NESHAP Exemption.

1. In 2017, the average budget is \$3,400 per property for the Contractors cost to demolish only with no abatement required. This indicates a significant savings of 1/3 the cost to the City for properties that qualify for the NESHAP Exemption.
 - a. In 2020, the average budget for the same thing rose to \$5,500 per property.
2. In order for a structure to be considered eligible for NESHAP Exemption from procedures provided in Article XI, it will be required to meet the criteria listed below. These criteria are intended to be in concurrence with regulations set forth by NESHAP, 40 CFR §61.141(1995), 60 Fed. Reg. 38725, 38726 (July 28, 1995)(to be codified at 7 CFR. 61.141), and LAC 33:III.51§5151(2019).

- a. The residential structure is comprised of 4 or fewer units;
 - b. The entirety of the residence has been historically residential and is currently so;
 - c. Demolition is not associated with a highway construction project, urban renewal, or a public project;
 - d. There is not more than one residential building being demolished at the same time or occupying a "site";
 - i. A "site," which is intended to be a compact area similar to a city block shall be defined as an area that is 330 feet by LDEQ in a 2009 ruling.
 - ii. The "same time" refers to the period in which the demolition activity is to take place. For example: CmDv will condemn 25 structures and schedule demolition of 12 of them in July and the other 13 in August. All structures in July must be at least 330 feet apart. All structures in August must be at least 330 feet apart.
 - e. Residence is not burned intentionally or otherwise (NESHAP 61.145.c.10).
 - i. If there is a criminal act of arson, by someone other than the municipality, the structure is not required to be treated as regulated abatement.
 - ii. If a facility is demolished by intentional burning, all RACM, including Category I and Category II nonfriable ACM, must be removed in accordance with the NESHAP before burning. The City would be in violation of intentional burning if:
 - 1. The municipality would elect to cause the structure to be burned in effort to save money instead of demolishing it.
 - 2. Abandoned buildings were utilized by Fire Departments for practice exercises involving partial burning are subject to this requirement.
3. Applicable structures being demolished under this exemption shall receive oversight from a party not employed or under contract with the Demolition Contractor that sufficiently documents the demolition activities. These procedures shall be in accordance with:
- a. Completion of the pre-demolition checklist to document the following:
 - i. Air Quality per LAC 33:III.1305: Use of water for control of dust;
 - ii. Solid Waste per LAC 33:VII.115: Waste segregation and disposal plan for proper disposition of wastes associated with demolition;
 - iii. Refrigerant Handling per 40 CFR Part 82, Subpart F: Refrigerant recovery prior to disposal of air conditioning systems.
 - b. During active demolition of a structure, a minimum of 4 Phase Contrast Microscopy (PCM) ambient air samples shall be collected at the perimeter of the work area. All air samples shall be collected by a Louisiana accredited contractor/supervisor and analyzed using PCM in accordance with the National Institute for Occupational Safety and Health's (NIOSH) 7400 Analytical Method by persons with NIOSH 582 equivalent training and proficient per an American Industrial Hygiene Association (AIHA) Proficiency Analytical Testing (PAT) Program.
 - i. For NESHAP Exempted structures only, the air monitoring cartridges may be placed, monitored and collected by a City employee who is a certified Asbestos Contractor Supervisor. Typically the CmDv's CBO holds this certification. Samples are then sent to a lab to provide a report to disclose the volume of dust particles released into the air. This service is performed by the City, at no cost to the Demolition Contractor, in effort to save

money instead of hiring a different company to do and to serve as defense documentation in the event the City was involved in litigation for asbestos poisoning.

4. A structure being demolished under this exemption shall not be required to submit an AAC-2 Form or an ADVF.

Article XIII – Demolition RFP Awards (Method 1)

This step is still under the umbrella of the Demolition / Clearance process. This step begins the solicitation of bids for the physical demolition and removal of the structure. The objective is to remove the blighted structure for the health, safety and welfare of the public.

CmDv has established two methods of Contractor award for demolition activity. The process listed here shall be used when a condemned property does not qualify for the NESHAP Exemption. However, CmDv also reserves the right to bid NESHAP Exempt properties through this process if it is in the best interest of the City. For the second method of Contractor award, see Article XIII.

