

**ST. TAMMANY PARISH
CODE OF ORDINANCES**

CHAPTER 15

OFFENSES - MISCELLANEOUS

**ARTICLE I
IN GENERAL**

SEC. 15-001.00 Litter Prevention

This article shall be known and may be cited as the "St. Tammany Parish Litter Prevention Ordinance." For the purposes of this Article, the following definitions shall apply:(Ord. 01-0284, adopted 03/01/2001)

Definitions:

Court shall mean any Justice of the Peace Court in the Parish of St. Tammany and/or any Division of the 22nd Judicial District Court for the Parish of St. Tammany and/or Slidell City Court.

Dispose shall mean, in any way whatsoever, to throw, discard, place, deposit, discharge, burn, dump, drop, eject, or allow the escape of a substance.

Litter shall mean all waste material except as provided and defined in LA--R.S. 30:2173(2), including but not limited to disposable packages, containers, sand, gravel, rubbish, cans, bottles, refuse, garbage, trash, debris, dead animals, furniture or appliances, automotive parts, including but not limited to, tires and engines, trailers, boats, and boating accessories, tools and equipment, and building materials, or discarded materials of any kind and description. Litter shall not include agricultural products that are being transported from the harvest or collection site to a processing or market site if reasonable measures are taken to prevent the agricultural product from leaving the transporting vehicles. Litter also shall not include recyclable cardboard being transported in compressed bundles to processing facilities. "Agricultural product," as used in this definition, means all crops, livestock, poultry, and forestry; and all aquacultural, floricultural, horticultural, silvicultural, and viticultural products.

Local governing authority shall mean the St. Tammany Parish Council.

Parish shall mean the jurisdictional area where the offense was committed, including but not limited to the jurisdictional boundaries of the Parish of St. Tammany and all its waterways.

Public or private property means the right-of-way of any road or highway, levee, any body of water or watercourse or the shores or beaches thereof, any park, playground, building, refuge, or conservation or recreation area, and residential or farm properties, timberlands, or forests.

Gender shall be the use of him, her, his, hers, its; such words are understood to be interchangeable.

Person shall mean any human being, municipality, or other governmental or political subdivision or other public agency, public or private corporation, partnership, firm, association, organization, receiver, trustee, assignee, agent or other legal representative of any of the foregoing, or any other legal entity. (Amended by Ord. No. 04-0916, adopted 06/03/2004)

SEC. 15-001.01 Purpose and Scope

It is the purpose of this chapter and it is hereby declared to be the policy of the parish to implement a comprehensive plan to regulate litter and to eliminate litter as much as

possible in a manner that will:

1. Protect the public health, safety and welfare;
2. Prevent land, water and air pollution;
3. Prevent the spread of disease and the creation of nuisances;
4. Conserve natural resources;
5. Enhance the beauty and quality of the environment.

(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.02 Responsibility

A. The owner, his agent and occupant of any property shall maintain the premises in a sanitary and litter-free condition.

B. No person shall place, deposit or allow to be placed or deposited on his premises or any other premises to include any public street, road or alley any refuse or other objectionable waste, except in a manner described in this chapter.

C. The owner, his agent and occupant of any premises, and other persons having responsibilities as described herein, shall be responsible for the proper storage, collection, transportation and final disposal of all refuse originating on the premises, by a method or methods described in this chapter.

(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.03 Intentional littering prohibited; criminal penalties

A. No person shall intentionally dispose or permit the disposal of litter upon any public place in the Parish, upon private property in the Parish not owned by him, upon property located in rural areas in the Parish not owned by him, or in or on the waters of the Parish, whether from a vehicle or otherwise, including but not limited to any public highway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley except when such property is designated by the Parish or by any of its agencies or political subdivisions for the disposal of such litter and such person is authorized to use such property for such purpose.

B. If the litter is disposed from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined in LA--R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be an inference that the possessor committed the act of disposing.

C. When litter disposed in violation of this Section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings that display the name of a person or any other manner indicate that the article belongs or belonged to such person, there shall be an inference that such person has violated this Section.

1. The person shall be cited for the offense by means of a citation, summons, or other means provided by law.
2.
 - a. Whoever violates the provisions of this Section shall, upon first conviction, be fined two hundred and fifty (\$250.00) dollars and sentenced to serve eight (8) hours of community service in a litter abatement work program as approved by the Court.
 - b. Upon second conviction, an offender shall be fined five hundred (\$500.00) dollars and sentenced to serve sixteen (16) hours of

community service in a litter abatement work program as approved by the Court.

