



### **ORDINANCE NUMBER 3 of 2019**

**AN ORDINANCE TO ADOPT REGULATIONS  
FOR THE REMOVAL AND DISPOSAL OF  
UNATTENDED, JUNKED OR ABANDONED  
VESSELS ON CANE RIVER LAKE.**

**WHEREAS**, the Cane River Waterway District is a body politic and corporate subdivision of the State of Louisiana, created by Acts 1982, No. 391, R.S. 34:3261, et. seq., for the object and purpose of establishing, operating and maintaining a navigable waterway known as the Cane River Waterway; and

**WHEREAS FURTHER**, the Cane River Waterway Commission was created as a political subdivision of the state of Louisiana for the purpose of establishing, operating and maintaining the Cane River Waterway; and

**WHEREAS FURTHER**, included in the powers delegated to the Cane River Waterway Commission (sometimes hereinafter Commission) is to adopt regulations to preserve the health, welfare and safety of the recreational and commercial users of Cane River Lake; and

**WHEREAS FURTHER**, the State of Louisiana provides for the removal and disposition of watercraft and vessels abandoned in Louisiana waters at Louisiana Revised Statute 34:843; and

**WHEREAS FURTHER**, the LA R.S. 34:843 provides that the primary responsibility for

removing unattended, junked or abandoned vessels in Louisiana lies with the owner, but further provides for a procedure for the federal, state or local governing authority having jurisdiction of the body of water to remove and dispose of the boat or vessel; and

**WHEREAS FURTHER**, as a political subdivision of the State of Louisiana with responsibility for maintenance of Cane River Lake, the Commission has authority to remove and dispose of vessels or watercraft pursuant to the terms of LA R. S. 34:843; and

**WHEREAS FURTHER**, the Commission desires to adopt the procedure for the removal and disposition of watercraft or vessels abandoned on Cane River Lake as set forth in LA R. S. 34:843; and

**NOW THEREFORE BE IT ORDAINED** by the Cane River Waterway Commission that any vessel that has been unattended, junked or abandoned on Cane River Lake will be removed and disposed of in accordance with LA R.S. 34:843.

**BE IT FURTHER ORDAINED** by the Cane River Waterway Commission that LA R. S. 34:843, a copy of which is attached, is adopted as if copied herein in its entirety.

**BE IT FURTHER ORDAINED** that all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**BE IT FURTHER ORDAINED** if any portion 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.

**BE IT FURTHER ORDAINED** that this Ordinance shall go into effect upon publication and in accordance with law.

Said Ordinance having been introduced on the 19 day of March, 2019, at a regular meeting of the Cane River Waterway Commission held at 244 Cedar Bend Road, City of Natchez, Louisiana.

Ordinance considered, on motion by \_\_\_Mr. Paige\_\_\_\_\_ and seconded by \_\_\_Mrs. Vienne\_\_\_\_\_, to adopt the ordinance, a record vote was taken and the following Result was had:

**YEAS: 3 (Mr.Rhodes, Mrs.Vienne, Mr.Paige)**

**NAYS: 0**

**ABSENT: 2 (Mr. Wiggins, Mr. Methvin)**

Whereupon, the presiding officer declared the above Ordinance duly passed on this the 16<sup>th</sup> day of April, 2019.

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Jim Rhodes, Chairman

