

ORDINANCE NO. 37

AN ORDINANCE MAKING IT UNLAWFUL TO OWN, ERECT, UTILIZE, OR OTHERWISE CAUSE TO BE PLACED, ANY POLE, PILING, WHARF, STRUCTURE OR OTHER APPURTENANCE THAT IN THE SOLE DISCRETION OF THE COMMISSION IS DETERMINED TO BE A HAZARD TO NAVIGATION, PUBLIC NUISANCE, IMPROPERLY MAINTAINED OR INCONSISTENT WITH PLANS AND SPECIFICATIONS APPROVED BY THE COMMISSION; TO FURTHER ESTABLISH A PROCEDURE FOR THEIR REGULATION, REMOVAL OR SEIZURE AND TO PROVIDE PENALTIES FOR VIOLATION OF ANY OF THE SECTIONS OF THIS ORDINANCE.

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

Section 1. It shall be unlawful for any person, firm, partnership and/or corporation (hereinafter called Owner) to own, erect, utilize or otherwise cause to be placed, any pole, piling, wharf, structure or other appurtenance that in the sole discretion of the Commission is determined to be a hazard to navigation, public nuisance, improperly maintained or inconsistent with plans and specifications approved by the Commission.

Section 2. Any pole, piling, wharf, structure or other appurtenance within the jurisdiction of the Port determined by the Commission to be a hazard to navigation, public nuisance, improperly maintained or inconsistent with plans and specifications approved by the Commission may be regulated, moved or seized by the Port Commission at the owner's expense. Recoverable costs will include, without limitation, attorney's fees, legal advertisement, storage fees and surveillance fees when deemed necessary by the Commission.

Section 3. Any owner found to be in violation of this ordinance shall be notified by registered mail of said violation and if said owner fails to comply with the notice within the period of time stated in the notice, or the owner cannot be located, the property in violation will be subject to seizure and disposition in accordance with this ordinance.

Section 4. Poles, pilings, wharves, structures or other appurtenances regulated, moved or seized under this ordinance shall be at the expense, risk and responsibility of the owner, and the Port Commission, its officers and equipment used to enforce this ordinance, will be held without liability.

Section 5. The Commission may require lights, signals or other navigational aids be established and maintained by the owner at his own expense.

Section 6. Any person violating any of the provisions of this ordinance shall, on conviction, be fined not more than \$500.00 or imprisoned for not more than six (6) months in the parish prison, or both.

Section 7. This ordinance shall take effect on and be enforceable on after the 8th day of December, 1981.

Section 8. That if any clause, sentence, paragraph or portion of this ordinance shall for any reason be declared illegal or unconstitutional, such declaration shall not effect the validity of any other sections, sentence, paragraph or portion of this ordinance which shall remain in full force and effect.

Section 9. That all ordinances or parts of ordinances in conflict or inconsistent herewith be and the same are hereby repealed.

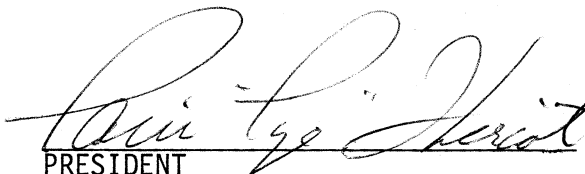
This ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said commission, was then submitted to an official vote as a whole, the vote thereon being as follows:

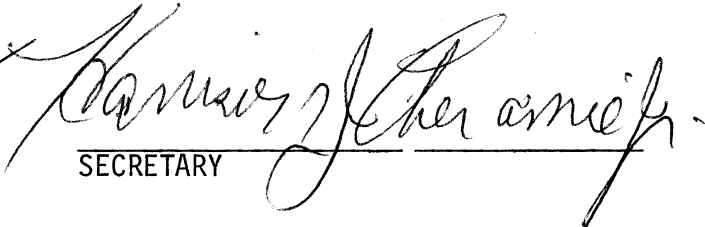
YEAS: Eight (8)

NAYS: None (0)

ABSENT: One (1)

And the ordinance was declared adopted on this 8th day of the month of December, 1981.

  
PRESIDENT

  
SECRETARY