

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3574

ORDINANCE COUNCIL SERIES NO. 07-

SPONSORED BY: MR. THOMPSON

PROVIDED BY: COUNCIL OFFICE

INTRODUCED BY MR. STEFANCIK

SECONDED BY MR. BURKHALTER

ON THE 7TH DAY OF JUNE 2007

ORDINANCE TO AMEND THE CODE OF ORDINANCES, CHAPTER 13, TO ADD NEW SECTIONS TO PROVIDE FOR OPERATION OF MOTORIZED VEHICLES AND ENFORCEMENT OF TRAFFIC CONTROLS ON PRIVATE STREETS WITHIN LAKE RAMSEY DEVELOPMENT. (WARD 3, DISTRICT 3)

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it amends the Code of Ordinances, Chapter 13, Division II, Motor Vehicles (Private) to add new sections thereto as follows:

DIVISION II
MOTOR VEHICLES (PRIVATE)

SECTION 13-019.09 LAKE RAMSEY DEVELOPMENT

SECTION 13-019.09.1 Definitions

(1) Lake Ramsey Development is a residential subdivision located within an unincorporated area of St. Tammany Parish consisting of phases 1 through 4 and other phases to be developed in the future, and for which final subdivision approval was granted by the governing body of St. Tammany Parish and as duly recorded in the office of the Clerk of Court for this Parish. The streets within said subdivision that were constructed by the developers of Lake Ramsey Development, have never been dedicated to the Parish and the Parish has never maintained said streets. The streets were constructed at the expense of the developer of Lake Ramsey Development and privately owned by the Homeowners' Association of Lake Ramsey, Inc.

(2) Street shall mean any roadway in said subdivision and designated and constructed for the use of vehicular traffic.

(3) Motorized vehicle shall include any and all conveyances having two (2) or more wheels, allowing for the transport of a person or persons which are propelled by gas, diesel or electric motors or engines; same shall include, but are not limited to, automobiles, motorcycles, go-carts, trail bikes, bicycles, golf carts or any other vehicle when so propelled.

SECTION 13-019.09.2 Speed Limits/Traffic Controls

It shall be unlawful for any person to operate or drive a motor vehicle upon the private streets within Lake Ramsey Development at a rate of speed in excess of 25 miles per hour.

Preferential right of way at an intersection may be indicated by stop signs or yield signs.

The placement of speed limit signs, stop signs or yield signs at intersections will be as determined by the St. Tammany Parish Department of Public Works, with the cost for labor and materials for placement of said signs to be paid for by the Homeowners' Association of Lake Ramsey, Inc.

Except when directed to proceed by a police officer or traffic control signal, every driver and operator of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the cross walk on the near side at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.

The driver or operator of a vehicle approaching a yield sign shall slow down to a speed reasonable for the existing conditions, or shall stop if necessary, before entering the cross walk on the near side of the intersection or, in the event there is no cross walk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. Having slowed or stopped in this manner, the driver shall yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard

SECTION 13-019.07.3 Violations

Whoever violates the provisions of this Ordinance shall be guilty of a misdemeanor and shall be fined not more than One Hundred Dollars (\$100.00) or imprisoned for not more than thirty (30) days, or both, in the discretion of the court.

SECTION 13-19.07.4 Enforcement

Any Sheriff's Deputy or bona fide or deputized police officer is herewith authorized and empowered to halt any motorized vehicle operating on the private streets of Lake Ramsey Development if the vehicle is exceeding the speed limit, has failed to obey a stop or yield sign, has parked in a designated "No Parking" zone, or for the purpose of determining whether or not the operator thereof has in his or her possession a valid and current Louisiana Operator's License, or for any other violation of state and parish motor vehicle laws or ordinances and to issue citation therefor.

SECTION 13-19.07.5 Maintenance and Indemnification.

It is the responsibility of the Homeowners' Association of Lake Ramsey, Inc. to maintain and keep up the roads within said Subdivision and to maintain and keep up the various stop signs, speed limit signs and other traffic signs within the subdivision. The Homeowners' Association of Lake Ramsey, Inc. agrees to hold harmless and indemnify St. Tammany Parish and the St. Tammany Parish Sheriff from any and all damages that may occur from the placement of any such signs, and from authorizing the Sheriff to enforce the speed limit, stop signs and other traffic controls within said private development.

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

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect any other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY _____, SECONDED BY _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE WHICH RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE ____ DAY OF _____ 2007, AND BECOMES ORDINANCE COUNCIL SERIES NO. _____

BARRY BAGERT, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK

KEVIN C. DAVIS, PARISH PRESIDENT

Published Introduction on May 31, 2007
Published Adoption on _____, 2007

Delivered to Parish President _____, 2007 at _____
Returned to Council Clerk _____, 2007 at _____

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To: VIA FAX (985) 898-2593
Mr. Michael Sevante

From: **William J. Crain**

Date: **May 11, 2007**

Subject: **Homeowners Association of Lake Ramsey, Inc.**

Pages: **5 (including cover sheet)**

Comments:

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THANKS,
William J. Crain/Secretary Jonell Badon
JONES FUSSELL, L.L.P.

13-019.07

traffic regulations be adopted relative to the use and enjoyment of the private streets and roadways in the LRD and that such regulations be enforced by the St. Tammany Parish Sheriff's Department; and

WHEREAS, the Board desires that the St. Tammany Parish Council, pursuant to their authority under La.R.S. 32:42 and La. R.S. 32:41(A)(9) and any other applicable statutes or ordinances, adopt an ordinance or ordinances regulating and establishing speed zones and speed limits on the private streets and roadways in the LRD and providing for stop or yield signs at certain intersections; and

WHEREAS, the Board desires the adoption and enforcement of said ordinance or ordinances without in any way changing the legal character of the streets and roadways as private (as opposed to public) streets;

NOW, THEREFORE, BE IT RESOLVED, that the following resolutions are adopted by the Board for HALRI:

RESOLVED, that the St. Tammany Parish Council is hereby requested by the Board for HALRI adopt an ordinance or ordinances regulating the following matters:

- (1) the adoption and enforcement of a maximum speed limit of 25 miles per hour upon the following streets and roadways in the LRD, and upon all other streets and roadways in the LRD which are now constructed or to be constructed: South Lakeshore Dr., Riverlake Dr. Ramsey Court, Lakeside Court, Lake Bend Dr. and Shoreline Court;
- (2) preferential rights-of-way at intersections indicated by stop signs or yield signs;
- (3) issuance of citations for speeding and traffic sign violations within the LRD;