

ORDINANCE NO. 195 OF 2022

**AN ORDINANCE TO AMEND VARIOUS ARTICLES AND SECTIONS IN THE CITY OF SHREVEPORT, LOUISIANA, UNIFIED DEVELOPMENT CODE, FOR THE PURPOSE OF CREATING A RESIDENTIAL RENTAL PROPERTY REGISTRATION PROGRAM, WITH ALL ITS PROVISIONS INCLUDED THEREIN, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

**BY COUNCILMEMBER:** TABATHA TAYLOR

**WHEREAS**, the City desires to make every effort to notify the public and to encourage public participation and input on these proposed *code text amendments* to the Shreveport Unified Development Code; and

**WHEREAS**, on October 6, 2021, the first draft proposals of these *code text amendments* were submitted to the Shreveport Metropolitan Planning Commission (MPC), at its regular public board meeting, for informal review and discussion; and

**WHEREAS**, on November 3, 2022 these *code text amendments* were submitted to the Shreveport MPC, at its regular board meeting, for review and recommendation in accordance with La. R.S. 33:140.27; and

**WHEREAS**, in accordance with the intent of La. R.S. 33:140.27 for a Public Hearing and Notice to be issued, the MPC held a Public Hearing at its Public Meeting, on November 3, 2022, before voting and providing a favorable recommendation, to the City Council, regarding the proposed amendments; and

**WHEREAS**, at least at least ten (10) days' Notice of the time and place of the Public Hearing was published, at the request of the Shreveport-Caddo MPC staff, in *The Shreveport Times* (a newspaper of general circulation in the parish) and said Notice was published on October 19, 2021; and

**WHEREAS**, on December 14, 2022 these *code text amendments* were remanded by the City Council to the Shreveport-Caddo MPC, for review and recommendation in accordance with La. R.S. 33:140.27; and

**WHEREAS**, in accordance with the intent of La. R.S. 33:140.27 for a Public Hearing and Notice to be issued, the MPC held a Public Hearing at its Public Meeting, on November 2, 2022, before voting and providing a favorable recommendation, to the City Council, regarding the proposed amendments; and

**WHEREAS**, in accordance with the intent of La. R.S. 33:140.35, at least ten (10) days' Notice of the time and place of the Public Hearing was published, at the request of the Shreveport-Caddo MPC staff, in *The Shreveport Times* (a newspaper of general circulation in the municipality) and said Notice was published on September 20, 2022; and

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Shreveport, Louisiana, in a due, legal and regular session convened, that the following amendments to the City of Shreveport, Louisiana, Unified Development Code ("Shreveport UDC") are hereby authorized as follows:

1. Add the following new definitions to ARTICLE 2. DEFINITION AND RULES OF MEASUREMENT, SECTION 2.3. DEFINITIONS OF GENERAL TERMS in the Shreveport UDC. Definitions will need to be alphabetized accordingly.

2.3 DEFINITION OF GENERAL TERMS

\* \* \* \* \*

**Applicant.** The natural person completing any application, registration, and/or form prescribed within this Code.

\* \* \* \* \*

**Duplex.** A building designed for and containing two (2) single family dwelling units entirely under one roof that are completely separated from each other by one dividing partition common to each unit, and with each dwelling unit constructed on a separate lot.

\* \* \* \* \*

**Certificate of Registration.** A certificate issued by the Office of the MPC, to the residential rental property owner or their local authorized designee, which states that the residential rental property has been duly registered in accordance with this Code.

\* \* \* \* \*

**Local Authorized Designee.** A person who is legally authorized to act on behalf of the owner.

\* \* \* \* \*

**Person.** Any individual, corporation, business trust, estate, trust, partnership or association, two or more persons having any form of joint interest, any person or entity who has obtained any percentage of the property through a tax sale, or any other legal or community entity.

\* \* \* \* \*

**Registrant.** A person or entity that registers or obtains registration.

\* \* \* \* \*

**Rent.** The offering, holding out or actual leasing of a rental unit to a person other than the owner and generally involves the payment of an amount of money as consideration for the right to occupy the Rental Unit, although other forms of consideration or no consideration at all may be involved.

\* \* \* \* \*

**Residential Rental Dwelling Unit.** A dwelling unit that is or will be occupied by a tenant for residential purposes, in exchange for any form of consideration, and is located within a residential rental property, as defined herein.

\* \* \* \* \*

**Residential Rental Property.** Any real property or premises including, but not limited to, single-family dwellings, two-family dwellings, duplexes, three-family dwellings (triplexes), four-family dwellings (fourplexes), townhomes, condominiums, manufactured homes, apartments, or any residential dwelling structure having similar accommodations, and any portion thereof, that is rented or offered for rent to tenants for periods of 30 days or more, solely for residential purposes.

\* \* \* \* \*

**Residential Rental Property Owner.** Any person or entity owning residential rental property within the city, which shall include any individual, corporation, business trust, estate, trust, partnership or association, two or more persons having any form of joint interest, any tax sale party who has obtained any portion of a tax sale ownership, or any other legal or community entity.

\* \* \* \* \*

**Residential Tenant.** A person who does not own, but occupies a residential rental dwelling unit, for payment of a fee or other compensation to the owner under a lease or contract, written or verbal.

\* \* \* \* \*

**Tax Sale Party.** The tax notice party, the owner of residential rental property, including the owner of record at the time of a tax sale, as shown in the conveyance records of Caddo Parish, and any other person holding an interest, such as a mortgage, privilege, or other encumbrance on the property, including a tax sale purchaser, as shown in the mortgage and conveyance records of Caddo Parish.