1. DPM sets the date for Demolition Request for Proposal (RFP) Bid Opening approximately 4 to 6 weeks out, but never less than twenty one (21) calendar days.
 - a. It is important to note that these Nuisance Abatement Demolitions are not considered a “public work” by Louisiana State Bid Law, therefore, the advertisements for services are not handled as a “Public Bid” but rather as an RFP. To be considered as a Public Work, it means that an investment (supplies or services), alteration or construction is being performed on a City owned property or for City employees.
 - i. A Public Bid requires the City to award to the lowest bidder, disclose the budget amount allotted for the scope of work, and there are thresholds for how the work must collect prices based on dollar amounts set by the State.
 - ii. A RFP allows the City to award based on an evaluation criteria or certain specifications, which may include lowest bidder. However, it does not have to follow the regulations of a Public Bid. CmDv uses the RFP process.
2. A minimum of one (1) business day prior to advertisement being sent to the local newspaper and website, the CBO visits the site to verify that Owner(s) haven’t illegally demolished the structure. This inspection is called the *CDA Advertisement inspection*. If they have, the property address is removed from the advertisement list.
3. The bid packet shall consist of:
 - a. Cover Page;
 - b. Submittal Conditions (Attachment #1);
 - c. General Conditions (Attachment #2);
 - d. Scope of Work (Attachment #3);
 - e. Definitions (Attachment #4);
 - f. Asbestos Summary, Guidelines and Best Practices Guide (Attachment #5);
 - g. Bid Proposal Price Sheet (Attachment #6; and
 - h. Subject Property Identification which includes two (2) photos of the structure, a map, the Asbestos Testing Survey Report, required LDEQ AAC-2 form, and the Condemnation Order Resolution (Attachment #7).

4. DPM publishes the scope of work and the list of addresses to be demolished for a minimum of twenty one (21) calendar days, however, ads typically run for thirty (30) calendar days. An RFP advertisement is posted in the Town Talk and on the City website. DPM may also email the CmDv registered Demolition Contractors the Demolition RFP Package notice and link.
5. The entire RFP package is uploaded to the City's webpage. This information must be sent to the agency that manages the City's webpage (currently Kinetix), by noon, a minimum of one (1) business day prior to the ad posting in the local newspaper.
 - a. www.cityofalexandria.com/rfp: A blue tab will be added listed by the Bid #. This is where all Contractors should be directed to print the bid packets.
 - b. DPM shall also be required to visit the City's RFP page to ensure the packet is uploaded by the end of the day before the advertisement is published.
6. The scope of work published in the bid shall contain the Asbestos Testing Report with the appropriate AAC-2 form, if applicable.
7. The scope of work published shall also include a copy of the Condemnation Order Resolution, with the book and page stamped seal. LDEQ requires that this be submitted for all properties being demolished by a municipality. It shall be inserted after the AAC-2 form.
8. The submitted RFP proposal submitted by the Contractor must include all associated costs for all demolition activity, including the abatement of materials, hiring an the Abatement Contractor costs and legal debris dumping, as applicable.
9. A mandatory pre-bid conference shall be required in the actual RFP packet. Contractor's interested in submitting a proposal shall be required to attend. The Contractor, however, is not required to be registered with CmDv in order to attend the pre-bid conference.
10. In order for a Contractor to participate in the bid process, they must first register with CmDv at least three (3) business days in advance of the RFP opening. This is to ensure they meet local, state and federal license and insurance requirements as well as other criteria. A Contractor Registration Packet can be downloaded by visiting:
 - a. www.cityofalexandria.com/community-development: At the very bottom of the page, listed as CmDv Contractor Qualification / Registration Application.
11. Public RFP Opening is held typically on a Friday at 9:am in the CmDv Conference Room on the third floor at 625 Murray Street. The public is invited to attend. CBO will open the bid packages and read bids aloud. DPM will record the bid proposals on the Bid Tab Sheet. ADM, or their designee, will be present to witness and oversee the process. In the event that one of the CmDv staff is unable to attend, the ADM may assign another staff member to participate in their absence. All proper procedures for RFP opening must be strictly adhered to since this is a critical step in the process.
12. DPM shall email a copy of the Bid Tab Sheet, indicating the lowest bid or Contractor to be awarded on each structure, to all Contractors who submitted a proposal. If the Contractor does not have email, they may pick up a copy of the Bid Tab upon request. Bid Tab sheets may not be released until the DPM has ensured that all documentation is correct and the Contractor meets all Department and State requirements. The Bid Tab Sheet shall be released within fifteen (15) business days after bid opening.

