

22-01147

ORDINANCE

AMENDING TITLE 8A (MINIMUM STANDARDS FOR EXISTING BUILDINGS), SO AS TO ADD CHAPTER 4 (STANDARDS FOR RENTAL PROPERTIES) FOR THE PURPOSE OF REQUIRING DISCLOSURE OF RESOURCES WHERE PROSPECTIVE TENANTS CAN OBTAIN INFORMATION ABOUT CRIMINAL INCIDENTS IN THE IMMEDIATE AREA OF THE RENTAL PROPERTY. THIS ORDINANCE SHALL BE KNOWN AS "DEVIN'S LAW."

WHEREAS, the protection of the public's health, safety and general welfare is paramount to the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge, and

WHEREAS, the residents of the Parish of East Baton Rouge and the City of Baton Rouge who reside in a rental property would benefit from being made aware of the public resources available to residents about criminal incidents in the immediate area of rental properties, which may enhance a tenant's peaceful possession for the duration of the lease, and

WHEREAS, this ordinance is proposed in response to the recent and senseless violence which occurred at a rental property in the Parish of East Baton Rouge and the City of Baton Rouge resulting in the shooting death of three year old Devin Page Jr.; and

WHEREAS, it is believed that Devin Page Jr.'s death may have been avoided if the public resources about criminal incidents were made available to the residents.

NOW, THEREFORE, BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge that:

Section 1. Title 8A - Minimum Standards for Existing Buildings of the Code of Ordinances of the City of Baton Rouge and Parish of East Baton Rouge is hereby amended as follows:

"Chapter 4. - Standards for Rental Properties

Section 8A:210. - Security for rental properties.

(a) **Security cameras.**

- (1) All rental properties may install and maintain security cameras capable of obtaining clear, discernable footage of every portion of the rental property which is not located within the confines of the building or structure itself. This may include, but not be limited to, all parking lots, walkways, sidewalks, grassy areas, playground areas and trash collection areas. Multiple security cameras may be required to satisfy this section.
- (2) The security camera systems used in connection with this ordinance may be capable of storing and maintaining all footage for a period of 30 days. After the passage of 30 days from the date the footage was obtained, the rental property may delete the footage, unless otherwise instructed by law enforcement, in which case, the rental property must maintain the footage to the extent instructed by law enforcement.
- (3) If security cameras are installed pursuant to this section, the rental property must immediately provide copies of any and all available footage to law enforcement upon request.

(b) **Lighting.**

- (1) All rental properties may install and maintain lighting capable of illuminating every portion of the rental property which is not located within the confines of the building or structure itself. This may include, but not be limited to, all parking lots, walkways, sidewalks, grassy areas, playground areas and trash collection areas.
- (2) Any lighting installed pursuant to the previous subsection may be of significant strength for illumination of outside areas.

(c) **Disclosure of Criminal Incidents.**

- (1) Any owner, property manager or property management company who is responsible for or has control over the rental property shall, prior to renting or leasing the rental property, disclose to any prospective tenant the resources where the prospective tenants may obtain data regarding criminal incidents occurring within close proximity of the rental property.
- (2) The disclosure required by this section shall include but may not be limited to, information provided by Open Data BR or Baton Rouge Police Department.
- (3) The disclosure required by this section may be posted in the rental office, made available online or delivered in writing to prospective tenants.

(4) This section is not retroactive, and shall only apply to prospective tenants who, on or after January 1, 2023, apply or seek information from rental property owners or managers for the purpose of applying, renting, or leasing rental property.

(d) **Penalties.**

Except subsections (a) and (b), any person who shall violate any other provision of this section shall be fined in an amount not to exceed five hundred dollars (\$500.00). Whoever violates an applicable provision of this section shall be issued a notice of warning and allowed fifteen (15) days to abate the described violation.

(e) **Enforcement.**

Enforcement of this section shall be pursuant to the provisions of title 1, section 609, et seq.

Section 2. This ordinance shall be effective January 1, 2023 following adoption by the Metropolitan Council.

Section 3. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

Section 4. All ordinances or parts of ordinances in conflict are hereby repealed.