\* \* \* \* \*

**Tax Sale Property.** Property for which tax sale title is sold.

\* \* \* \* \*

**Tax Sale Purchaser.** The purchaser of tax sale property, their successors, and assigns.

\* \* \* \* \*

**2. Add new subsection "E" to ARTICLE 14. CODE ADMINISTRATORS, SECTION 14.6. ZONING ADMINISTRATOR in the Shreveport UDC.**

**14.6 ZONING ADMINISTRATOR**

\* \* \* \* \*

E. To review and make final decisions on any type of certificate of occupancy application, as identified in this Code.

**3. Amend Table 15-1 in ARTICLE 15. APPLICATION PROCEDURES, SECTION 15.1 APPLICATION, SUBSECTION 15.1.F in the Shreveport UDC.**

**[Note (1): See Exhibit "B" TABLE 15-1: SUMMARY OF APPLICATION ACTIONS]**

**4. Repeal and replace SECTION 16.13 CERTIFICATE OF OCCUPANCY in ARTICLE 16. ZONING APPLICATION APPROVAL PROCESSES of the City of Shreveport UDC.**

**16.13 ZONING ADMINISTRATOR**

**A. Generally**

1. A Certificate of Occupancy (CO) is required showing that any land, building or structure, and its use are in compliance with all permits and occupancy guidelines according to the provisions of this Code, the building code, approval conditions, and all other pertinent ordinances. It shall be unlawful to occupy any building or structure unless a full, or temporary certificate of occupancy has been issued by the Zoning Administrator.

2. It shall be unlawful to operate a business without any type of certificate of occupancy. No building, structure, or premises shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof, shall be made until the Zoning Administrator has issued a certificate of occupancy.

**B. Application**

1. Application for a full or temporary certificate of occupancy shall be made on a form approved by the Zoning Administrator.
2. Accessory buildings or structures shall not require a separate certificate of occupancy, but rather may be included in the certificate of occupancy for the principal building or structure on the same lot, provided that such accessory buildings or structures are completed at the same time as or subsequent to the principal use.

**C. Issuance**

No certificate of occupancy for any building or structure that is erected, altered, or repaired after the adoption of this Code shall be issued by Zoning Administrator unless such building or structure was erected, altered, or repaired in compliance with the provisions of this Code, applicable building codes, approval conditions, and other pertinent ordinances. Certificates of occupancy may be issued as follows:

1. **Certificate of Occupancy (CO).** Certificates of occupancy shall be issued for buildings, structures, or parts thereof, or uses of land if after inspection, it is found that such buildings, structures, or parts thereof, or such use of land, comply with the provisions of this Code, the building code, approval conditions, and all other pertinent ordinances.
2. **Temporary Certificate of Occupancy (TCO).** A temporary certificate of occupancy may be issued for a period not exceeding six months where construction, reconstruction, or remodeling does not require the vacating of the structure. Then, and only then, may a temporary certificate be issued to allow occupancy while work is in progress, provided that all necessary precautions have, in the opinion of the Zoning Administrator, been taken to ensure safety to the applicants. The Zoning Administrator may issue a temporary certificate of occupancy, provided that:
  - a. The building or structure is fully completed, safe, and ready for occupancy; and
  - b. The building, structure, and/or lot is in conformity with the provisions of this Code, International Building Code (as amended), approval conditions, and all other pertinent ordinances.

**D. Procedure**

Procedure for a certificate of occupancy or a certificate of compliance shall be according to the procedures set out by the Zoning Administrator.

**E. Decision Criteria**

1. Decisions shall be rendered according to the procedures set out in this Code, the International Building Code, as amended, and the International Property Maintenance Code (as amended), approval conditions, and all other pertinent ordinances. If the Zoning Administrator refuses a certificate of occupancy for cause, the Zoning Administrator shall notify the applicant of the refusal and the cause.
2. The Zoning Administrator shall maintain a record of all certificates of occupancy and certificates of compliance, and copies shall be a public record open to inspection by interested parties at reasonable times and upon reasonable notice, and shall be furnished upon the request to any person.
3. Failure to obtain a certificate of occupancy or a certificate of compliance, as described with this article, shall be a violation of this Code.
4. The Zoning Administrator may revoke a certificate of occupancy and compliance when it is found that the building, structure or land does not conform to the use or condition, if any, in the certificate.

5. Each day a use continues after revocation of the certificate shall constitute a separate offense and shall be punished, as provided herein.

5. **Add new section "16.15 RESIDENTIAL RENTAL PROPERTY REGISTRATION" in ARTICLE 16. ZONING APPLICATION APPROVAL PROCESSES of the City of Shreveport UDC. .**

**[Note (2): See Exhibit "C" SECTION 16.15. RESIDENTIAL RENTAL PROPERTY REGISTRATION]**

**BE IT FURTHER ORDAINED** that the Mayor of the City of Shreveport, or his/her designee, and the Executive Director of the Shreveport-Caddo Metropolitan Planning Commission, or his/her designee, shall be and is hereby authorized to do any and all things and to sign any and all documents in a form acceptable to the City Attorney, or his/her designee, necessary to effectuate the purposes set forth herein.

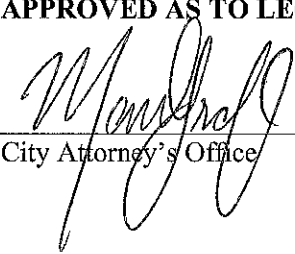
**BE IT FURTHER ORDAINED** that if any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given affect without the invalid provisions, items or applications and to this end the provisions of this Ordinance are hereby declared severable.

