

ORDINANCE NO. 2003-2

AN ORDINANCE ESTABLISHING REGULATIONS GOVERNING THE USE OF METAL OBJECTS IN D'ARBONNE LAKE AND REGULATING AND PROHIBITING CERTAIN ACTIVITIES.

WHEREAS, pursuant to the provisions of LSA-R.S. 38:2558(11), the Board of Commissioners (the "Board") of the Bayou D'Arbonne Lake Watershed District (the "District") have the care, management, and control of Lake D'Arbonne and property owned and/or controlled by the District; and,

WHEREAS, pursuant to LSA-R.S. 38:2558, the Board is empowered to make all police regulations necessary for the preservation of good order and the peace of the District, as well as to prevent injury to, destruction of, or interference with public or private property; and,

WHEREAS, LSA-R.S. 38:2559 authorizes the Board to enforce such rules and regulations as it shall deem necessary and advisable in order to protect and preserve the works, improvements and property owned by the District, and to prescribe the manner of their use by public corporations and persons, and to preserve order within and adjacent thereto; and,

WHEREAS, the Board concludes that it is in the best interest of the District and the public to adopt rules and regulations governing the use of the D'Arbonne Lake and otherwise prescribe certain rules and regulations on and around D'Arbonne Lake;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE BAYOU D'ARBONNE LAKE WATERSHED DISTRICT:

§1. The following rules and regulations shall apply to the use of D'Arbonne Lake:

- (a) Due to the significant fluctuation of the water levels of D'Arbonne Lake, the placing of metallic objects in the lake presents a dangerous hazard to persons and property and all persons using D'Arbonne Lake are strongly discouraged from placing any metallic object in the lake, other than a metallic object for that person's temporary, contemporaneous use, such as a boat, motor or recreational equipment.
- (b) The use of any type of metallic rods, stakes, pipes, poles, tubing, rebar or similar objects in the lake is specifically prohibited except in the following situations:

- (1) In connection with signs, markers or other objects placed with the prior written permission of, by or under the direction of the State of Louisiana, the District or law enforcement authorities;
 - (2) In connection with docks, piers, boathouses or other structures permanently attached to the shore or bank of the lake;
 - (3) In connection with floating docks or other structures clearly marked so to be visible to persons using the lake; and,
 - (4) In connection with duck blinds constructed on or before September 1, 2003, if the duck blind is actually used for waterfowl hunting each season and is clearly marked so to be visible to persons using the lake.
 - (5) In connection with floating duck blinds constructed after September 1, 2003, (although no metal objects shall be driven into the lake bed), if the duck blind is actually used for waterfowl hunting each season and is clearly marked so to be visible to persons using the lake.
 - (6) In connection with the mounting of a light, birdhouse, slide, swing or other similar object in close proximity to a dwelling located on the shore or bank of the lake.
- (c) The placing of any cable, wire, rope or other similar apparatus above the surface of the lake, such as that used to support, hang, or attach markers, signs, yoyos, mechanical trigger devices, trotlines, hooks, or any other device is prohibited.

§2. The terms, provisions and violations of this Ordinance shall be enforced by any appropriate local, state or federal law enforcement officer in Union or Lincoln Parishes and shall be prosecuted by the District Attorney of Union or Lincoln Parishes, or any other proper official in Union or Lincoln Parishes.

§3. Any person or persons violating the foregoing rules and regulations shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than \$500.

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

§5. If any one or more of the provisions of this Ordinance shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Ordinance, but this Ordinance shall be construed and enforced as if such illegal or invalid provisions had not been contained herein. Any constitutional or statutory provision enacted after the date of this Ordinance which validates or makes legal, shall be deemed to apply to this Ordinance.

§6. This Ordinance shall become effective on November 1, 2003.

This Ordinance having been considered by a quorum of the Board of Commissioners, on motion to adopt by Commissioner Larry Turner, seconded by Commissioner Steve Cagle, the Ordinance was adopted by the following record vote.

YEAS: COMMISSIONER PAUL BULLOCK, COMMISSIONER STEVE CAGLE, COMMISSIONER RONNIE GRAHAM, COMMISSIONER LAWRENCE HILL, COMMISSIONER BILL ROARK AND COMMISSIONER LARRY TURNER.

NAYS: None

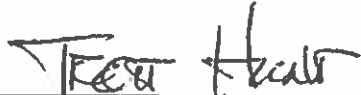
ABSENT: None

WHEREUPON, the presiding officer declared the above Ordinance duly adopted on the 15th day of September, 2003.

ATTEST:



Paul Bullock
Secretary



Trott Hunt
President