

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 4143

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

SPONSORED BY: MR. HAMAUEI

PREPARED BY: COUNCIL OFFICE

INTRODUCED BY \_\_\_\_\_

SECONDED BY \_\_\_\_\_

ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2009.

ORDINANCE TO AMEND THE PARISH CODE OF ORDINANCES, CHAPTER 15, ARTICLE II, WATERCRAFT SPEED LIMITS, TO ESTABLISH A "DEAD SLOW, NO WAKE" ZONE FOR THE CANALS IN BAYOU LACOMBE MANOR SUBDIVISION (WARD 7, DISTRICT 7)

WHEREAS, in the best interest of public safety, health and general welfare, it is deemed necessary to establish a no wake zone for the canals in Bayou Lacombe Manor Subdivision.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it amends the Parish Code of Ordinances, Chapter 15, Article II, Section 15-006.00, Watercraft Speed Limits, by adding a new subsection A (5)(f) relative to the Bayou Manor Subdivision as follows, to-wit:

- f. Bayou Manor Subdivision - the entirety of the canal system associated with Bayou Lacombe Manor Subdivision.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 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 immediately upon final adoption.

MOVED FOR ADOPTION BY: \_\_\_\_\_, SECONDED BY: \_\_\_\_\_

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

YEAS:

NAYS:

ABSTAIN:

ABSENT

THIS ORDINANCE WAS DECLARED ADOPTED AT A REGULAR MEETING OF THE  
PARISH COUNCIL ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2009; AND BECOMES ORDINANCE  
COUNCIL SERIES NO. \_\_\_\_\_.

\_\_\_\_\_  
JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

\_\_\_\_\_  
THERESA FORD, COUNCIL CLERK

\_\_\_\_\_  
KEVIN DAVIS, PARISH PRESIDENT

Published introduction: August 27, 2009

Published adoption on: \_\_\_\_\_, 2009

Delivered to Parish President: \_\_\_\_\_, 2009 @ \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2009 @ \_\_\_\_\_



**ST. TAMMANY PARISH**

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*Kevin Davis*  
*Parish President*

Interoffice Memorandum

August 18, 2009

To: Mr. Mike Sevante  
St. Tammany Parish Council Administrator

Ms. E. D'Ette Smythe, Ph.D.  
St. Tammany Parish Director of Engineering

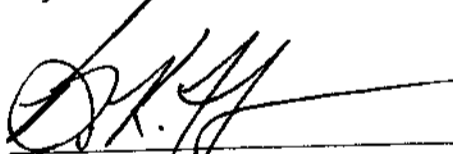
From: Brian Fortson  
Environmental Specialist

Re: Request to establish a No Wake Zone on "Squirrel Bayou" a man-made canal complex off of Bayou Lacombe.

Having compiled a general report on the above reference request and submitted it to the members of the Waterway Safety Committee for review and comment, the attached comments were received by this office.

In summary, no major concerns were expressed by any of the waterway safety committee members. Both Mr. Mackie and Mr. Peyton offered comments of a mostly supportive nature, which comments are attached. However, not enough members offered comments so as to suggest an overwhelming interest one way or the other. In summary, the only comments this office received were generally supportive of the request.

Should the St. Tammany Parish Council determine that a "No Wake Zone" is in the public interest here, the initial report contained a map (attached) showing a rough estimation of the area that should be covered by the designation. One way the Council might refer to the canal system in an ordinance is: "the entirety of the man-made canal system associated with the residential development along Evelyn and Maria Drives" or "the entirety of the canal system associated with Bayou Lacombe Manor subdivision."

  
\_\_\_\_\_  
Brian K. Fortson

8-18-09  
Date

attachments

**Brian K. Fortson**

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**From:** Jacob A. Bolin  
**Sent:** Wednesday, July 29, 2009 9:34 AM  
**To:** Brian K. Fortson  
**Subject:** FW: No Wake Zone for Squirrel Bayou Request

Jacob A. Bolin  
Office Administrator  
Department of Engineering  
St. Tammany Parish  
[jabolin@stpgov.org](mailto:jabolin@stpgov.org)  
985.898.2552 (office phone)  
985.898.5205 (office fax)

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**From:** green7@bellsouth.net [mailto:green7@bellsouth.net]  
**Sent:** Wednesday, July 29, 2009 9:33 AM  
**To:** eng  
**Subject:** No Wake Zone for Squirrel Bayou Request

Brian Fortson:

I think this is a private canal with owners owning the bottoms out to the middle of the canal. Nevertheless, it's similar to other canals that were dug by developers within subdivisions (e.g., Eden Isles, etc.) where there are now no wake signs. Additionally, the width of the canals are narrow with boats moored alongside properties. Squirrel bayou was built to service the residents and basically they should be able to do what they want. My only concern is does a significant number of canal residents want this or is it only the petitioner? If enough residents want this restriction, than I would favor that the canals be No Wake Zones.

Brian, if what I've stated regarding the canal is incorrect please advise. I've been in NC for most of the summer but will be returning to STP Saturday 8/1. Until then my tel # is 828.884.9395.