- a. The PT2 shall upload the Bid Tab Award Sheet to the City's CmDv webpage under the gray link for Bid Tab Awards. Any inquiry for a copy of the Bid Tab can be directed to the site as: www.cityofalexandria.com/community-development. This should be completed on the same day that Bid Tabs are released to participating Contractors.
13. The cover letter to the Bid Tab Sheet shall also state the date and time of contract signings for all awarded bidders. Typically, this date should be scheduled within five (5) business days of the award notification.
 14. DPM verifies that all utility disconnect verifications are confirmed and uploaded in the project file.

Article XIV – Abatement or Demolition Work Order Award (Method 2)

This step is still under the umbrella of the Demolition / Clearance process. This step begins the solicitation of bids for the physical demolition and removal of the structure. The objective is to remove the blighted structure for the health, safety and welfare of the public.

This is the second method that CmDv has established for Contractor award for abatement or demolition activity to keep the work distributed to all authorized Contractors who are willing to perform the work for a set unit price amount and intended as a way to expedite the process of actual demolition services. This method shall typically be used when a condemned property is considered NESHAP Exemption or Regulated. However, CmDv also reserves the right to bid NESHAP Exempt properties through the other Demolition Bid Award process if it is in the best interest of the City, see Article XII above.

1. The steps for the advertisement of the Demolition Work Order Award RFP follows the same process listed in Article XII above, with the exception of 3.f, 3.h and 6, 8 and 9.
2. It is the intent of the City to enter an annual term contract with a one (1) licensed Abatement Contractor and a minimum of two (2) licensed Demolition Contractors, so that another Contractor can be utilized if the other one cannot perform the work within the prescribed timeline.
3. All properly submitted bids will be opened and the lowest responsive, responsible bidder will be identified for the award. Any other Demolition Contractors who participated in the RFP process will be offered the opportunity to be added to a rotating list of Demolition Contractors, if they are agreeable to perform the work for the same unit prices as the low bidder. It may be necessary to negotiate prices in effort to secure a minimum of two (2) Demolition Contractors. However, the negotiated fee shall become the final set price by line item work description for all participating Contractors.
 - a. The City will enter into an Abatement or Demolition Services Contract agreement with Contractors for one (1) year with the opportunity to extend for an additional year for a maximum of two (2) times.
 - b. The City reserves the right to consider a price adjustment, escalation/de-escalation, on the anniversary date of the contract and shall be substantiated in writing with wage/labor rates, consumer price index, etc. This shall not be construed in any way to increase the Contractor's margin of profit. The written request for price adjustment must be submitted at least sixty (60) days prior to the anniversary date of the contract renewal. The City reserves the right to accept or reject any/all of the price redetermination as it deems to be in the best interest of the City.

