

TITLE	DATE	ORIGINATING DEPT./DIV.
AN ORDINANCE TO PLACE A MORATORIUM ON THE ISSUANCE OF ANY OCCUPATIONAL LICENSES AND CERTIFICATES OF OCCUPANCY FOR PAY DAY AGENCIES, TITLE LOAN AGENCIES, OTHER THAN RENEWALS, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO	7/8/20	CITY COUNCIL SPONSOR OR COUNCIL MEMBER COUNCILMAN JOHN NICKELSON

PURPOSE

To place an additional twelve (12) month moratorium on the issuance of any new occupational license or certificate of occupancy for pay day agencies and title loan agencies, excluding renewals of existing licenses and certificates.

This Ordinance or Resolution will have direct impact on Council District: **All**

BACKGROUND INFORMATION

The City Council of the City of Shreveport passed Ordinance 85 of 2019, effective August 3, 2019, declaring a twelve (12) month moratorium on the issuance of occupational licenses for the establishment of new pay day lending institutions. The Shreveport City Council finds it necessary for the promotion of the general welfare of the community to extend this moratorium on the issuance of new occupational licenses or certificates of occupancy to any pay day agency or title loan agency for a period of one year. During this one year period, the City shall continue to perform a more exhaustive study of appropriate zoning plans and regulations for the use and existence of payday lending institutions within the City of Shreveport and shall revise its land use polices and regulations pending the findings of this study.

TIMETABLE

Introduction: **July 14, 2020**

Final Passage: **July 28, 2020**

SPECIAL PROCEDURAL REQUIREMENTS

N/A

FINANCES**SOURCE OF FUNDS**

N/A | None.

CONCLUSION

The sponsors of this legislation recommend that the City Council adopt the ordinance.

FACT SHEET PREPARED BY: Thea R. Scott – Assistant City Attorney

ORDINANCE NO. _____ OF 2020

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BY: COUNCILMAN JOHN NICKELSON

WHEREAS, the City of Shreveport has the authority to preserve public peace, safety, morals, health and welfare; and

WHEREAS, pursuant to the Shreveport City Charter Section 2.04(k) the City of Shreveport has the authority to regulate loan offices; and

WHEREAS, it is the desire of the City of Shreveport to promote the general welfare of the community and to protect the value of buildings and properties, the image and character of the community, and to preserve and enhance property values; and

WHEREAS, the City of Shreveport is continuing to undertake a comprehensive review of its zoning and land use classifications and regulations in regards to pay day agencies and title loan agencies; and

WHEREAS, the City Council has determined that it is in the best interests of the City of Shreveport to adopt an Ordinance that extends the moratorium on the issuance of a new occupational license or certificate of occupancy to any pay day agency or title loan agency, as defined herein, that is not already licensed as such pending a more exhaustive study and revision of its land use policies and regulations.

NOW, THEREFORE, BE IT ORDAINED that a moratorium is placed on the issuance of any new occupational license or certificate of occupancy for pay day agencies and title loan agencies for a period of twelve (12) months from the effective date of this Ordinance. For purposes of this Ordinance:

- (1) "pay day agency" is defined to be or include any person, organization, or business entity, not including financial institutions, who or which either as principal or agent engages in deferred presentment transactions or small loans as defined in La. R.S. 9:3578.3;
- (2) "title loan agency" is defined to be or include any person, organization, or business entity, not including financial institutions, who or which either as principal or agent provide loans in exchange for the original title to the borrower's motor vehicle as collateral; and
- (3) "financial institution" is defined as a bank, savings and loan, credit union, or

mortgage office.

BE IT FURTHER ORDAINED that this moratorium hereby established shall not be applied to prevent the renewal of an existing occupational license or certificate of occupancy, provided that the nature, location, and ownership of the applicant's business activities remain materially unchanged.

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 or parts thereof in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall become effective m 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