Dale Mackie

7/29/2009

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**Brian K. Fortson**

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**From:** Donald Peyton [donald.peyton@gmail.com]  
**Sent:** Saturday, July 18, 2009 12:28 PM  
**To:** Brian K. Fortson  
**Subject:** No Wake Zone  
**Attachments:** St. Tammany Waterway Comm..docx

Brian:

Attached is my response to your letter of July 16. Let me know if you have any other thoughts.

Don

7/20/2009

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July 27, 2009

To: Brian Fortson

% St. Tammany Dept. of Engineering

From: Don Peyton

RE: Request for NO Wake Zone in "Squirrel Bayou"

Dear Brian:

I can only discuss this from a personal perspective as I live on a waterway (East Diversion Canal) that had this same problem at one time. I am aware of the damages that can be done from uncontrolled boat wakes. Our waterway is designated as a No Wake Zone. From the photos it is apparent that these waterways were originally planned for residential development which would, in itself, tend to limit the area for high speed boat use. This does not appear to me to be an unreasonable request for a No Wake Zone designation.

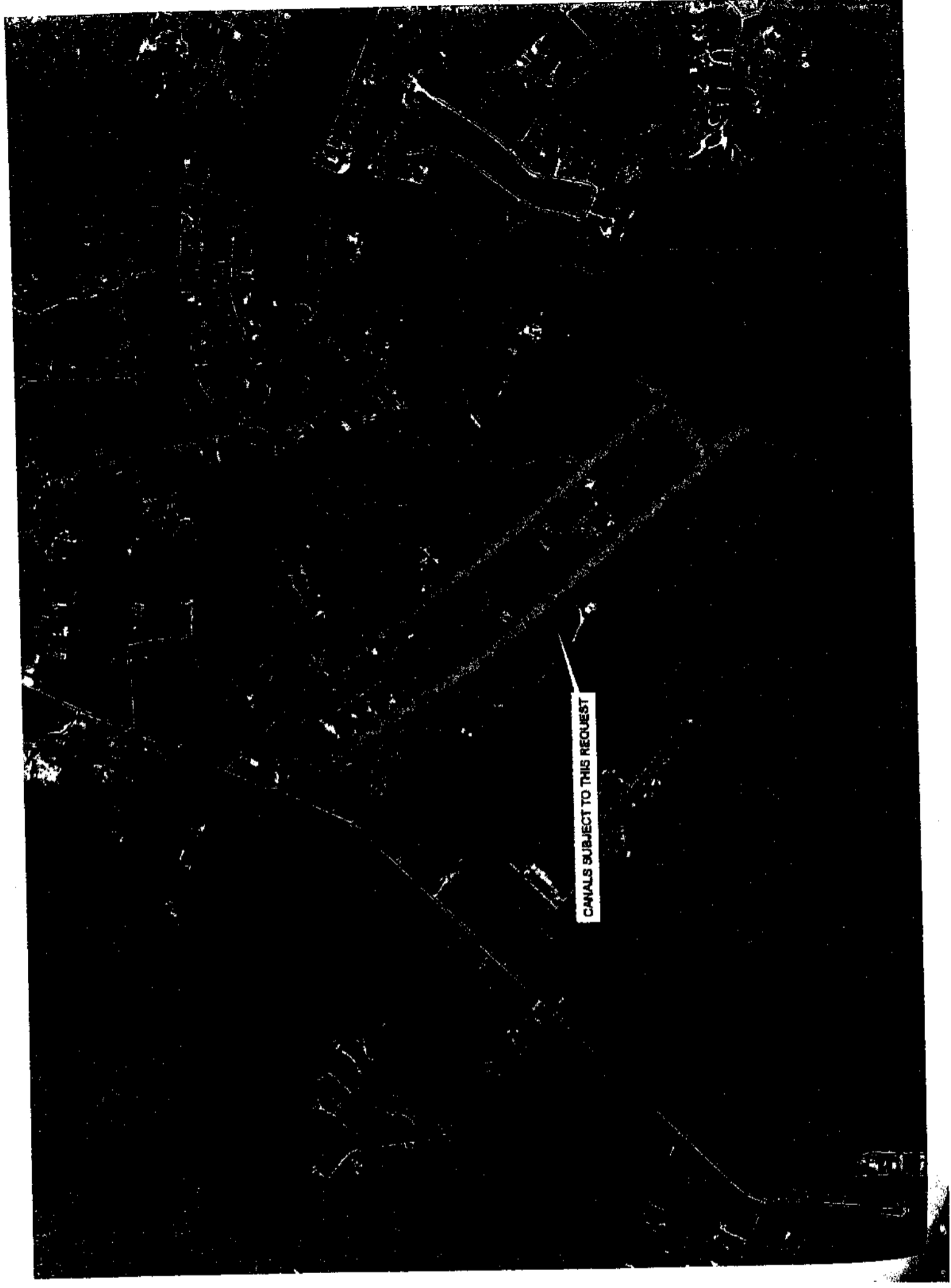
Now, I must defer to the Wildlife and Fisheries and the Sheriff's department as to the feasibility of enforcement. The sheriff's office does patrol our waterway now. I'm not in a position to know if this designation would place additional burdens on their officers or if it would create other problems. I also note that there are other similar developments in the same area that might also want the same thing. This might then escalate to an unmanageable situation.

If there are no objections from Enforcement, then I have no objection to this proposal.

Regards,

Don Peyton

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CANALS SUBJECT TO THIS REQUEST