- c. The City may also elect to pay a change order to Contractors for landfill disposal fees. This is because the landfills randomly adjust dumping fees without reason and it would be unfair to the Contractor to have to absorb additional costs.
 - d. The agreement resulting from the RFP shall be a non-exclusive contract, and the City reserves the right to secure / purchase the same or like services from other sources the City deems necessary and appropriate.
 - e. In the event that funds are not appropriated by the City, City Council, HUD or other funding source for any term of the contract or extension or portion of any term of the contract, the contract shall terminate without notice at the end of the fiscal period.
4. When the need for a building demolition arises, CmDv will select which structure(s) is to be demolished and one Work Order assignment per address shall be sent to the first (or next) Demolition Contractor on the rotating Work Order list. That Demolition Contractor will have twenty-four hours (24) from time of notice to have a Work Order first right of refusal and may elect to accept or reject / pass on the assignment opportunity to demolish the structure due to timing constraints or other reason. At that point, the next Demolition Contractor on the list will be sent the Work Order assignment until a Demolition Contractor accepts the Work Order assignment.
- a. During one entire contractual year, the Contractor will only be allowed to reject / pass on a maximum of ten (10) Work Order Assignments. If Contractor rejects more than ten (10) assignments, the Contractor will be removed from the rotating list for the remainder of the contractual year and any additional contract renewal extensions. The Contractor will be allowed to participate in the next pricing RFQ solicitation.
 - i. Should the Contractor elect to participate in the *Work Order* system the next years contractual RFQ solicitation and yet rejects / passes on another ten (10) *Work Order Assignments*, the Contractor will then be debarred from further participation for work with the City for two (2) years.
 - b. The order of the Contractor rotation list shall be determined by the highest to lowest scoring of the Contractor evaluations based on a point system. Work Order Assignments will be made in a constant rotation from the first Contractor to the last, then repeating the cycle.
5. In cases of proximity and/or the need for removing multiple structures on one street due to adverse impact to the neighborhood, CmDv reserves the right to add more than one (1) property to a Work Order assignment in effort to offset mobilization and demobilization costs or improve response time. This is true for the Abatement or Demolition Contractor.
- a. NOTE: In no event can structures within LDEQ's definition of 330 feet of one another be demolished and claim NESHAP Exemption.
6. The unit pricing will provide for *Emergency Condemnation Orders* where demolition activities are to be performed within an emergency or expedited time frame than normal Work Order assignments. Emergency and expedited time frames will have a separate price that will be added to the basic demolition services.
7. Any Contractor interested in submitting a proposal on Abatement or Demolition Services by Work Order RFP, must hold an active CmDv Qualified Contractor Registration. This includes application, required licenses, required insurances, and required documentation acknowledgements.

Article XV – Demolition or Abatement Contract Execution

This step is still under the umbrella of the Demolition / Clearance process. This step begins the bid contract execution authorizing the Contractor to perform work on behalf of the City. The objective is to remove the blighted structure for the health, safety and welfare of the public.

1. DPM shall prepare Abatement or Demolition Services Contracts for signatures, whether for Method 1 or 2.
2. If Method 1 is used - A minimum of one (1) business day prior to the scheduled contract signings, the CBO shall schedule a *CDA Contract inspection*, again to ensure that the structure has not been illegally demolished prior to entering into a contract. If it has been removed, the contracts for that location shall be destroyed, not signed and withdrawn for the Bid Tabulation Sheet Award notification, in accordance with the Bid Packet provisions.
3. The awarded Contractor shall sign the contract first on the date provided in the Bid Tabulation Sheet notification. All required signatures must be notarized. The DPM shall oversee this process.
4. At any time after the Demolition Contractor signs the Demolition Services contract but before the Demolition Permit is issued, the Contractor shall be responsible to schedule the *CDA Site Preconference inspection* a minimum of three (3) business days prior to the start of work. CBO meets the awarded Contractor out at each property to verify location/structure/address/price to be demolished and discuss the scope of work specific to that property.
 - a. A CDA Site Preconference inspection is also required for an Abatement Contractor.
5. PT2 shall send all Contractors signed contracts will to the Mayor for signature. Allow ten (10) business days to obtain the Mayor's signature and return contracts. Contracts shall not be considered fully executed and enforceable until the Mayor has signed the contracts. This packet delivery shall include a cover page to the Division Director explaining what the documentation is for, along with a copy of the Ordinance or Resolution authorizing the program or expenditure.

Article XVI – Demolition or Abatement Work Order Assignments

This step is still under the umbrella of the Demolition / Clearance process. This step begins the specific authorization for the Contractor on the rotating Work Order list, Method 2, to perform work on behalf of the City. The objective is to remove the blighted structure for the health, safety and welfare of the public.