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

**BE IT FURTHER ORDAINED** that this Ordinance shall become effective in accordance with the provisions of Shreveport City Charter Section 4.23. -

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

**APPROVED AS TO LEGAL FORM:**

  
\_\_\_\_\_  
City Attorney's Office

**ORDINANCE NO. 195 OF 2022**

**November 7, 2022**

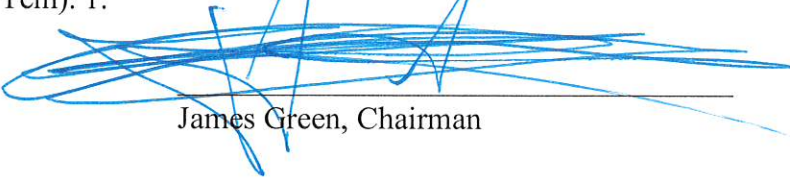
Read by title and as read motion by Councilman Bowman seconded by Councilman Nickelson for Introduction

**November 18, 2022**

Having passed first reading on November 7, 2022 was read by title and on motion ordered passed to third reading. Read by title and as read motion by Councilman Bowman seconded by Councilman Nickelson to postpone until the next regular meeting. Approved by the following vote: Ayes: Councilmembers Tabatha Taylor, LeVette Fuller, John Nickelson, Grayson Boucher, James Green, and Jerry Bowman, Jr. 6. Nays: 0. Absent: Councilmember Alan Jackson, 1. Out of the Chamber: 0. Abstentions: 0.

**December 13, 2022**

Having passed first reading on November 7, 2022 was read by title and on motion ordered passed to third reading. Read by title and as read motion by Councilwoman Taylor seconded by Councilman Nickelson for adoption. Approved by the following vote: Ayes: Councilmembers Tabatha Taylor, LeVette Fuller, John Nickelson, Grayson Boucher, Alan Jackson, and Jerry Bowman, Jr. 6. Nays: 0. Absent: 0. Out of the Chamber: 0. Abstentions: 0. Did not cast a vote: Councilman James Green (Mayor Pro Tem). 1.

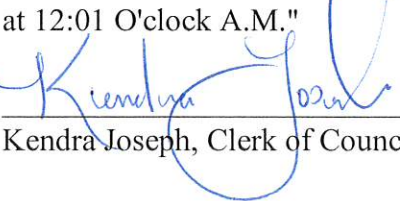
  
James Green, Chairman

Approved:   
Adrian Perkins, Mayor

Approved by the City Council DEC 13 2022

Approved by the Mayor DEC 21 2022

And Effective on DEC 29 2022

at 12:01 O'clock A.M."  
  
Kendra Joseph, Clerk of Council

**FACT SHEET**

**CITY OF SHREVEPORT, LOUISIANA**

<b>TITLE</b>	<b>DATE</b>	<b>ORIGINATING DEPARTMENT</b>
An ordinance to amend various articles and sections in the City of Shreveport, Louisiana, Unified Development Code, for the purpose of creating a residential rental property registration program, with all its provisions included therein, and to otherwise provide with respect thereto.	November 7, 2022	Shreveport   Caddo Metropolitan Planning Commission (“MPC”)
		<b>COUNCIL DISTRICT</b> City-wide
		<b>SPONSOR</b>

**PURPOSE**

To amend the code text in the Shreveport Unified Development Code.

**BACKGROUND INFORMATION**

These proposed amendments presented herein help establish a residential rental property registration. This program’s aim is to help give the city a working database of residential rental properties that will help to identify, track, and then prioritize the most dangerous problem properties—and the most problematic landlords—for appropriate action. This rental registration program will also provide the City with information on how to contact owners, or their local authorized designee, when there is an emergency, code issues, or other problems with a residential rental property; but will also be an educational tool—as it will help establish resources for both landlords and tenant regarding rental properties.

As with the UDC, what was referred to as a ‘Rental Code’ was also identified as a priority initiative of the Master Plan. And, as with all amendments, its aim is to help improve clarity, accessibility, and assist in MPC staff’s ability to serve the public.

**TIMETABLE**

MPC Introduction:	October 6, 2021
MPC Review & Recommendation:	November 3, 2021
Introduction to City Council:	November 9, 2021
Final Passage by City Council:	December 14, 2021
Remanded by City Council:	December 14, 2021
MPC Review & Recommendation:	November 2, 2022
Re-Introduction to City Council:	November 7, 2022
Final Passage by City Council:	December 13, 2022

**ATTACHMENTS**

Exhibit “A”	MPC Memo
Exhibit “B”	Table 15-1: Summary of Application Actions
Exhibit “C”	UDC Section 16.15 Residential Rental Property Registration
Exhibit “D”	MPC Staff Report

**SPECIAL PROCEDURAL REQUIREMENTS**

**MPC Recommendation.** Pursuant to La. R.S. 33:140.27 and La. R.S. 33:140.35, as amended, no amendment shall become effective unless it be first submitted to and approved (recommendation) by the MPC. The MPC reviewed these amendments and provided a favorable recommendation on October 5, 2022. Therefore, the City Council may render its decision to approve the amendments by a simple majority vote. See La. R.S. 33:140.27 and La. R.S. 33:140.35, as amended, and Shreveport UDC 16.1 (D)(3)(b).

**Notice and Public Hearing at MPC.** In accordance with the intent of La. R.S. 33:140.27 and La. R.S. 33:140.35, as amended, for a Public Hearing and Notice to be issued, the MPC held a Public Hearing at its Public Meeting on October 5, 2022, before voting on the proposed amendments. At least ten (10) days’ notice of the time and place of the Public Hearing was published on September 20, 2022 in *The Shreveport Times* (a newspaper of general circulation in the municipality).

**FINANCES**

\$0

**SOURCE OF FUNDS**

NA

**ALTERNATIVES**

(1) Adopt the ordinance as submitted, or (2) Amend the ordinance, or (3) Reject the ordinance.

