

The following ordinance was presented by Harrison Chermie, Jr., who moved its adoption, and was seconded by Irvin Melancon, Jr.:

ORDINANCE NO. 2

AN ORDINANCE ESTABLISHING THE RULES AND REGULATIONS TO BE FOLLOWED BY ANY INDIVIDUAL, PARTNERSHIP, AGENCY, FIRM OR CORPORATION FOR THE CONSTRUCTION OF ANY STRUCTURE, PERMANENT OR TEMPORARY, OR THE PERFORMANCE OF ANY WORK EFFECTING THE DITCHES, CANALS, BAYOUS, LAKES, STREAMS, RIVERS, AND ALL OTHER BODIES OF WATER WHICH ARE EFFECTED BY THE EBB AND FLOW OF TIDE SITUATED IN THE TENTH WARD OF LAFOURCHE PARISH, LOUISIANA.

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

Section 1. That it shall be unlawful for any individual, partnership, agency, firm, or corporation to construct any type of structure, above or below water level, within the canals, bayous, lakes, streams, rivers and all other bodies of water which are effected by the ebb and flow or tide situated in the Tenth Ward of Lafourche Parish, Louisiana, without first securing a "Letter of No Objection" from the Greater Lafourche Port Commission.

Section 2. That it shall be unlawful for any individual, partnership, agency, firm or corporation to conduct seismic operations, geophysical explorations of any kind of character, or logging operations of any kind of character, within the canals, bayous, lakes, streams, rivers and all other bodies of water which are effected by the ebb and flow of tide situated in the Tenth Ward of Lafourche Parish, Louisiana, without first securing a "Letter of No Objection" from the Greater Lafourche Port Commission.

Section 3. An applicant for a "Letter of No Objection" must make application in writing to the Commission office. The application must state the name and address of applicant, his status, and detailed plans or plats, along with specifications of the work proposed to be done. After review by the Board of Commissioners, the applicant shall be given written notice of the acceptance or rejection of his request.

Section 4. The work shall be performed strictly in accordance with the plans and specifications submitted.

Section 5. The applicant shall erect suitable barricades and place suitable lights and warning devices around and in front of his work, whenever it is necessary to protect the traveling public or navigation.

Section 6. That if the display of lights and signals on any work hereby authorized is not otherwise provided for by law, such lights and signals as may be prescribed by the Greater Lafourche Port Commission shall be installed and maintained by and at the expense of the owner.

Section 7. If, in the judgement of the Greater Lafourche Port Commission, the said permittee does not at all times exercise due caution in the handling of oil, gas or other pollutive, noxious, or lethal substances to prevent conditions deleterious to health or seafood, or hazardous to navigation, or dangerous to persons or property engaged in commerce or otherwise on said waters, or fails on demand to remove promptly any structure or structures or parts thereof, no longer used for the purpose for which they are constructed, this "Letter of No Objection" may be revoked and all operations authorized by it may be terminated.

Section 8. That all crossings in all water bottoms are properly back-filled and the fill leveled off and finished to the grade that existed prior to the pipeline construction.

Section 9. Upon completion of the structure, the applicant shall remove from the premises all material left from the construction, all scaffolding, forms, extra excavation, etc., and is to thoroughly clean up and leave the premises in good condition as determined by the Board of Commissioners.

Section 10. That should it become necessary in the future to alter the dimensions or alignments or to construct or deepen, relocate and/or widen the bayous, streams, waters, and existing or proposed channels obstructed by the improvements or permanent fixtures of the applicant, then the applicant, agents, and/or assigns, shall promptly make such changes on request of this Commission and shall bear the entire cost of whatever alterations may be necessary for any future improvements for commerce and navigation in the entire port area.

Section 11. This authorization is wholly unconnected and unconcerned with the ownership of or rights in the underlying soil and creates no property rights.

Section 12. Under no condition will the Greater Lafourche Port Commission be responsible for any trespass upon adjacent, or any other property, or any injury thereto, and the applicant shall indemnify the Greater Lafourche Port Commission or any claim for damages made against the Commission arising through the applicants operations.

Section 13. That if any clause, sentence or paragraph or portion of this ordinance shall for any reason, be declared illegal or constitutional, such declaration shall not affect the validity of any other section, sentence, paragraph or portion of this ordinance, which shall remain in full force and effect.

Section 14. That all ordinances, or parts of ordinances in conflict or inconsistent herewith be, and the same are hereby repeated.

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

YEAS: Noly Theriot, Tomey Doucet, Irvin Melancon, Jr., Harrison Cheramie, Jr., Adam Gisclair, Jr., Anson Toups

NAYS: None

ABSENT: Andrew Martin, Loyman Terrebonne

VACANT: One

And the ordinance was declared adopted on this 8th day of December 1975.

/s/ Noly Theriot
President

/s/ Tomey Doucet
Treasurer & Acting Secretary

The following resolution was offered by Jimmy Lafont, who moved for its adoption, seconded by Harry Cheramie, and adopted by the following vote;


Yeas	5
Nays	0
Absent	4

RESOLVED, that the Board of Commissioners of the Greater Lafourche Port Commission does hereby rescind Ordinance No. 2 which establishes the rules and regulations for the construction of any structure, permanent or temporary, or the performance of any work effecting the ditches, canals, bayous, lakes, streams, rivers, and all other bodies of water which are effected by the ebb and flow of tide situated in the tenth ward of Lafourche Parish, Louisiana.

BE IT FURTHER RESOLVED, that the Executive Director, Ted Falgout be, and he hereby is, authorized to execute letters to DNR and the CORPS when concerns from proposed applications arise.

I, Wilbert Collins, Sr., Secretary of the Board of Commissioners of the Greater Lafourche Port Commission, hereby certify the above and foregoing to be a true and exact copy of a resolution adopted by said Commission at its regular meeting held on January 14, 2004, at which a quorum was present, and the same has not been revoked, rescinded or altered in any manner, and is in full force and effect.

WITNESS MY HAND, and the seal of the Commission at Galliano, Louisiana, on the 14th day of April, 2004.


Wilbert Collins, Sr., Secretary