1. In the event that the property to be demolished is not eligible for NESHAP Exemption, the DPM shall prepare a Work Order Assignment Form and packet to send to the contracted Abatement Contractor. This packet shall include a photo of the structure, a location map, a copy of the Asbestos Testing Survey Report, a copy of the Condemnation Order and an itemized price list for the work to be completed based on set line item pricing by CmDv.
2. The Abatement Contractor will sign the Work Order Assignment Form and return it to the DPM.
3. If abatement is required, the Abatement Contractor will perform the work onsite first. A Site Pre-Conference inspection is required for the Abatement Contractor.

- a. There may be instances where a property must be treated as Regulated Asbestos Containing Materials (RACM) because the Asbestos Tester could not enter the structure because it was locked or in danger of collapse. In those cases, the Abatement Contractor and the next Demolition Contractor on the rotating Work Order list will be required to coordinate to complete the work.
4. For all structures to be demolished, the DPM shall prepare the Demo Scope of Work Assessment Report, inputting the line item pricing for tasks to be performed and will prepare the Work Order Assignment Form that must be executed by the CBO and Demolition Contractor.
5. CmDv shall determine by inspection severity ranking, the list of structures that pose the most immediate threat to the health, safety and welfare of the Community. CmDv shall only request Condemnation for those properties that they have available funding to demolish within a six (6) month time period.
 - a. Once properties are Condemned or have an Emergency Condemnation, the schedule of set line item pricing per scope of work to be performed will be used to estimate costs for each address.
 - b. All overall list of addresses to receive work within a specific timeframe shall be listed from lowest cost to highest cost, in effort to demolish as many structures as possible with limited funding.
 - c. The Work Order Assignments will be given to the Contractors on the rotating list based on Scope of Work pricing from lowest to highest costs.
 - i. The only anticipated exception to this is if an Emergency Condemnation is added. That demolition work could be of a higher cost, yet must be assigned to the next Contractor on the list ahead of a lower priced job.
6. The CBO will meet the Demolition Contractor onsite for the Pre-Site Conference to review the scope of work and if accepted, sign the Work Order Assignment Form. Upon arrival, if the structure has been removed by owner or others, the Work Order Assignment for that location shall be destroyed, not signed and withdrawn.
7. PT2 shall send all Contractor copies of the fully executed Work Order Assignment Forms. The Mayor's signature is not required because there is a separate contract authorizing the Contractor to perform work on behalf of the City.

Article XVII – Abatement or Demolition Permit Issuance and Work Activity

This step is still under the umbrella of the Demolition / Clearance process. This step begins the Demo Permit issuance for the physical demolition and removal of the structure. The objective is to remove the blighted structure for the health, safety and welfare of the public.

1. If Method 1 is used: The Contractor shall pay the \$100 Demo Permit fee for each property awarded at the time of contract signing but the Permit itself will not be signed or issued at this time.
 - a. If Method 2 is used: The Contractor will not be required to pay an Abatement or Demolition Permit fee. This will be waived due to the terms of the Work Order system. However, an Abatement or Demolition Permit will still be issued to authorize the start of work as the Notice to Proceed.
2. PT2 shall request a purchase order in the City's Banner software for the amount awarded on each Demo contract or Work Order Assignment Form. ADM and/or Division Director must approve the PO request. Allow three (3) business days for a PO number.