**RECOMMENDATION**

It is recommended that the City Council adopt the ordinance.

**FACT SHEET PREPARED BY:** Adam Bailey, Community Planning and Design Manager

## RECOMMENDED UDC CODE TEXT AMENDMENTS, 21-69-C.

The City of Shreveport Unified Development Code (UDC) undergoes regular review to ensure that the Code promotes sound, stable, and desirable development to correct errors in the text or to accommodate changed or changing conditions in a particular area. Periodically, revisions are required to reflect the changing nature of business in our community and processed as either general amendments suggested or reviewed by the MPC staff, or amendments that include those that are legally necessary, incorporate previously approved ordinances or determinations, or are emergency amendments. These proposed amendments will be intended to be more user-friendly, concerning various housekeeping and corrective changes due to oversight, contradictions, or missing items.

Staff is requesting the Shreveport UDC be amended as follows: [strikeout indicates deleted text, underline indicates added text].

**Note: These code text amendments were originally presented to the MPC Board in November 2021 and, by a unanimous vote of 8-0, they were recommended for approval. At the December 14, 2021 Shreveport City Council Meeting, they were remanded back to the MPC for further analysis, rewrite and recommendation.**

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**Discussion/Analysis:** These proposed amendments presented herein would help establish a residential rental property registration. This program's aim is to help give the city a working database of residential rental properties that will help to identify, track, and then prioritize the most dangerous problem properties—and the most problematic landlords—for appropriate action. This rental registration program will also provide the City with information on how to contact owners, or their local authorized designee, when there is an emergency, code issues, or other problems with a residential rental property; but will also be an educational tool—as it will help establish resources for both landlords and tenants.

As with the UDC, what was referred to as a 'Rental Code' was also identified as a priority initiative of the Master Plan. Likewise, as with all code text amendments, their aim is to help improve clarity, user-friendliness, and assist in MPC staff's ability to serve the public.

1. **Add the following new definitions to ARTICLE 2. DEFINITION AND RULES OF MEASUREMENT, SECTION 2.3. DEFINITIONS OF GENERAL TERMS in the Shreveport UDC. Definitions will need to be alphabetized accordingly.**

### 2.3 DEFINITION OF GENERAL TERMS

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**Applicant.** The natural person completing any application, registration, and/or form prescribed within this Code.

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**Duplex.** A building designed for and containing two (2) single family dwelling units entirely under one roof that are completely separated from each other by one dividing partition common to each unit, and with each dwelling unit constructed on a separate lot.

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**Certificate of Registration.** A certificate issued by the Office of the MPC, to the residential rental property owner or their local authorized designee, which states that the residential rental property has been duly registered in accordance with this Code.

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**Local Authorized Designee.** A person who is legally authorized to act on behalf of the owner.

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**Person.** Any individual, corporation, business trust, estate, trust, partnership or association, two or more persons having any form of joint interest, any person or entity who has obtained any percentage of the property through a tax sale, or any other legal or community entity.

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**Registrant.** A person or entity that registers or obtains registration.

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**Rent.** The offering, holding out or actual leasing of a rental unit to a person other than the owner and generally involves the payment of an amount of money as consideration for the right to occupy the Rental Unit, although other forms of consideration or no consideration at all may be involved.

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**Residential Tenant.** A person who does not own, but occupies a residential rental dwelling unit, for payment of a fee or other compensation to the owner under a lease or contract, written or verbal.

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**Tax Sale Party.** The tax notice party, the owner of residential rental property, including the owner of record at the time of a tax sale, as shown in the conveyance records of Caddo Parish, and any other person holding an interest, such as a mortgage, privilege, or other encumbrance on the property, including a tax sale purchaser, as shown in the mortgage and conveyance records of Caddo Parish.

\*\*\*\*\*

**Tax Sale Property.** Property for which tax sale title is sold.

\*\*\*\*\*

**Tax Sale Purchaser.** The purchaser of tax sale property, their successors, and assigns.

\*\*\*\*\*

2. **Add new subsection "E" to ARTICLE 14. CODE ADMINISTRATORS, SECTION 14.6. ZONING ADMINISTRATOR in the Shreveport UDC.**

**14.6 ZONING ADMINISTRATOR**

\*\*\*\*\*

- E.** To review and make final decisions on any type of certificate of occupancy application, as identified in this Code.

3. **Amend Table 15-1 in ARTICLE 15. APPLICATION PROCEDURES, SECTION 15.1 APPLICATION, SUBSECTION 15.1.F in the Shreveport UDC.**

**[Note (1): See Exhibit "B" TABLE 15-1: SUMMARY OF APPLICATION ACTIONS]**

4. **Repeal and replace SECTION 16.13 CERTIFICATE OF OCCUPANCY in ARTICLE 16. ZONING APPLICATION APPROVAL PROCESSES of the City of Shreveport UDC.**

**16.13 CERTIFICATE OF OCCUPANCY**

**A. Generally**

1. **A Certificate of Occupancy (CO) is required showing that any land, building or structure, and its use are in compliance with all permits and occupancy guidelines according to the provisions of this Code, the building code, approval conditions, and all other pertinent ordinances. It shall be unlawful to occupy any building or structure unless a full, or temporary certificate of occupancy has been issued by the Zoning Administrator.**

2. It shall be unlawful to operate a business without any type of certificate of occupancy. No building, structure, or premises shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof, shall be made until the Zoning Administrator has issued a certificate of occupancy.

**B. Application**

1. Application for a full or temporary certificate of occupancy shall be made on a form approved by the Zoning Administrator.
2. Accessory buildings or structures shall not require a separate certificate of occupancy, but rather may be included in the certificate of occupancy for the principal building or structure on the same lot, provided that such accessory buildings or structures are completed at the same time as or subsequent to the principal use.

