

The following Revised Ordinance No. 74 was presented by Chuckie Cheramie, who moved for its adoption, and was seconded by Larry Griffin :

ORDINANCE NO. 74

AN ORDINANCE REGULATING USE OF THE SOUTH LAFOURCHE STORM HARBOR MARINA AND PENALTIES FOR VIOLATION OF SAID ORDINANCE.

BE IT ORDAINED, by the Board of Commissioners of the Greater Lafourche Port Commission that:

SECTION 1. It shall be unlawful for anyone to use the South Lafourche Storm Harbor Marina ("Marina") for purposes or at times other than those permitted herein.

SECTION 2. The Marina will be activated and available for use either (i) upon the Greater Lafourche Port Commission ("GLPC") entering Storm Phase 1 of the GLPC Hurricane Guide (ie. storm landfall on the gulf coast predicted to occur within ninety-six (96) hours) or (ii) at the direction of the President of the Board of Commissioners. GLPC Storm Phase status is available at www.portfourchon.com.

SECTION 3. Utilization of the Marina will be on a "first come, first served" basis and is undertaken at the sole risk of owner of the Commercial Fishing Vessel. **USERS OF THE MARINA HAVE INSPECTED THE MARINA AND ACCEPT IT IN ITS CURRENT CONDITION, AND THE GLPC MAKES ABSOLUTELY NO WARRANTIES WHATSOEVER REGARDING THE MARINA. BOTH GLPC AND ANY USERS OF THE MARINA DISCLAIM ANY AND ALL WARRANTIES PROVIDED BY LAW OR OTHERWISE INCLUDING BUT NOT LIMITED TO ANY WARRANTY OF FITNESS FOR A PARTICULAR USE OR PURPOSE AND ANY WARRANTY AGAINST APPARENT, HIDDEN, LATENT AND/OR REDHIBITORY DEFECTS. THE GLPC SHALL NOT BE HELD RESPONSIBLE BY ANY PERSON OR VESSEL FOR ANY DAMAGE OR LOSS SUSTAINED AS A RESULT OF USING THE MARINA. USERS OF THE MARINA RELEASE, RELINQUISH AND HOLD THE GLPC HARMLESS FROM ANY AND ALL DAMAGE OR INJURY (INCLUDING BUT NOT LIMITED TO PERSONAL INJURY, DEATH AND/OR PROPERTY DAMAGE) CAUSED BY OR ARISING OUT OF THE USE OF THE MARINA.**

SECTION 4. For purposes of this Ordinance, the term "Commercial Fishing Vessel" shall mean any self-propelled, motorized vessel the owner or operator of which holds a Louisiana commercial fisherman's license and which vessel is primarily used for the purpose of generating income by the harvest of finfish, shellfish, crustaceans and/or any other species of aquatic life.

SECTION 5. Upon activation, the Marina shall only be used for the following:

- a. Mooring of Commercial Fishing Vessels (hereinafter, "Vessels");
- b. Limited unloading of equipment and personal belongings from Vessels;
- c. Temporary parking of only one (1) vehicle per Vessel;
- d. Other incidental uses generally associated with mooring commercial fishing vessels;

SECTION 6. Notwithstanding anything herein to the contrary, the following are strictly prohibited:

- a. Accessing or otherwise utilizing the Marina at any time when the Marina is not activated
- b. Fishing from or within the Marina
- c. Mooring of any oilfield support vessel, tug boat or other vessel not classified as a Commercial Fishing Vessel in the Marina
- d. Mooring of any barge in the Marina
- e. Any commercial activity at the Marina including, but not limited to, the sale, purchase or exchange of fish or seafood
- f. Any repair or maintenance work including, but not limited to, welding, painting, chipping and any mechanical work, within the Marina.
- g. Possession and/or consumption of drugs and/or alcohol within the Marina.
- h. Possession of weapons and/or firearms within the Marina.

SECTION 7. It shall be unlawful for anyone to moor or secure any vessel within the Marina in a manner inconsistent with instructions given the GLPC Harbor Police. It shall be unlawful to moor any vessel greater than ninety (90) feet in length in the Marina.

SECTION 8. Upon mooring a vessel in the Marina, the owner/operator of said vessel shall provide the GLPC Harbor Police with the following information relative to the vessel moored therein:

- a. Vessel Name
- b. Hull Identification Number
- c. USCG Registration Number
- d. Name, address and phone number (primary and secondary) of owner
- e. Name, address and phone number (primary and secondary) of captain
- f. Evacuation destination
- g. Physical address of location where both owner and captain may be located immediately following storm event

SECTION 9. It shall be unlawful for Vessels or vehicles to remain in the Marina for longer than 72 hours following GLPC indication that conditions have subsided and the Marina has been deactivated.

SECTION 10. Any person violating any provision of this ordinance shall, upon conviction, be fined not more than Five Hundred Dollars (\$500.00) or imprisoned for not more than six (6) months in jail, or both, in the discretion of the court having jurisdiction.

This revised ordinance, having been submitted in writing, having been adopted at a public meeting of said Commission, was then submitted to an official vote as a whole; the vote thereon being as follows:

YEAS: 8

NAYS: 0

ABSENT: 1

ABSTAIN: 0

And the ordinance was declared adopted on this 12th day of July, 2017.



Kristian "Kris" Gaudet, Vice President



Harris J. "Chuckie" Cheramie, Jr., Secretary