3. DPM shall send certified mail the *Demolition Notice* which states that abatement or demolition action to take place no sooner than ten (10) calendar days from the mailing of the notice, unless Emergency (3 days) Demolition is requested. This is in accordance with LA RS 33:4765.C.1. This is to provide notification to Owner(s) to remove any personal belongings from address. Copies of this notice are also provided to the AA for the assigned properties they represent.
4. CBO performs a *CDA Demo Notice inspection* to post the Demolition Placard on the structure to notify any illegal inhabitants in accordance with LA RS 33:4765.C.2.
5. Contractor begins to physically abate or demolish the property after the Abatement or Demolition Permit is signed by the Contractor, validated by ADM and issued by DPM.
 - a. The Abatement or Demolition Permit shall act as the *Notice to Proceed*, therefore, special attention must be paid to make sure activity is truly authorized to begin.
 - b. The Contractor(s) selected to do this work will be required to adhere to all applicable federal, state, and local regulations including, but not limited to LAC 33:III.1305, which requires the mitigation of any particulate material from becoming airborne.
 - c. If Method 1 is used: Permits cannot be signed or issued until after the Mayor's signature on contracts has been received.
 - d. The Abatement or Demolition Permit shall be held by the DPM until all required documentation has been submitted and the LDEQ ten (10) day review time has passed. Other documentation could be: completed AAC-2 forms, ADVF's, insurance certificates, etc.
 - e. The Abatement or Demolition Permit must be signed by the Contractor and must post the correct issuance and expiration date. DPM can email the permit to the Contractor for signature, after all confirmations are in place. The Contractor, however, cannot start work until the DPM has received the signed Permit. This is typically ten (10) to fifteen (15) calendar days after contract signing or Work Order Assignment.
 - f. The second page of the Abatement or Demolition Permit will list the required inspections. DPM is responsible to review these with the Contractor at the time of signature.
6. If abatement is required per the AAC-2 form, a separate inspection is required by the Abatement Contractor on the day the abatement work is to begin. This is called a *CDA Abatement Removal inspection*. This is to provide the City with assurances that the property was properly abated according to the RFP packet and/or the Demolition Scope of Work Assessment.
7. After demolition, the Demolition Contractor must request a *Demolition Final inspection*, where the CBO goes out to take a clean lot picture to verify demolition was completed according to the bid specifications. A *Certificate of Completion* is issued to the Contractor once the *Demo Final inspection* passes.
8. Contractor submits an invoice as request for payment to PT2 once a *Certificate of Completion* has been issued. Other documents that may be required from the Contractor to request payment could be: legal dump tickets, and proof of abatement report by Abatement Contractor for all AAC-2(a) forms, as applicable.

Article XVIII – Abatement or Demolition / Clearance Activity Program Delivery Costs

In effort to keep accounting simple in IDIS, all Program Delivery Costs will be accounted for within the actual Demolition / Clearance Activity drawn in IDIS. All of Phase Two, from all of Emergency Razed Orders (Article VIII), excluding item 6.a, through the Demolition Work Activity (Article XVII), are considered Demolition / Clearance activity. By default, removal of blighted properties is counted as *Slum Blight Spot Benefit*. However, if the property is inside the 5 Target Neighborhood Areas and has a defined reuse, it will be treated as *Slum Blight Area Benefit*. See Article I for more information. This affects the amount that can be spent annually. Examples of these types of costs allowed for Demolition efforts to file a lien against the property are:

1. All certified mail fees, Courthouse filing fees, postage fees, hazard testing fees and/or cost of materials to execute any of the steps in Phase Two above are charged as Program Delivery Costs for Demolition / Clearance;
2. All AA and administrative staff time fees are charged as Program Delivery Costs for Demolition / Clearance;
3. All newspaper bid advertisement notices publication fees are charged as Program Delivery Costs for Demolition / Clearance;
4. See Article I for more on National Objectives.
5. DPM shall enter all processed and demolished addresses as Accomplishments in HUD's IDIS software under the correct Activity ID for annual reporting.

Typically, if the Owner proceeds with demolishing the property at their own expense, these potential fees are waived from a lien holding against the property. Only if the City ends up demolishing the structure are the fees enforced and added as a lien against on the taxes against the property. The Owner can pay these fees at any time during this process to either avoid the lien being filed or to remove the lien after recordation.

PHASE THREE – Cost Lien

Article IXX – Cost Public Hearing by City Council

For HUD accounting purposes, this step is still under the umbrella of the Demolition / Clearance process. In accordance with LA RS 33:4766.C, the City must provide Owners with an opportunity to be heard prior to demolition liens being filed against their City and Parish property taxes and CmDv needs the authority of City Council to file the lien via a Resolution. Owners also have the opportunity to pay those liens at any time after the Phase Two Demolition Process and costs are compiled, in effort to avoid the lien.

