

French Quarter Business Association

Position on the Condition of Sidewalks in the French Quarter

French Quarter Business Association (FQBA) recognizes the outreach made to the various organizations that represent the businesses and residents in the French Quarter. Representatives of FQBA hold positions on committees as well as the board of the French Quarter Marigny Historic Area Management District. In working through this publicly vetted district and its committees, our association sees that one issue unequivocally stands at the forefront: the deplorable condition of the public sidewalks in the French Quarter. All groups at the table are in agreement that the condition of the sidewalks is not only a public safety issue, but also an image issue for the city as a whole. Each meeting continuously questions who, what, when and how will the sidewalks be repaired.

FQBA further recognizes the City's responsibility for ensuring public safety and maintaining the image of this globally marketed destination. The French Quarter is the magnet that consistently draws millions of visitors spending billions of dollars annually. Visitors attempt to walk via these uneven, unkempt and unsafe walkways to our world class entertainment venues, restaurants and retail shops. As stated in the New Orleans Metropolitan Convention & Visitors Bureau 2011 Marketing Plan, tourism, to which the French Quarter is essential, generates \$5 billion in new annual spending and supports nearly one third of the city's operating budget.

As the voice of business in the French Quarter, we encourage our city leaders to utilize the system and tools available to rectify this situation. We strongly support utilizing the ordinances currently listed in the Code of Ordinances of the City of New Orleans: ⁱSec. 146-190-Property owners billed for cost of certain sidewalks, ⁱⁱSec. 146-191-Procedure if bill not paid, ⁱⁱⁱSec. 146-191-Recording bill in mortgage office.

The City Council and the Mayor's Office have a fiduciary responsibility to protect the public from these hazardous conditions and the FQBA requests for both to fulfill their duties by working together in an expedient manner. In doing so the City of New Orleans should educate and notify property owners of their obligation to repair the sidewalks, monitor compliance and failing compliance, repair and bill property owners accordingly.

We strongly urge the council and subsequently the appropriate city offices to act in a timely and appropriate manner in helping our community find a means to an end. Upcoming events putting our city and the French Quarter in a national spotlight are the 2012 BCS National Championship & Sugar Bowl followed by 2012 SEC Men's Basketball Championship, 2012 NCAA Men's Final Four, 2013 Super Bowl XLVII, and 2013 NCAA Women's Final Four.

ⁱ Sec. 146-190. - Property owners billed for cost of certain sidewalks.

In the case of existing facilities, and when the installation of a sidewalk/banquette is in the interest of public safety, the director of the department of streets may pave or repave such sidewalk/banquette. The director of the department of streets shall issue a bill against each property owner for his respective portion of the cost of such work. Failure of the property owner to pay the bill shall result in the department of streets, through the director of the department of finance, recording in the mortgage office within 60 days from the date of default, a copy of such bill in order that it may operate as a first lien and privilege against the property affected thereby.

(Code 1956, § 61-25)

ⁱⁱ Sec. 146-191. - Procedure if bill not paid.

Should any bill under section 146-190 be not paid within the period of ten days the amount thereof shall be paid by the director of the department of finance to the contractor doing the work on the order of the director of the department of streets or to the department of streets if such work has been done by such department out of a revolving fund not to exceed \$50,000.00, set up in accord with section 6-208 of the home rule charter. The director of the department of streets, through the office of the city comptroller, shall cause the amount of the bill, plus interest thereon at the rate of six percent per annum from the date of the bill, to be added to the next real estate bill of the delinquent property owner.

(Code 1956, § 61-26)

ⁱⁱⁱ Sec. 146-192. - Recording bill in mortgage office.

Whenever any property owner shall fail to pay the bill due by him within ten days after presentation thereof, the director of the department of streets, through the director of the department of finance, shall then record in the mortgage office within 60 days from the date of default on the part of any such property owner, a copy of such bill in order that it may operate as a first lien and privilege against the property affected thereby. Whenever any bill due by a property owner shall be paid by him, the amount so collected shall be returned to the fund created by section 146-191.

(Code 1956, § 61-27)