

The following Ordinance No. 70 was presented by Jimmy Lafont, who moved for its adoption, and was seconded by John Melancon:

ORDINANCE NO. 70

AN ORDINANCE REGULATING USE OF THE NERBY COLLINS COMMERCIAL FISHERMAN'S MARINA, LOADING ZONE USE, REGULATING THE LOCATIONS AND MANNER IN WHICH VESSELS ARE MOORED IN THE NERBY COLLINS COMMERCIAL FISHERMAN'S 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 Nerby Collins Commercial Fisherman's Marina ("Marina") for purposes other than those generally associated with commercial fishing unless specifically authorized by Greater Lafourche Port Commission Harbor Police ("Harbor Police").

SECTION 2. It shall be unlawful for an owner/operator to leave a vessel unattended in the Marina without having notified the Harbor Police of the owner's/operator's name and telephone number at which the owner/operator may be contacted 24 hours a day, 7 days a week.

SECTION 3. It shall be unlawful for an owner/operator who cannot physically respond within one hour to any calls regarding the vessel to leave a vessel unattended in the Marina without first appointing a responding party and filing that person's name and phone number with the Harbor Police prior to leaving the vessel unattended.

SECTION 4. It shall be unlawful for Vessels to remain in the Marina for longer than 72 consecutive hours without first receiving permission from the Harbor Police.

SECTION 5. It shall be unlawful for Vessels using that section of the Marina bulkhead adjacent to Pass Fourchon, which is referenced herein as the "Loading Zone," for any use aside from vessels changing crews, offloading and unloading supplies and conducting minor repairs as long as these operations are for the vessel using the Loading Zone and not for any other commercial use. Vessels requiring dockage of more than one hour at the Loading Zone shall advise and first obtain approval from the Harbor Police.

SECTION 6. Only minor welding lasting less than six (6) hours and being conducted in the location specified by the Port Commission will be allowed at the Marina. No other welding activities are permitted in the Marina.

SECTION 7. Offloading of 1,500 pounds or less of seafood being conducted by the owner/operator of the vessel into his own vehicle with no commercial transaction occurring or between the owner/operator and a Tenth Ward commercial buyer having proper permission from the Commission is permitted. Permission from the Commission shall be granted after proof of resident business in the Tenth Ward.

Any other use of the Marina must receive proper approval from the Harbor Police and a minimum fee of \$50.00 will be assessed for its approved use. The fee shall be dependent on the nature of the requested use and shall be determined prior to the commencement of said use.

Examples of operations where fee will be assessed include, but are not limited to the following:

- (a) vessels undergoing major repairs or alterations
- (b) vessels on/offloading personnel or equipment other than their own
- (c) vessels offloading more than 1,500 pounds of seafood
- (d) vessels offloading less than 1,500 pounds of seafood into unpermitted vehicles
- (e) any other commercial use of the Marina

SECTION 8. Without first having been granted permission from the Harbor Police, it shall be unlawful for vessels measuring greater than 50 feet in length to moor anywhere in the Marina other than the four outermost wharves or the Loading Zone.

SECTION 9. Without first having been granted permission from the Harbor Police, it shall be unlawful for vessels measuring between 35 and 50 feet in length to moor anywhere in the Marina other than the four innermost wharves.

SECTION 10. Without first having been granted permission from the Harbor Police, it shall be unlawful for vessels measuring less than 35 feet in length to moor anywhere in the Marina other than the interior bulkhead.

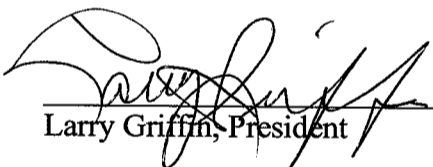
SECTION 11. Without first having been granted permission from the Harbor Police, it shall be unlawful for vessels to moor in the Marina in any manner other than bow-first.

SECTION 12. 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 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: 6  
NAYS: 2  
ABSENT: 0  
ABSTAIN: 1

And the ordinance was declared adopted on this 11<sup>th</sup> day of June, 2008.

  
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Larry Griffin, President

  
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Wilbert Collins, Secretary