**C. Issuance**

No certificate of occupancy for any building or structure that is erected, altered, or repaired after the adoption of this Code shall be issued by Zoning Administrator unless such building or structure was erected, altered, or repaired in compliance with the provisions of this Code, applicable building codes, approval conditions, and other pertinent ordinances. Certificates of occupancy may be issued as follows:

1. **Certificate of Occupancy (CO).** Certificates of occupancy shall be issued for buildings, structures, or parts thereof, or uses of land if after inspection, it is found that such buildings, structures, or parts thereof, or such use of land, comply with the provisions of this Code, the building code, approval conditions, and all other pertinent ordinances.
2. **Temporary Certificate of Occupancy (TCO).** A temporary certificate of occupancy may be issued for a period not exceeding six months where construction, reconstruction, or remodeling does not require the vacating of the structure. Then, and only then, may a temporary certificate be issued to allow occupancy while work is in progress, provided that all necessary precautions have, in the opinion of the Zoning Administrator, been taken to ensure safety to the applicants. The Zoning Administrator may issue a temporary certificate of occupancy, provided that:
  - a. The building or structure is fully completed, safe, and ready for occupancy; and
  - b. The building, structure, and/or lot is in conformity with the provisions of this Code, International Building Code (as amended), approval conditions, and all other pertinent ordinances.

**D. Procedure**

Procedure for a certificate of occupancy or a certificate of compliance shall be according to the procedures set out by the Zoning Administrator.

**E. Decision Criteria**

1. Decisions shall be rendered according to the procedures set out in this Code, the International Building Code, as amended, and the International Property Maintenance Code (as amended), approval conditions, and all other pertinent ordinances. If the Zoning Administrator refuses a certificate of occupancy for cause, the Zoning Administrator shall notify the applicant of the refusal and the cause.
2. The Zoning Administrator shall maintain a record of all certificates of occupancy and certificates of compliance, and copies shall be a public record open to inspection by interested parties at reasonable times and upon reasonable notice, and shall be furnished upon the request to any person.
3. Failure to obtain a certificate of occupancy or a certificate of compliance, as described with this article, shall be a violation of this Code.
4. The Zoning Administrator may revoke a certificate of occupancy and compliance when it is found that the building, structure or land does not conform to the use or condition, if any, in the certificate.
5. Each day a use continues after revocation of the certificate shall constitute a separate offense and shall be punished, as provided herein.

~~The certificate of occupancy (CO) is the final construction document issued by the Zoning Administrator to authorize occupancy of a structure upon completion of all building and construction related issues. It is unlawful to operate a business without a certificate of occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof, shall be made until the Zoning Administrator has issued a certificate of occupancy. The Zoning Administrator shall keep a record of all certificates of occupancy and compliance. The Zoning Administrator may revoke a certificate of occupancy and compliance when it is found that the building or land does not conform to the use or condition, if any, in the certificate. Each day a use continues after revocation of the certificate shall constitute a separate offense and shall be punished as provided therein.~~

5. Add new section "16.15 RESIDENTIAL RENTAL PROPERTY REGISTRATION" in ARTICLE 16. ZONING APPLICATION APPROVAL PROCESSES of the City of Shreveport UDC.

**[Note (2): See Exhibit "C" SECTION 16.15. RESIDENTIAL RENTAL PROPERTY REGISTRATION]**

TABLE 15-1: SUMMARY OF APPLICATION ACTIONS

APPLICATIONS	ADMINISTRATORS							
	Zoning Administrator	Historic Preservation Commission (HPC)	Executive Director	Metropolitan Planning Commission (MPC)	Zoning Board of Appeals (ZBA)	City Council	Caddo Parish Civil District Court	Unified Development Code Source Cited
<b>City Council</b>								
Code Text Amendment			RR	PH & RR		D	A	Section 16.1
Zoning Map Amendment (Zoning Change)			RR	PH & RR		D	A	Section 16.2
Planned Unit Developments (PUD & SPUD)			RR	PH & RR		D	A	Section 16.7
<b>Zoning Board of Appeals (ZBA)</b>								
Variance to Zoning			RR		PH & D		A	Section 16.5
Special Exception Use			RR		PH & D	A		Section 16.8
Appeal to Staff Administrative Decisions					R & D		A	Section 16.15
<b>Metropolitan Planning Commission (MPC)</b>								
Special Use Permit			RR	PH & D		A	A	Section 16.3
Site Plan Review – MPC			RR	D			A	Section 16.8
Subdivision – Major			RR	PH & D		A	A	Article 17
Subdivision – Minor			RR	D		A	A	Article 17
Temporary Use Permit			RR	D		A	A	Section 6.2
<b>Executive Director</b>								
Administrative Special Use Permit			R & D			A	A	Section 16.4
Administrative Exception to Zoning			R & D		A			Section 16.7
Site Plan Review – Administrative			R & D	A				Section 16.8
Zoning Interpretation	R		R & D		A			Section 16.11
Subdivision – Administrative			R & D			A	A	Article 17
Certificate of Appropriateness		RR	R & D		A		A	Article 21
Certificate of Demolition		RR	R & D		A		A	Article 21
<b>Zoning Administrator</b>								
Sign Permit	R & D				A			Section 16.10
Temporary Use Permit	R & D		R		A			Section 16.12
Certificate of Occupancy (COC)	R & D				A			Section 16.13
Temporary Certificate of Occupancy (TCO)	R & D				A			Section 16.1314
Short-Term Rental Permit	R & D				A	A	A	Article 23
<b>KEY</b>								
R = Review      RR = Review & Recommendation      PH – Public Hearing      D = Decision      A = Appeal								

