

ORDINANCE NO. 16-10

AN ORDINANCE TO AMEND AND RE-ENACT THE  
CODE OF ORDINANCES FOR THE CITY OF DENHAM SPRINGS,  
CHAPTER 62, MANUFACTURED HOMES, SECTION 62-2, BY AMENDING SECTION 62-  
2 RELATIVE TO RETRICTIONS ON USE; EXCEPTIONS; PENALTIES FOR VIOLATION  
OF CHAPTER.

Be it ordained by the City Council of the City of Denham Springs, in legal session convened, that Chapter 62, Sections 62-2, of the Code of Ordinances for the City of Denham Springs, Louisiana are hereby amended and Section 62-2 of the Code of Ordinances for the City of Denham Springs is hereby enacted as follows:

ARTICLE I.

Be it ordained that Chapter 62, Sections 62-2, of the Code of Ordinances for the City of Denham Springs, Louisiana, shall read:

Sec. 62-2.—Restrictions on use; exceptions; penalty for violation of chapter.

- (a) It shall be unlawful for a person to reside in or use as a residence a mobile home within the corporate limits of the city.
- (b) The provisions of subsection (a) of this section shall not apply to:
  - (1) Temporary buildings or mobile homes used in construction work when a permit is obtained from the building official, which permit shall specify allowed usage and the period of time the permit is valid.
  - (2) Trailers or mobile homes in trailer parks or trailer courts duly recognized, established, and in conformity with the comprehensive zoning regulations of the city.
  - (3) Mobile homes not part of a trailer park or trailer court damaged during the 2016 flood may be replaced and inhabited by the person(s) residing in the mobile home prior to the flood (hereinafter referred to as the “original occupant”) upon obtaining a permit from the City of Denham Springs. “Original occupant” is defined as the adult owner who occupied the home at the time immediately prior to the 2016 flood as named on the deed as it existed immediately prior to the 2016 flood. Minor children occupying the home are not considered to be “original occupants” for the purpose of the time periods set forth in this provision.
  - (4) Under no circumstances shall anyone other than the original occupant(s) and their minor children be allowed to reside within the mobile home. Failure to comply with the requirements of this exception will invalidate any permit issued by the City of Denham Springs and will result in the requirement that the mobile home be removed from the city limits within 30 days of notice of such violation.
  - (5) No fee will be assessed to obtain this permit.
  - (6) New mobile homes must be installed to the elevation set forth in Chapter 50 of these ordinances.
  - (7) At the time the mobile home is vacated by the original occupant(s) or becomes uninhabitable, the trailer or mobile home must be removed from the city limits within 30 days.
  - (8) Each notice of violation shall:
    - a. Be in writing.
    - b. State the legal description of the premises, lot or parcel of ground, or the municipal number of the building or structure.
    - c. State the nature of the violation and the applicable section(s) of this chapter related thereto.

- d. Provide the individual receiving the notice of violation with available alternatives to abate the violation(s).
- e. Provide the individual receiving the notice of violation with the name, address and telephone number of the department of property standards.
- f. Provide the individual receiving the notice of violation with procedures for filing an appeal of the notice of violation.
- g. Contain a time period in which to comply with the notice of violation.
- h. State the maximum penalty which may be imposed pursuant to this chapter for failure to abate the violation(s).
- i. State that any person acquiring an interest in the property cited in the notice of violation shall be subject to the requirements of the notice of violation.

- (5) If the notice of violation served by certified mail is returned undeliverable, constructive notice shall be attained by publication of a legal notice of the violation one time in the official journal of the city. A copy of the legal notice shall also be posted in a conspicuous place on or about the building or structure affected by the notice of violation.

## ARTICLE II.

Be it further ordained that if any provision of this Ordinance is held invalid, such invalidity shall not effect other provisions, items, or applications of this Ordinance, which can be given effect without the invalid provisions, items or application, and to this end the provisions of this Ordinance are hereby declared severable.

## ARTICLE III.

Be it further ordained that all Ordinances or parts of Ordinances in conflict with this Ordinance be and the same are hereby repealed.

## ARTICLE IV.

Be it further ordained that the clerk be and she is hereby instructed, authorized and directed to have said ordinance published one time in the official journal of the City of Denham Springs, and upon such publication the ordinance shall become effective.

Said Ordinance having been introduced on the 13<sup>th</sup> day of September, 2016 by Lamm-Williams, seconded by Delahoussaye, notice of Public Hearing having been published on the 22<sup>nd</sup> day of September, 2016, said Public Hearing having been held on the 11<sup>th</sup> day of October, 2016, title having been read and Ordinance considered, on motion by Delahoussaye, seconded by Wesley to adopt the Ordinance, a record vote was taken and the following result was had:

YEAS: Davis, Delahoussaye, Lamm-Williams, Poole, Wesley  
NAYS: None  
ABSENT: None  
ABSTAIN: None

WHEREUPON, the Mayor declared the above Ordinance duly adopted on the 11<sup>th</sup> day of October, 2016.

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GERARD LANDRY, MAYOR

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JOAN LEBLANC, CITY CLERK