



## ***Cane River Waterway Commission***

244 Cedar Bend  
Natchez, Louisiana 71456  
318-357-3007 office

The following Ordinance was introduced by Mrs. Vienne and Seconded by Wiggins, on the 3 day of March, 2021, to-wit:

### **ORDINANCE NO. 1 OF 2021**

**AN ORDINANCE APPROVING A COOPERATIVE ENDEAVOR AGREEMENT WITH STUART WRIGHT, SHERIFF OF NATCHITOCHE PARISH, LOUISIANA TO PROVIDE FOR PATROLS ON CANE RIVER LAKE AND TO PROVIDE FOR SUPPLEMENTAL BOATING ENFORCEMENT SERVICES, AND FURTHER AUTHORIZING THE CHAIRMAN OF THE COMMISSION, JAMES RHODES, TO EXECUTE THE COOPERATIVE ENDEAVOR AGREEMENT ON BEHALF OF THE COMMISSION AND SIGN ANY AND ALL OTHER NECESSARY DOCUMENTS ASSOCIATED THEREWITH**

**WHEREAS**, the Cane River Waterway Commission (sometimes hereinafter “Commission”) is a political subdivision of the State of Louisiana created by special act which may be found at Louisiana Revised Statutes 34:3261, et seq.; and

**WHEREAS FURTHER**, the purpose of the Commission is to establish, operate and maintain the waterway system known as the Cane River Waterway, Louisiana R.S. 34:3262; and

**WHEREAS FURTHER**, included among the powers and authority granted to the Commission under Louisiana R.S. 34:3269(13) is the authority to regulate the waterway and its use, which authority includes “...water traffic regulation, such as size and speed of boats and other vessels”; and

**WHEREAS FURTHER,** while the Cane River Waterway Commission has the authority to regulate water traffic on Cane River Lake, it does not have the police power necessary to enforce the regulations that it has and may in the future adopt; and

**WHEREAS FURTHER,** the Louisiana Department of Wildlife and Fisheries is the primary enforcement agency for state water bodies, but its ability to provide patrols on Cane River Lake is limited due to budgetary constraints; and

**WHEREAS FURTHER,** the Commission desires to ensure that its their boating ordinances are enforced on Cane River Lake in order to provide for the safety of all persons using the Lake and also to protect property of riparian owners; and

**WHEREAS FURTHER,** the Natchitoches Parish Sheriff's Office (sometimes hereinafter "Sheriff") is a Enforcement Agency that has the authority to provide patrols on Cane River Lake and enforce the boating regulations that have and may be adopted by the Commission; and

**WHEREAS FURTHER,** after negotiations, the Sheriff has offered to provide patrols on Cane River Lake in order to ensure that the boating regulations adopted by the Commission are enforced, and in exchange the Commission will reimburse to the Sheriff his estimated cost of \$55.00 per hour to provide the enforcement patrols, with a total annual cost not to exceed \$60,000.00; and

**WHEREAS FURTHER,** the Cane River Waterway Commission desires to approve a Cooperative Endeavor Agreement with Stuart Wright, Sheriff of Natchitoches Parish, Louisiana, which will provide for patrols by the Sheriff's Office on Cane River Lake in exchange for reimbursement to the Natchitoches Parish Sheriff's Office at the hourly rate of \$55.00 per hour, with a total annual cost not to exceed \$60,000.00; and

**WHEREAS FURTHER,** the Commission has reviewed the proposed Cooperative Endeavor Agreement with Stuart Wright, Sheriff of Natchitoches Parish, Louisiana, and does approve same, and does desire to authorize Jim Rhodes, Chairman, to execute the Cooperative Endeavor Agreement on behalf of the Cane River Waterway Commission and to further execute any and all other documents that are necessary to complete this transaction behalf of the Commission; and

**WHEREAS FURTHER**, the Commission adopted an ordinance in 2018 approving a different version of the above described Cooperative Endeavor Agreement, but that Cooperative Endeavor Agreement was never executed and has been renegotiated; and

**NOW, THEREFORE, BE IT ORDAINED** by the Cane River Waterway Commission in legal session convened that the Chairman, Jim Rhodes, is hereby authorized and directed to execute the attached Cooperative Endeavor Agreement between the Cane River Waterway Commission and Stuart Wright, Sheriff of the Parish of Natchitoches on behalf of the Cane River Waterway Commission.

**BE IT FURTHER ORDAINED** that the Cane River Waterway Commission takes cognizance of the fact that the Cooperative Endeavor Agreement is in furtherance of its obligation to regulate and provide for safety for boaters on Cane River Lake, the Commission being of the opinion that this is a genuine public purpose, sanctioned by the Louisiana R.S. 34:3261, et seq.

**BE IT FURTHER ORDAINED** by the Cane River Waterway Commission that all ordinances, or parts of ordinances in conflict with any provision of this ordinance, be and the same are hereby repealed, provided that any violation of prior ordinances occurring before the date whereon this ordinance becomes effective, shall be governed by such prior ordinances and may be prosecuted thereunder.

**BE IT FURTHER ORDAINED** that if any section of this ordinance is declared to be invalid or unconstitutional in any manner, then the validity 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.

**BE IT FURTHER ORDAINED THAT** this Ordinance shall to into effect after publication in accordance with law.

This Ordinance was introduced on the 3 day of March , 2021.

This ordinance having been submitted to a roll call vote, the vote thereupon was as follows, to-wit:

AYES: 4 (Mr. Rhodes, Mr. Wiggins, Mr. Methvin, Mr. Paige)

NAYS: 0

ABSENT: 0

**THEREUPON**, the Chairman declared the Ordinance **PASSED** this 20 day of April by vote of 4 ayes to 0 nays.

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Chairman Jim Rhodes