

2019-0205

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN-AT-LARGE, DIVISION B

An ordinance to amend the Code of Ordinances for the Parish of St. Charles, Chapter 5 Boats, Docks and Waterways, Section 5-5 Abandoned vessels in parish waterways.

WHEREAS, sunken vessels pose or have the potential of posing environmental issues, safety issues, and impacts on our waterfront communities; and,

WHEREAS, abandoned vessels are aesthetically unpleasant and affects the peaceful use and enjoyment for nearby waterfront community property owners; and,

WHEREAS, the State of Louisiana has passed Louisiana Revised Statute 34:843 which gives local governing authority jurisdiction allowing local municipalities to address abandoned vessels in waterways; and,

WHEREAS, it is the desire of the Council to prevent having future sunken vessels impact our waterways and our communities and which lessens the beauty of our waterways.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances, Chapter 5 Boats, Docks and Waterways, Section 5-5 Abandoned vessels in parish waterways be hereby amended by adding the following with new text underlined and deleted text in ~~striketrough~~:

Section 5-5. Abandoned vessels and objects in parish waterways.

Abandoned and/or sunken tugs, towboats, barges, watercraft, ships, vessels, equipment, machinery, or any object of any kind or description, whether foreign or domestic, which has sank or has been left unattended, stored, junked, or abandoned in any canal, coulee, drainage ditch, outfall canal, bayou, bay, lake, or any other waterway, whether navigable or not, or on the banks thereof within St. Charles Parish are strictly prohibited. The provisions for addressing abandoned vessels violations shall be in accordance with R.S. 34:843. Owners of these prohibited items shall be cited by the Department of Planning & Zoning with a demand that the prohibited item be addressed within thirty (30) days. Failure to comply shall result in the Department of Planning & Zoning referring the case to the Legal Department which shall immediately begin enforcement proceedings in accordance with the provisions of R.S. 34:843.

SECTION II. That the provisions of Section I shall only apply to objects of any kind or description whether foreign or domestic, which has sank, been left unattended, stored, junked, or abandoned in any canal, coulee, drainage ditch, outfall canal, bayou, bay, lake, or any other waterway, whether navigable or not, or on the banks thereof within St. Charles Parish following the adoption of this ordinance.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: HOGAN

NAYS: BENEDETTO, WILSON, CLULEE, WOODRUFF, FLETCHER, FISHER-PERRIER

ABSENT: GIBBS, BELLOCK

PROPOSED ORDINANCE FAILED FOR LACK OF A FAVORABLE MAJORITY ON JULY 22, 2019.

2019-0205 Failed Amend Code - Chapter 5 Sec. 5-5 abandoned vessels (6-19-19) (1_7-1-19) - PH (003)