## ARTICLE 16. ZONING APPLICATION APPROVAL PROCESSES

- 16.1 CODE TEXT AMENDMENT
- 16.2 ZONING MAP AMENDMENT
- 16.3 SPECIAL USE PERMIT
- 16.4 ADMINISTRATIVE SPECIAL USE PERMIT
- 16.5 VARIANCE TO ZONING
- 16.6 SPECIAL EXCEPTION USE
- 16.7 ADMINISTRATIVE EXCEPTION TO ZONING
- 16.8 SITE PLAN REVIEW
- 16.9 PLANNED UNIT DEVELOPMENT AND SMALL PLANNED UNIT DEVELOPMENT
- 16.10 SIGN PERMIT
- 16.11 ZONING INTERPRETATION
- 16.12 TEMPORARY USE PERMIT
- 16.13 ~~CERTIFICATE OF OCCUPANCY-TEMPORARY CERTIFICATE OF OCCUPANCY~~
- 16.14 ~~TEMPORARY CERTIFICATE OF OCCUPANCY-CERTIFICATE OF OCCUPANCY~~
- 16.15 RESIDENTIAL RENTAL PROPERTY REGISTRATION
- 16.16 ~~APPEAL OF STAFF ADMINISTRATIVE DECISIONS~~

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### 16.15 RESIDENTIAL RENTAL PROPERTY REGISTRATION

#### A. Purpose

1. Due to their impact on community character, property values and overall quality of life, residential rental properties are significant assets and represent a critical investment in the City of Shreveport. To help maintain the quality of neighborhoods with the community, as well as to help facilitate effective code enforcement, the City must be able to efficiently communicate with property owners regarding maintenance and property conditions.
2. In instances when residential properties are rented to others, rather than owner-occupied, the City of Shreveport has determined it is necessary to obtain accurate and current contact information in order to facilitate timely communication with property owners regarding potential issues related to property conditions and/or violations within this Code, within the Shreveport City Code including, but not limited to Chapter 38, and/or the laws of the State of Louisiana. The City has also determined that an inability to make timely contact with the owners of such residential rental properties may result in extended physical deterioration of housing stock and/or substandard living conditions for City residents. Therefore, registration for rental properties is in the best interest of public health, safety, and welfare and that the good order and governance of the City will be promoted and enhanced by the enactment of registration requirements for such residential rental properties and their owners through the adoption of the provisions set forth in this section.

#### B. Applicability

Except as provided below, no individual, corporation, business trust, estate, trust, partnership or association, any other legal or community entity, or any person or entity who has obtained any percentage of any residential rental property through a tax sale may rent, or offer to rent, to individuals or households any rental dwelling unit, as defined by this Code, until the residential rental property has been registered and a Certificate of Registration has been issued by the Office of the MPC.

#### C. Exceptions

The registration requirements of this section shall apply to all residential rental properties with the exception of:

1. Properties for hotels, motels, inns, bed and breakfasts, single room occupancy or boarding houses, short-term rentals, RV parks, or other similar accommodations that provide lodging for transient guests;
2. Properties for any state or federal licensed hospital, hospice, community care facility, intermediate-care facility, nursing home, or other similar accommodations to which such properties are subject to licensing or regulations concerning the safety of the users, patients or tenants;

3. Properties owned, managed, or operated by an educational or medical institution, or by a third party for any of the above institutions, when the properties are used for the sole use of employees, students, patients or others directly related to the institution;
4. Properties that a government entity or housing authority owns, operates, or manages; or units exempted from municipal regulation by federal, state, or local law;
5. Properties for any convent, monastery, parsonage, or other facility occupied exclusively by members of a religious order, clergy or congregation;
6. Emergency or temporary shelter or transitional housing accommodations;
7. Any individual residential dwelling unit that is owner-occupied; or
8. Any person or entity that owns no more than two (2) residential rental single-family properties.

**D. Appointment of a Local Authorized Designee Required**

1. Each residential rental property owner shall appoint a local authorized designee upon whom the City may lawfully serve notices pertaining to the administration of this or any other section of the City Code, or state or federal law of which shall be as effective as if made upon such residential rental property owner.
2. The residential rental property owner may serve as the local authorized designee, provided all requirements of a local authorized designee, as prescribed within this section, are met by the residential rental property owner.

**E. Registration**

1. All residential rental properties shall be registered with the Office of the MPC by either the property owner or their local authorized designee.
2. Every registrant for residential rental property registration shall file a complete registration form with the Office of the MPC, upon a form provided for that purpose, and be signed by the owner or their authorized local designee.
3. Should any registrant owning more than two (2) residential rental properties, which are located at separate and unique address locations—regardless of type of structure or the number of structures on site—all properties may be included on one application form, provided that each different property is uniquely identified.
4. Upon completion of the residential rental property registration form, the Office of the MPC shall issue to the registrant a Certificate of Registration as proof of the registration.
5. A Certificate of Registration is not transferable to any person or entity who has acquired ownership of a registered residential rental property, nor it is transferable to any tax sale party. Any tax sale purchaser shall be required to register their property, as required in subsection 16.15(F) herein.
6. Any person or entity, including all tax sale purchasers, owning residential rental property at the time of the adoption of this section shall have one year from the effective date of this section to comply with the registration provisions contained within this section.

**F. Tax Sale Ownership Registration Required**

1. Any person or entity that acquires any type of residential rental property ownership through a tax sale purchase shall be required to register the property as required by this section within 60 days of acquiring a tax sale certificate.
2. If the property is redeemed, the person or entity redeeming the property shall contact the Office of the MPC. All registrations for the property shall be updated accordingly by the Office of the MPC. Any invalid registration associated with the redeeming of the property will become null and void.