1. PT2 and/or DPM are responsible to compile all costs incurred to date by the City to demolish a specific property. This includes Code Enforcement processes (Phase I), Demolition processes (Phase II) and expenses for the Cost Process (Phase III). This also includes upcoming costs for AA to appear at the cost hearing for Owners, any other publication notices and the final cost lien filing fee at the very end of the process. DPM shall work with PT2 to review and estimate all current and upcoming invoices (for advertisement, AA and lien filing fees) to accomplish this task and to ensure that the lien amount posed to the City Council is comprehensive of all expenses that will be incurred for that specific property. PT2 shall enter all expenses into the Grants Tab and in the Funding Source chart located in MPN and linked to the specific project file.

2. The Owner may pay these costs directly to the CmDv Office and/or the City Tax Office at any time prior to filing of Cost lien.
3. If Owner(s) fails to pay the City's costs incurred to demolish a property, a Public Hearing date is scheduled for City Council to consider filing cost liens against the property.
4. DPM shall prepare an *Agenda Fact Sheet* that is sent to City Council requesting to set the public hearing date at least forty-five (45) calendar days in advance of the actual hearing. This is because the request to set the hearing date must be introduced and a Resolution passed to authorize the date of the Public Hearing, then the actual Public Hearing will be held at the specified date. Attachments shall include the list of properties to be liened and a total code enforcement and demolition costs incurred for each structure. Allow a minimum of seven (7) business days to obtain the Administration's authorization to be added to the City Council agenda.
5. DPM must limit the number of addresses for a Cost Public Hearing to 25 properties per the request of the City Council. This is a more manageable number to deal with in a shorter amount of time.
6. DPM prepares and sends certified mail *Cost Public Hearing 10-Day Notice Rule to Show Cause Notice*, providing the property owner(s) at least ten (10) calendar days' notice before the hearing. This is in accordance with LA RS 33:4766.C. The *Cost Public Hearing 10-Day Notice Rule to Show Cause Notice* shall include a *Statement of Demo Cost Affidavit* to disclose the itemized costs incurred in accordance with LA RS 33:4766.A.2. The *Statement of Demo Cost Affidavit* is signed by DPM. DPM shall collect copies of the returned certified mail receipt cards, whether signed or not, as confirmation of notice sent and save them in the MPN project file.
7. DPM shall submit a Public Hearing Advertisement in the local newspaper, the Town Talk, listing the properties to be considered for cost.
 - a. The ad must post a minimum of ten (10) calendar days prior to hearing date. The ad is typically run twice before the hearing. The first advertised publication is not on a Sunday or a holiday.
8. DPM shall submit a Public Hearing Advertisement to the City's webpage, listing the properties to be considered for cost. The ad must post a minimum of ten (10) calendar days prior to hearing date.
9. If any Owners are assigned to an AA during the Code Enforcement (Phase I) and/or Demolition Process (Phase II), the DPM shall compile those letters and send to the appointed AA via email with read receipt or hand delivered at least ten (10) calendar days prior to the hearing. However, DPM shall try to submit the list as soon as possible to allow the AA time to process all of the addresses, which takes approximately thirty (30) calendar days. If hand delivery is made, there shall be a letter acknowledging delivery receipt signed and date and uploaded in the associated project file. This is in accordance with LA RS 33:4762.A.3.
10. DPM shall re-verify the property ownership the week before Cost public hearing to be able to provide the Council with an update and send appropriate Rule to Show Cause for Cost Notice. If the ownership has changed, this may cause a delay or continuance of the Cost process for that particular property. The DPM may ask to have the property removed from the agenda, if applicable. However, LA RS 33:4762.D.1 states that the recorded Condemnation Notice shall be deemed as notice to all subsequent transferees and they shall be subject to all recorded liens, mortgages and notices.

