

ORDINANCE 1 OF 2011

**AN ORDINANCE AMENDING ORDINANCE 1 OF 2002
TO ENACT REGULATION FOR THE OPERATION
AND USE OF WATERCRAFTS ON THE CANE RIVER
WATERWAY, IN ORDER TO AMEND THE REGULATION OF
WATERCRAFTS DURING RIVER CLOSINGS, PROVIDING
FOR PENALTIES AND ADVERTISEMENT**

WHEREAS, the Cane River Waterway Commission is a political subdivision of the State of Louisiana, created pursuant to R.S. 34:3261 et. seq.,

WHEREAS FURTHER, the Cane River Waterway Commission was created for the purpose of establishing, operating, and maintaining the Cane River Waterway, included among the powers delegated to the Cane River Waterway District is the power be the regulatory authority of the Cane River Waterway and its use pursuant to R. S.

34:3269(13); and

WHEREAS FURTHER, the governing authority of the Cane River Waterway District, the Cane River Waterway Commission, adopted regulations regarding the regulation and use of the Cane River Waterway by boaters in order to promote the safety and welfare of those persons utilizing the Cane River Waterway by Ordinance 1 of 2002; and

WHEREAS FURTHER, the Cane River Waterway Commission wishes to amend section 8 of Ordinance 1 of 2002 in order to allow non power vessels with no motor including trolling motor present on the vessel to operate during lake closings, and to close Cane River Waterway to boating traffic when the lake reaches 96.0 mean sea level and reopen when the lake reaches 96.4 mean sea level; and

NOW THEREFORE BE IT ORDINED, in legal session convened and in accordance

with Louisiana R.S. 34:3261 et. seq., specifically R.S. 34:3261(13), Ordinance

Number 1 of 2002 is hereby amended to provide for a new section 8, which shall provide

as follows, to-wit:

“Section 8. Operation of watercraft on Cane River Lake when closed

- A. Cane River Lake shall be closed to all watercraft traffic when the water level reaches 99 feet above mean sea level, and shall reopen when the water level drops to 98.5 feet above mean sea level.**
- B. Cane River Lake shall be closed to all watercraft traffic when the water level reaches 96 feet below mean sea level, and shall reopen when the water level rises to 96.4 feet below mean sea level.**
- C. The provisions of this subsection shall not apply to the operation of non-powered watercrafts, motorboats or vessels.**
- D. For the purpose of this subsection non-powered shall mean a watercraft, motorboat or vessel with no motor and/or mechanical device including but not limited to electric trolling motors.**
- E. During the time the river is closed, the public launches shall be closed. Any person using a public boat launch or tampering with any chain or post or other instrumentality used to barricade any public boat launch, either during river closures or launch closures, may be fined in accordance with Section 11, and may be further fined for any damage caused at the public boat launch.**

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

If any portions of this Ordinance is declared to be invalid or unconstitutional in any manner, the invalidity shall be limited to that particular section or provision, and shall not affect the remaining portions of the ordinance, which shall remain valid and enforceable, it being the intention of the Cane River Waterway Commission that each separate provision shall be deemed independent of all other provisions herein:

This Ordinance shall go into effect upon publication and in accordance with law.

Said Ordinance having been introduced on the 15 day of February, 2011, at a regular meeting of the Cane River Waterway Commission held at the Natchitoches Events Center, Natchitoches, Louisiana.

Ordinance considered, on motion by Ms. Vienne and seconded by Mr.

Laborde, to adopt the ordinance, a record vote was taken and the following result was had:

YEAS: 5

NAYS: 0

ABSENT: 0

Whereupon, the presiding officer declared the above Ordinance duly passed on this the 15 day of March, 2011.

Paul Khoury, Chairman