

Recd.

2008-0456

INTRODUCED BY: SHELLEY M. TASTET, COUNCILMAN, DISTRICT II

ORDINANCE NO. 08-12-3

An ordinance to amend the Code of Ordinances to regulate the obstructing and or barricading of Streets, Rights-of-Ways, Neutral Grounds or any Public Property.

WHEREAS, it has become common practice to place ropes, cables, barricades, etc. along public rights-of-ways for long periods of time prior to parades; and,

WHEREAS, this activity impedes the maintenance of said public property and its use by the general public; and,

WHEREAS, it is the desire of the Parish Council to regulate said use of Public Property.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Code, Chapter 15, Motor Vehicles and Traffic is hereby amended to add the following:

Sec. 15-24. Obstructing and or barricading street, rights-of-ways, neutral grounds, or any public property.

- (a) It shall be unlawful for any person, persons, groups, firm or agencies to obstruct, barricade, or prevent access in any way to public property, including neutral grounds, rights-of-ways, servitudes, streets, sidewalks, etc., except as may be required for the health, protection and well being of the public.
- (b) The St. Charles Parish Council may, by resolution, grant a special waiver in cases of Mardi Gras parades to residents, property owners and commercial establishments along the route. In no instance shall barricades, including vehicles and trailers be located closer than five (5) feet from the edge of the street or curbing to allow passage of the general public along the route.
- (c) Neutral grounds along a designated parade route will be left open for the use of the general public and parade viewers. Parking of vehicles, trailers, etc., including barricading with cable, rope or other material will not be permitted. All vehicles parked in this manner will be towed away at the owners expense. Parade viewers may set up ladders, use tarps or blankets, benches or chairs, but may not rope off or tie these devices together in any way that may be taken as reserving sections or parcels of public lands thus blocking the use of these lands to others.
- (d) No vehicle may be parked along the parade route and in place before 12:00 Noon the day proceeding the parade nor left in place after 12:00 Noon the day following the parade. This also applies to private landowners who choose to block public lands and rights-of-ways in the front of their residences and businesses by use of tape, cables, ropes, ladders, etc.
- (e) Notwithstanding any other provisions of state or local laws, nothing contained herein shall in any way restrict parking or any other activity on private lands, driveways or front yards, etc.
- (f) Any person violating any part of this Section shall be guilty of a misdemeanor and upon conviction shall be fined not less than one hundred (\$100.00) dollars nor more than five hundred (\$500.00) dollars. In addition to the above penalties, the Sheriff's Office shall have the right to remove or have removed any obstruction or obstructing devices including the right to have towed and stored, at the owner's cost, any vehicle in violation of this Section.

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

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, NUSS

NAYS: LAMBERT

ABSENT: COCHRAN

And the ordinance was declared adopted this 1ST day of December, 2008, to become effective five (5) days after publication in the Official Journal.

2008-0456 Rev. regulate obstruction of streets

CHAIRMAN: [Signature]

SECRETARY: [Signature]

DLVD/PARISH PRESIDENT: December 2, 2008

APPROVED: [Signature]

DISAPPROVED: _____

PARISH PRESIDENT: [Signature]

RETD SECRETARY: December 2, 2008

AT: 4:30 pm RECD BY: [Signature]