

Ord.

2012-0215

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV

ORDINANCE NO. 12-6-14

An ordinance of the Parish of St. Charles providing that the Code of Ordinance, Parish of St. Charles, be amended by revising **Chapter 5. Boats, Docks and Waterways***, **Article I. In General, Section 5-3. No-Wake Zones.**

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That **Chapter 5. Boats, Docks and Waterways***, **Article I. In General, Section 5-3. No-Wake Zones**, be revised as follows:

AS WRITTEN

Sec. 5-3. No-wake zones.

- (a) Designated: The following areas are hereby designated as no-wake zones within which motorized watercraft shall operate:
 - (1) Any navigable waterway within one hundred (100) yards of a bridge or boat launch, or on any waterway where boats are permanently docked, excluding the Mississippi River.
 - (2) Any part of any navigable waterway designated as a "No Wake Zone" by signs, excluding the Mississippi River.
 - (3) North and south of Des Allemands overpass (Highway 90) where residential habitats exist along the water's edge. This shall include boat docks, boat sheds, and boat slips.
 - (4) From the Sunset Drainage District Pump Station to the end of Highway 306 where Bayou Gauche meets with Bayou Des Allemands.
- (b) Restrictions: No person shall operate a motorized watercraft in a no-wake zone in such a way as to create a wake behind the watercraft. Waterskiing is not allowed in no-wake zones.
- (c) Signs: Appropriate signs shall be erected and maintained along the waterways listed in subsection (a). Any watercraft traveling on the waterway shall respect the signs erected and maintained under the provisions of this section.
- (d) Enforcement: The sheriff of this parish and the state department of wildlife and fisheries are hereby specifically requested and authorized to assist in the enforcement of the provisions of this section.
- (e) Penalty: Any person who violates the provisions of this section shall, upon conviction thereof, be punished by imprisonment in the parish jail for a period of not more than thirty (30) days or a fine of not more than five hundred dollars (\$500.00) or by both such imprisonment and fine, at the discretion of the court.

AS REVISED

Sec. 5-3. - No-Wake/Idle Speed Only Zones

- (a) Designated: The following areas are hereby designated as "No-Wake/Idle Speed Only" zones within which the operators of motorized watercraft shall operate at bare steerage speed, the slowest speed the vessel can travel while allowing the operator to safely maintain directional control of the vessel to produce minimum water surface turbulence, and create no-wake:
 - (1) Any navigable waterway within one hundred (100) yards of a bridge or boat launch, or on any waterway where boats are permanently docked, excluding the Mississippi River.
 - (2) Any part of any navigable waterway designated as a "No-Wake/Idle Speed Only" zone by appropriate signs authorized by St. Charles Parish, excluding the Mississippi River.
 - (3) The portion of Bayou Des Allemands north and south of Des Allemands overpass (Highway 90) bounded between the two lines defined as follows: north line being the line existing between N 29° 49' 39.66" / W 90° 28' 41.63" and N 29° 49' 40.34" / W 90° 28' 31.73" and the south line being the line existing between N 29° 49' 01.63" / W 90° 28' 40.79" and N 29° 49' 03.64" / W 90° 28' 29.84".
 - (4) The portion of Bayou Gauche located along Black Prince Island bounded between the two lines defined as follows: north line being the line existing between N 29° 47' 15.10" / W 90° 25' 47.10" and N 29° 47' 12.10" / W 90° 25' 46.30" and the south line being the line existing between N 29° 46' 36.75" / W 90° 23' 49.83" and N 29° 46' 37.07" / W 90° 23' 44.14" with the exception of one portion of the bayou located between the line existing between N 29° 47' 14.01" / W 90° 24' 58.74"

and N 29° 47' 09.84" / W 90° 25' 01.00" and the line existing between N 29° 47' 11.62" / W 90° 24' 37.43" and N 29° 47' 07.19" / W 90° 24' 38.73" and another portion of the bayou located between the line existing between N 29° 46' 55.45" / W 90° 24' 19.27" and N 29° 46' 52.96" / W 90° 24' 23.72" and the line existing between N 29° 46' 53.72" / W 90° 24' 08.56" and N 29° 46' 47.45" / W 90° 24' 08.16".

- (5) Seller's Canal (at the Pier 90 Boat Launch) from the bridge at U.S. Highway 90 bridge crossing Seller's Canal to a line south of the Hurricane Protection Levee floodgate running between N 29° 54' 32.11" / W 90° 16' 23.10" and N 29° 54' 32.70" / W 90° 16' 21.24" and the Borrow Pit Canal paralleling U.S. Highway 90 (at the Pier 90 Boat Launch) from the wooden bridge located just east of Seller's Canal to a line located approximately 300' west of Seller's Canal running between N 29° 54' 42.40" / W 90° 16' 32.00" and N 29° 54' 46.68" / W 90° 16' 32.60".
- (b) Restrictions: Waterskiing and jet skiing are prohibited in "No-Wake/Idle Speed Only" zones.
- (c) Signs: Appropriate signs shall be erected and maintained along the waterways listed in subsection (a). Any watercraft traveling on the waterway shall respect the signs erected and maintained under the provisions of this section.
- (d) Buoys: A buoy or buoys with appropriate markings are hereby authorized to be installed at each "No-Wake/Idle Speed Only" zone boundary defined specifically by ordinance.
- (e) Enforcement: The Sheriff's Department of this Parish and wildlife enforcement agents from the Louisiana Department of Wildlife and Fisheries are hereby specifically requested and authorized to enforce the provisions of this section.
- (f) Penalty: Any person who violates the provisions of this section shall, upon conviction thereof, be punished by imprisonment in the Parish jail for a period of not more than thirty (30) days or a fine of not more than five hundred dollars (\$500.00) or by both such imprisonment and fine, at the discretion of the court.

NOW, THEREFORE BE IT ORDAINED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby provide that the Code of Ordinances, Parish of St. Charles, be amended by revising **Chapter 5. Boats, Docks and Waterways***, **Article I. In General, Section 5-3. No-Wake Zones.**

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

YEAS: SCHEXNAYDRE, FAUCHEUX, WILSON, TASTET, BENEDETTO, HOGAN, COCHRAN, FLETCHER, NUSS

NAYS: NONE

ABSENT: NONE

And the ordinance was declared adopted this 18th day of June, 2012, to become effective five (5) days after publication in the Official Journal.

ORD - NO WAKE ZONES (06-04-12)

CHAIRMAN: 

ACTING

SECRETARY: Calli Madere

DLVD/PARISH PRESIDENT: June 20, 2012

APPROVED: J DISAPPROVED: _____

PARISH PRESIDENT: 122

RETD/SECRETARY: June 21, 2012

AT: 2:00 pm RECD BY: Cm