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DEPARTMENT OF JUSTICE
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July 19, 2024
OPINION 24-0064

The Honorable Jamie B. Bice
Judge, Lake Charles City Court
Ward 3 Calcasieu Parish
P.O. Box 1664
Lake Charles, LA 70602-1664

15 COURTS – City Courts - Jurisdiction

La. Code Civ. P. art. 4843

La. Code Civ. P. art. 4847

City court has jurisdiction to assist in enforcing nuisance abatement and property standards provided in the Lake Charles Code of Ordinances.

Dear Judge Bice:

This office has received your request for an Attorney General's opinion concerning the jurisdictional limits of the Lake Charles City Court. According to your request, the City of Lake Charles has been making great strides in recovering from the various natural disasters it experienced in 2020 and 2021. However, many blighted properties remain throughout Lake Charles which need to be addressed by the City.

Specifically, the City has requested that the court assist in enforcing Chapter 12.5 (Nuisance Abatement) and Chapter 23 (Property Standards)¹ of the Lake Charles Code of Ordinances in proceedings to help clean up the City.² According to your request, there has been a concern raised about the potential limitations on the jurisdiction of City Courts as set forth in La. C.C.P. art. 4847.

The issue for resolution in this opinion is whether the jurisdictional limitations set forth in La. Code Civ. P. art. 4847 prohibit the court from hearing matters relating to nuisance abatement and property standards under the Lake Charles Code of Ordinances.

For the reasons set out below, we conclude that the City Court has jurisdiction over those matters.

¹ Your request indicates that other ordinances may be implicated, but these are the primary ordinances at issue.

² In a telephone discussion with this office, you advised that the court has not previously handled cases involving these ordinances. Instead, private attorneys have been sworn in as "magistrates" of the City to handle those cases; however, this system has apparently not worked as well as hoped.

The jurisdiction of city courts is established in La. Code. Civ. P. art. 4843 as follows:

B. The civil jurisdiction of a city court in which the population of the territorial jurisdiction is greater than fifty thousand^[3] is concurrent with the district court in cases or proceedings instituted by the state, a parish, a municipality, or other political subdivision of the state for injunctive relief or other civil relief for the cessation or abatement of any acts or practices which may violate a parish or municipal ordinance or state law. In such case, the court has jurisdiction regardless of the amount in dispute or the value of the property involved.

Article 4847 lists certain types of cases for which city court jurisdiction is excluded. Specifically, the article provides:

A. Except as otherwise provided by law, a parish court or city court has no jurisdiction in any of the following cases or proceedings:

- (1) A case involving title to immovable property.
- (2) A case involving the right to public office or position.
- (3) A case in which the plaintiff asserts civil or political rights under the federal or state constitutions.
- (4) A claim for annulment of marriage, divorce, separation of property, or alimony.
- (5) A succession, interdiction, receivership, liquidation, habeas corpus, or quo warranto proceeding.
- (6) A case in which the state, or a parish, municipal, or other political corporation is a defendant, except for a petition for nullity filed in the City Court of East St. Tammany to nullify a judgment of bond forfeiture rendered by the City Court of East St. Tammany.
- (7) Any other case or proceeding excepted from the jurisdiction of these courts by law.

B. In addition, city courts shall not have jurisdiction in tutorship, curatorship, emancipation, and partition proceedings.

Although Chapters 12.5⁴ and 23⁵ of the Lake Charles Code of Ordinances deal with property issues, they do not address title to immovable property. Accordingly, nothing in Article 4847 would prevent the court from hearing cases to enforce these ordinances.

Thus, the City Court has jurisdiction to enforce these ordinances.

³ As of the 2020 census, the population of Lake Charles was 84,872. See [U.S. Census Bureau QuickFacts: Lake Charles city, Louisiana](#).

⁴ [Chapter 12.5 - NUISANCE ABATEMENT | Code of Ordinances | Lake Charles, LA | Municode Library](#).

⁵ [Chapter 23 - PROPERTY STANDARDS | Code of Ordinances | Lake Charles, LA | Municode Library](#).

We trust that this adequately responds to your request and the issues that you have raised. If our office can be of any further assistance, please do not hesitate to contact us.

With best regards,

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BY: 
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LM/CS