**G. Fees**

All applicable fees shall be established by Article 25 of this Code and shall be kept on file in the Office of the Metropolitan Planning Commission.

**H. Violation**

Violation of any term, condition, or requirement approved under this section is unlawful, and will constitute a violation of this Code, and will subject the violator to the penalties set forth in Article 19 (Enforcement). All violations shall be enforced in accordance with this Code and any other applicable Shreveport City Code provisions.

1. No person shall rent, or permit or allow another person to rent or to occupy, a rental dwelling unit within a residential rental property that is not registered or updated in accordance with this section. Each day that any person rents, or permits or allows another person to rent or to occupy a rental dwelling unit in violation of this article shall be considered a separate offense.
2. It is unlawful for any person to provide false information on the prescribed registration form.
3. It is unlawful to fail to submit a new registration form as required in subsection 16.15(E) herein.



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## STAFF REPORT - CITY OF SHREVEPORT

NOVEMBER 2, 2022  
AGENDA ITEM NUMBER: 9  
MPC Staff Member: Adam Bailey  
City Council District: All Districts  
Parish Commission District: All Districts

**CASE NUMBER:** 21-69-C: Shreveport UDC Code Text Amendments [REMAND]  
**APPLICANT:** METROPOLITAN PLANNING COMMISSION  
**REQUEST:** Code Text (Ordinance) Amendments to the Shreveport UDC regarding Residential Rental Property Registration

**DESCRIPTION:** Due to their impact on community character, property values and overall quality of life, residential rental properties are significant assets and represent a critical investment in the City of Shreveport. To help maintain the quality of neighborhoods with the community, as well as to help facilitate effective code enforcement, the City must be able to efficiently communicate with property owners regarding maintenance and property conditions.

In instances when residential properties are rented to others, the City of Shreveport and the Office of the MPC have determined it is necessary to obtain accurate and current contact information in order to facilitate timely communication with property owners regarding potential issues related to depilated property conditions, maintenance and/or violations of this Code, the City Code and/or the laws of the State of Louisiana. It has also been determined that an inability to make timely contact with the owners of such residential rental properties may result in extended physical deterioration of housing stock and/or substandard living conditions for residents in the City. Therefore, registration for rental properties is in the best interest of public health, safety, and welfare and that the good order and governance of the City will be promoted and enhanced by the enactment of registration requirements for such residential rental properties, and their owners, through the adoption of a residential rental property registration program.

Residential rental property registration can be an essential tool for better identify problem properties and, through inspections by Property Standards, deter landlords from engaging in deferred maintenance and lax property management. A strongly-enforced rental registration program would also inform the property owners that they are known to the municipality and accountable for their actions with respect to their rental property.

To accomplish this goal of creating such a program requirement within the City of Shreveport, the following Shreveport UDC Articles, or portions thereof, will need amending: (1) *Article 2. Definitions and Rules of Measurement*; (2) *Article 14. Code Administrators*; (3) *Article 15. Application Procedures*; and (5) *Article 16. Zoning Application Approval Processes*, with all their provisions included therein.

**BACKGROUND:** It has been noted over the years that some residential rental units in Shreveport are substandard, overcrowded, and/or non-compliant with local and State laws. These substandard conditions can render both the rental property, as well as the rental housing unit, unfit or unsafe for human occupancy. Furthermore, the property, in any form of dilapidated state, compromise the integrity and residential quality of city neighborhoods through such factors as deferred maintenance on or about the properties.

In May 2021, City Council requested MPC staff review rental property resources offered



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by the City in order to develop a plan to address renter and property management issues. In November 2021, recommended code text amendments to address such issues were sent to City Council for consideration. In December, 2021, those amendments were remanded to the MPC for additional stakeholder outreach and analysis.

Between December 2021 and September of 2022, MPC staff continued to reach out to various stakeholders including, but not limited to, property owners, property managers, landlords, realtors, attorneys, the City's Property Standards Department, the City's Community Development Department, and other municipalities where such programs existed. On September 21, 2022, the MPC held a public forum tailored specifically to tenants, and on September 29, 2022, the MPC held a second public forum tailored specifically to landlords. The comments received at both forums were evaluated and placed into the proposed amendments, as warranted by MPC staff.

Due to said forums, MPC staff redefined the scope of the amendments, concentrating on registration alone, and such edits were properly shared with all stakeholders that had participated in discussions in the past, or expressed an interest in reviewing a draft ordinance prior to it going to back to the MPC for recommendation to City Council. Staff also worked with the City Attorney's Office to best develop amendments that strike a balance between the needs and concerns of renters, property owners and managers, as well as neighbors of rental properties.

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**FINDINGS:** Municipalities implement a multitude of ranging code enforcement programs—from education to registration to inspection—aimed to ensure the safety and welfare of their residents. To address the issue of substandard housing, municipalities adopt ordinances for housing codes that establish minimum standards for safety, sanitation, and human habitation ensuring safe and healthy housing, preserving housing stock, protecting vulnerable tenants, and maintaining neighborhood property values.

These proposed code text amendments are aimed to implement a registration program aimed to help ensure that rental housing in Shreveport is maintained and meets minimum building, housing, fire, and nuisance standards, and is safe to occupy. The registration program would be the first step intended to preserve and enhance the quality of life for residents living in residential rental housing, as well as the neighborhoods in which they reside.

Hundreds of other cities throughout the US have some types of rental regulations already in place. The programs vary from registration only to annual inspections of every rental unit in the city. This proposed program targets education and registration, and there is no inspection component that is part of these amendments.

