

ORDINANCE NO.: 2018.06.01

AN ORDINANCE ESTABLISHING A FLOOD STAGE NO WAKE ZONE FOR THE ENTIRETY OF CANEY CREEK RESERVOIR; PROVIDING FOR MATTERS RELATED THERETO; AND ESTABLISHING PENALTIES FOR VIOLATIONS

WHEREAS, Caney Creek Reservoir, also known as Caney Lake, is located in Jackson Parish, Louisiana;

WHEREAS, The Jackson Parish Watershed District Board of Commissioners has authority to make police regulations necessary to prevent injury to, destruction of, or interference with public or private property within the district pursuant to La.R.S. 38:2907;

WHEREAS, a No Wake Zone will allow for the control of boating traffic during flood stage and will allow for boat traffic to continue to access allowed areas of Caney Lake without damage or danger to property or other boaters;

NOW, THEREFORE, be it ordained by the Jackson Parish Watershed District Board of Commissioners, in regular session, duly convened at which a quorum was present and voting, that the following ordinance be adopted, to wit:

SECTION I: Definitions

The following definitions apply in the interpretation and enforcement of this ordinance:

- A. Lake: The term "lake" shall be deemed to be Caney Creek Reservoir and/or Caney Lake, located in Jackson Parish, Louisiana;
- B. Flood stage: Water levels of 202 feet MSL, or higher, as determined by the Louisiana Department of Wildlife and Fisheries or the Jackson Parish Watershed District Board of Commissioners;
- C. Vessel: Any watercraft used or designated for navigation on water, as a means of transportation, including air boats.

SECTION II: General Provisions

- A. A "No Wake Zone" is hereby established for the entirety of the surface of the Lake, upon a determination by the Jackson Parish Watershed District Board of Commissioners in consultation with the Louisiana Department of Wildlife and Fisheries, that the water level of the Lake has reached flood stage.
- B. The "No Wake Zone" shall continue to be in effect until such time as the Louisiana Department of Wildlife and Fisheries or the Jackson Parish Watershed District Board of Commissioners determines that the Lake has receded to a level below 202 feet mean sea level.
- C. Upon reaching flood stage, at the direction of the Jackson Parish Watershed District Board of Commissioners, "No Wake" zone signs designed in conformity with the rules and regulations adopted for said signs by the Louisiana Department of Wildlife and Fisheries Commission shall be placed and maintained at all public boat ramps and at such other places deemed advisable by the Commission to carry out the rules and regulations set forth herein.

SECTION III: Prohibited Acts

It shall be unlawful for any person to operate a vessel on Caney Creek Reservoir/Caney Lake at any speed above bare steerage speed, being the slowest speed the vessel can travel while allowing the operator to maintain directional control of the vessel to produce the minimum water surface turbulence, when the Lake has formally been declared to be at flood stage.

SECTION IV: Penalties

- A. Any person who violates this ordinance by exceeding the speed allowed during flood stage, shall for a first offense be fined not more than Fifty (\$50.00) Dollars, or imprisoned in the parish jail for not more than Five (5) days, or both.
- B. Any person who violates this ordinance by exceeding the speed allowed during flood stage, shall for a second or subsequent offense be fined not more than Two Hundred (\$200.00) Dollars, or imprisoned in the parish jail for not more than Ten (10) days, or both.

SECTION V: Effective Date

This ordinance shall become immediately effective upon its adoption.

SECTION VI: Non-Exclusiveness of Ordinance

Nothing herein shall be deemed to conflict with or restrict in any manner the authority of the Secretary of the Louisiana Department of Wildlife and Fisheries to close waterways, in accordance with La. R.S. 34: 851.14.1, or other applicable laws.

SECTION VII: Severability

Severability is intended throughout and within the provisions of this Ordinance. Should any item or provision, including any section, exception, part, phrase or term, or the application thereof be held invalid, the application to other persons or circumstances shall not be affected thereby. If any phrase, clause, word or portion of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, the invalidity shall be limited to that portion of the Ordinance.

SECTION VIII: Repeal

All ordinances or parts of ordinances in conflict herewith are repealed as of the effective date of this Ordinance.

The above ordinance was read by title, and considered section by section and adopted as a whole by the following vote:

YEAS: 6

NAYS: 0

ABSENT: 0

ABSTAINING: 0

WHEREUPON said ordinance was declared adopted on this 15th day of November, 2018 at Jonesboro, Jackson Parish, Louisiana.

ATTEST:


LAVELLE SMITH, PRESIDENT


BENSON BAGWELL, SECRETARY

CERTIFICATE

I, Benson Bagwell, the undersigned Secretary of the Jackson Parish Watershed District Board of Commissioners declare that the above and foregoing is a true and correct copy of an ordinance adopted by said Board of Commissioners at a regular meeting held on the 15th day of November 2018 at which a quorum was present and voting. Jonesboro, Louisiana, on this 16th day of November 2018.


BENSON BAGWELL, SECRETARY