

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 7174

ORDINANCE COUNCIL SERIES NO. 23- _____

COUNCIL SPONSOR MR. LORINO

PROVIDED BY: CIVIL DISTRICT ATTORNEY

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 7TH DAY OF FEBRUARY, 2023

ORDINANCE TO AMEND ST. TAMMANY PARISH CODE OF ORDINANCES, PART I - CODE OF ORDINANCES, CHAPTER 24 - MOTOR VEHICLES AND TRAFFIC, DIVISION 16 - COQUILLE SUBDIVISION, TO ADD SECTION 24-438 - ENFORCEMENT AND SECTION 24-439 - MAINTENANCE AND INDEMNIFICATION, TO AUTHORIZE THE ENFORCEMENT OF ALL ST. TAMMANY PARISH TRAFFIC AND ROADWAY ORDINANCES AND ALL OTHER STATE TRAFFIC PROVISIONS ON THE PRIVATE ROADWAYS WITHIN COQUILLE SUBDIVISION FOR PURPOSES OF PROTECTING THE HEALTH AND WELFARE OF RESIDENTS AND THE TRAVELLING PUBLIC, AND TO PROVIDE FOR MAINTENANCE AND INDEMNIFICATION OBLIGATIONS BY THE HOMEOWNERS ASSOCIATION OF COQUILLE SUBDIVISION.

WHEREAS, the homeowners association of Coquille Subdivision, a private subdivision within the unincorporated boundaries of St. Tammany Parish, has requested the Parish Council to allow the enforcement of state and local traffic laws by the Sheriff of St. Tammany Parish on the private roadways of Coquille Subdivision; and,

WHEREAS, the roadways of Coquille Subdivision have never been dedicated to the Parish for use by the public and remain dedicated to the use of the lot owners in the subdivision; and,

WHEREAS, the enforcement of traffic laws is necessary to protect the health, safety and welfare of the residents of Coquille Subdivision and the travelling public; and,

WHEREAS, the maintenance of the roadways within Coquille Subdivision will remain the obligation of the homeowners association, including any traffic control devices placed therein, and the homeowners association agrees to indemnify and hold harmless St. Tammany Parish and the St. Tammany Parish Sheriff from liability for any enforcement actions taken in accordance with these ordinances.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that St. Tammany Parish Code of Ordinances, Part I – Code of Ordinances, Chapter 24 – Motor Vehicles and Traffic, Division 16 – Coquille Subdivision, be amended to add Section 24-438 – Enforcement and Section 24-439 – Maintenance and Indemnification, as follows:

DIVISION 16. COQUILLE SUBDIVISION

Sec. 24-438. 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 Coquille Subdivision if the vehicle is exceeding the speed limit, has failed to obey a stop 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 state operator's license; or for any other violation of state and parish motor vehicle laws or ordinances, and to issue citation therefore.

Sec. 24-439. Maintenance and Indemnification.

It is the responsibility of the Coquille Subdivision Homeowners Association 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 Coquille Subdivision Homeowners Association agrees to hold harmless and indemnify the parish and the 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 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 be effective upon adoption and signature of the Council Chairman and Parish President.

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 DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 5TH DAY OF OCTOBER, 2023; AND BECOMES ORDINANCE COUNCIL SERIES NO. 23- .

JACOB "JAKE" A. AIREY, COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: DECEMBER 28, 2022

Published Adoption: _____, 2023

Delivered to Parish President: _____, 2023 at _____

Returned to Council Clerk: _____, 2023 at _____