The Residential Rental Property Registration Program would establish a one-stop shop for rental resources including the following components:

### Education

- A renter resources website for landlords and tenants including:
  - Where to look for housing
  - Renter and landlord responsibilities
  - Education on the application process and lease provisions
  - Deposits
  - Move-in checklists
  - Habitability laws and guidelines
  - Move-out process
- Mediation services



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- Tenant information on their rights and responsibilities

### Rental Property Registration

All rental properties, including single family and multi-family properties, are subject to this provision.

- No person shall rent, or permit or allow another person to rent or to occupy, a rental dwelling unit within a residential rental property that is not registered or updated in accordance with these proposed amendments. Each day that any person rents, or permits or allows another person to rent or to occupy a rental dwelling unit in violation of this article shall be considered a separate offense.
- It will be unlawful for any person to provide false information on the prescribed registration application.

### Program Expenses

Program costs will include:

- Staffing – The Community Planning Division would implement and administer the program. Staff will prepare handouts, verify rental status of the property, ensure registration and other forms are submitted, and ensure fees (if applicable) are paid.
- Website development

The information included in the rental registration form will need to be input into the City's database. This process will be labor intensive. To reduce program costs associated with this component, property owners will be required to input their registration information online.

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#### PROPOSED TEXT AMENDMENT(S):

Staff is proposing amending/adding the following UDC Articles at this time:

- Amend Article 2. Definitions and Rules of Measurement
- Amend Article 14. Code Administrators
- Amend Article 15. Application Procedures
- Amend Article 16. Zoning Application Approval Processes, with all their provisions included therein.

**Note, amendments #2, #3, and #4 are clean-up amendments needed to solidify the certificate of occupancy provisions. As originally proposed, these amendments were directly linked to amendments #1 and #5; however, now they are now indirectly related, but still needed for better clarity and zoning enforcement by the Zoning Administrator.**

#### **Amendment 1.**

Add new definitions to ARTICLE 2. DEFINITION AND RULES OF MEASUREMENT, SECTION 2.3. DEFINITIONS OF GENERAL TERMS. All new definitions are either directly relate to residential rental properties, or to the residential rental certificate of occupancy.

#### **Amendment 2.**

Add "E" in ARTICLE 14. CODE ADMINISTRATORS, SECTION 14.6. ZONING ADMINISTRATOR.



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Adds new duties to the Zoning Administrator allowing him to review and make final decisions on any type of certificate of occupancy application, as identified in the UDC.

### Amendment 3.

Amend Table 15-1 in ARTICLE 15. APPLICATION PROCEDURES, SECTION 15.1 APPLICATION, SUBSECTION 15.1.F. Identifies the application procedures of the Zoning Administrator on any type of certificate of occupancy application, as identified in the Shreveport UDC. See Exhibit "B" TABLE 15-1: SUMMARY OF APPLICATION ACTIONS.

### Amendment 4.

Repeal and replace SECTION 16.13 CERTIFICATE OF OCCUPANCY in ARTICLE 16. ZONING APPLICATION APPROVAL PROCESSES. Identifies the different type's certificate of occupancy applications and their regulations (as applicable)—all reviewed and approved by the Zoning Administrator.

### Amendment 5.

Add new section "16.15 RESIDENTIAL RENTAL PROPERTY REGISTRATION" in ARTICLE 16. ZONING APPLICATION APPROVAL PROCESSES. Identifies all requirements, regulations and exemptions for the residential rental property registration. See Exhibit "C" ARTICLE 16.15. RESIDENTIAL RENTAL PROPERTY REGISTRATION.

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### ATTACHMENTS:

- See Exhibit "A" for memorandum describing these amendments in full detail.
- See Exhibit "B" for Table 15-1: Summary of Application Actions, amending the approval processes of the Zoning Administrator.
- See Exhibit "C" for proposed Article 16.15. Residential Rental Property Registration.

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**APPROVAL STANDARDS:** The purpose of Shreveport UDC Section 16.1.E.1 is to provide a uniform means for amending the text of the UDC whenever the public necessity, convenience, general welfare, comprehensive plan, or appropriate land use practices justify or require doing so. In determining whether to recommend approval or denial of the proposed text amendments, the MPC shall weigh the relevance to which the proposed amendment:

- Promotes the public health, safety, and welfare.**  
*The proposed text amendments promotes the public health, safety, and welfare.*
- Promotes the Master Plan and any adopted land use policies.**  
*The proposed text amendments are consistent with the Master Plan.*
- Promotes intent of this Code.**  
*These amendments will clarify current practices, thus promoting the intent of the Code.*
- Corrects an error or omission, adds clarification to existing requirements, or reflects a**



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change in policy.

*Staff finds the proposed amendment would improve compatibility among uses and would assist in ensuring efficient development within the City.*

e. **The extent to which the proposed amendment creates nonconformities.**

*These amendments help alleviate nonconformities, not create them.*

### STAFF

#### RECOMMENDATION:

Based on staff analysis, review of the above standards and facts of record, MPC Staff concludes that the recommendation to **APPROVE** the code text amendments is warranted. If approved by City Council, Article 2, Article 14, Article 15, and Article 16 of the Shreveport UDC would be amended, as described within. A majority vote of the MPC Board members present and voting is required to recommend approval to the City Council.

Alternatively, based on information provided at the public hearing, the MPC Board may:

- Deny all of the proposed code text amendment(s);
- Deny specific provisions, and approve any subsequent amendments and/or provisions; or
- Modify specific language in the proposed amendment and approve, as modified.

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**PUBLIC ASSESSMENT:** 6 spoke in support; 2 spoke in opposition

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### MPC BOARD

#### RECOMMENDATION:

The Board voted 7-0 and 1 abstained to recommend this application for approval.