11. DPM and/or CBO must attend the City Council hearing to report recommendation for Cost and to answer any questions that might arise during Cost Hearing. Property owners have the right to be heard and may attend to plead their hardship as needed in accordance with LA RS 33:4766.C.
 - a. The lien is added to City property tax rolls. If not paid by the owner, the lien remains against the property. Therefore, the actual payment of the lien is not demanded until a property sale is made. In the interim, the City does not have the authority to waive, reduce or remove the lien without payment, in accordance with LA RS 33:4766.F which states that the lien shall not be cancelled until after payment of all amounts is received.
 - b. The Owner does not have the right to appeal the Council's decision per State Statute LA RS 33:4766 as these are actual costs incurred by the City.
12. The AA must appear to represent the Owners who could not be contacted by CmDv. Council makes final ruling.
13. City Council is not required to provide an extension/ Continuance to the Cost since the debt can be paid at any time before or after the lien is filed. However, the Owner may request a Continuance to afford them time to pay the City's outstanding related expenses prior to the lien being recorded.

Article XX – Cost Resolution by City Council

This step is still under the umbrella of the Demolition / Clearance process. This step is required in order to file a lien against the property to re-coup any associated demolition costs.

1. Once a lien is officially authorized by Council, a *Resolution to take action on Cost* will be issued. DPM shall prepare a *Sworn Statement of Fact / Lien Affidavit* in accordance with LA RS 33:4766. This document requires the Mayor's signature. Allow seven (7) business days to obtain signature and for documents to be returned.
2. The City Council Resolution of the Cost Order is recorded at the Parish Clerk of Court's Office and the City Business Tax Office in accordance with LA RS 33:4766.D and 33:4766.E. Once filed against the Owner(s), notice shall be deemed notice to all subsequent transferees.
3. PT2 shall record all liens as they are processed but no later than October 1st annually in order for the City Business Tax Office and Parish Tax Assessors office to add these liens to the annual tax rolls. If the DPM misses this date, the lien will not be added to the tax rolls until the following year, however, will still be legally due for payment.
4. LA RS 33:4766.E.2 does allow a provision to recover interest on the amounts secured by the lien, however, CmDv does not enforce that authority at this time.
5. The Owner(s) may visit the City Business Tax Office to pay the lien at any time after it has been recorded. Once paid, the City Business Tax Office sends receipt to CmDv for the amount collected with the date. The DPM and PT2 account for the repayment as Program Income. See Article XIX below.
6. Once the lien is paid, the PT2 shall also provide a Lien Cancellation Form to the property owner(s). It is the owner's responsibility and expense to record the cancellation at the Parish Clerk of Court's Office.

Article XXI – Cost Lien Activity Program Delivery Costs

In effort to keep accounting simple in IDIS, all Program Delivery Costs will be accounted for within the actual Demolition / Clearance Activity drawn in IDIS. All of Phase Three, from the Cost Hearing (Article IX) up to filing the Cost lien (Article XX) is considered Demolition / Clearance activity. By default, properties inside or outside of the 5 Target Neighborhood Area of blighted properties are counted as Demolition / Clearance Program Activity – Spot Basis, unless there is a defined reuse. See Article I for more information. Examples of these types of costs allowed for Demolition efforts to file a lien against the property are:

1. All certified mail fees, Courthouse filing fees, postage fees, hazard testing fees and/or cost of materials to execute any of the steps in Phase Two or Three above are charged as Program Delivery Costs for Demolition / Clearance. Some fees may have to be estimated based on past invoices;
2. All AA and administrative staff time fees are charged as Program Delivery Costs for Demolition / Clearance. Some fees may have to be estimated based on past invoices;
3. All newspaper notices publication fees are charged as Program Delivery Costs for Demolition / Clearance. Some fees may have to be estimate based on past invoices;
4. See Article I for more on National Objectives.

Typically, if the Owner proceeds with paying the Statement of Demo Fact prior to its recordation, they will not incur any additional filing fee expenses. The Owner(s) can pay these fees at any time during this process to either avoid the lien being filed or to remove the lien after recordation.

Article XXII – Demo Lien Repayment as Program Income

HUD CDBG funds can be spent to demolish a property and a subsequent tax lien can be filed against the property address. In the event that the lien is paid, the payment shall be considered *Program Income*. CDBG program defines how Program Income is to be tracked in IDIS and re-spent on eligible activities. Please refer to HUD's guidelines for further detail. This may not apply to demolitions paid with City general fund money.

END.