- c. Upon third or subsequent conviction, an offender shall be fined one thousand two hundred and fifty (\$1,250.00) dollars, have his motor vehicle driver's license suspended for one year, be imprisoned for not more than thirty (30) days, and be sentenced to serve eighty (80) hours of community service in a litter abatement work program as approved by the Court, or all or any combination of the aforementioned penalties provided by this Subparagraph.
- d. The judge may require an individual convicted of a violation of this Section to remove litter from Parish highways, public rights-of-way, public playgrounds, public parks or other appropriate locations for any prescribed period of time in lieu of the penalties prescribed in this Section.

(Ord. 01-0284, adopted 03/01/2001; amended by Ord. 08-1763, adopted 03/06/2008)

D. A person may be found guilty and fined under this Section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.

E. For the purposes of this Section, each occurrence shall constitute a separate violation.

F. In addition to penalties otherwise provided, a person convicted under this Section shall:

- 1. Repair or restore property damaged by or pay damages for any damage arising out of the violation of this Section.
- 2. Pay all reasonable investigative expenses and costs to investigative agency or agencies.
- 3. Pay all other reasonably related costs and expenses of any nature whatsoever incurred by the Parish, including but not limited to administrative expenses, attorney fees, and all costs.

(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.04 Gross littering prohibited; criminal penalties

A. No person shall intentionally dispose or permit the disposal of any household or office furniture or appliances, automotive parts, including but not limited to, tires and engines, trailers, boats, and boating accessories, tools, and equipment, building materials, and bags or boxes of household or office garbage or refuse upon any public place in the Parish, upon private property in the Parish not owned by him, upon property located in rural areas in the Parish not owned by him, or in or on the waters of the Parish, whether from a vehicle or otherwise, including but not limited to, any public highway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley except when such property is designated by the Parish or by any of its agencies or political subdivisions for the disposal of such litter and such person is authorized to use such property for such purpose.

B. If the litter herein as defined is disposed of from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined by LA--R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be an inference that the possessor committed the act of disposing.

C. When litter disposed in violation of this Ordinance is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings that display the name of a person or in any other manner indicate that the article belongs or belonged to such person, there shall be an inference that such person has violated this Section.

D. The person shall be cited for the offense by means of a citation, summons, or other means provided by law.

1. Whoever violates the provisions of this Section shall, upon first conviction, be fined not less than five hundred (\$500) dollars nor more than one thousand (\$1,000) dollars and sentenced to serve eight (8) hours of community service in a litter abatement work program as approved by the court.
2. Upon second conviction an offender shall be fined not less than one thousand (1,000) dollars nor more than two thousand five hundred (\$2,500) dollars and sentenced to serve twenty-four (24) hours of community service in a litter abatement work program as approved by the court.
3. Upon third or subsequent conviction, an offender shall be fined not less than one thousand five hundred (\$1,500) dollars nor more than five thousand (\$5,000) dollars have his motor vehicle driver's license suspended for one year, be imprisoned for not more than thirty days, or sentenced to serve not less than forty-eight (48) and not more than one hundred (100) hours in a litter abatement work program as approved by the court, or all or any combination of the aforementioned penalties.

E. The Court may require an individual convicted of a violation of this Section to remove litter from state highways, public rights-of-way, public playgrounds, public parks, or other appropriate locations for any prescribed period of time in lieu of the penalties prescribed in this section.

F. A person may be found guilty and fined under this Section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.

G. For the purposes of this Section, each occurrence shall constitute a separate violation.

H. In addition to penalties otherwise provided, a person convicted under this Section shall:

1. Repair or restore property damaged by or pay damages for any damage arising out of the violation of this Section.
2. Pay all reasonable investigative expenses and costs to the investigative agency or agencies.
3. Pay all other reasonably related costs and expenses of any nature whatsoever incurred by the Parish, including but not limited to administrative expenses, attorney fees, and all costs.

(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.05 Commercial littering prohibited; civil penalties; special court costs

A. No person shall dispose or permit the disposal of litter resulting from industrial,

commercial, mining, or agricultural operations in which the person has a financial interest upon any public place in the Parish, upon private property in this Parish not owned by him, upon property located in rural areas in this Parish not owned by him, or in or on the waters of this Parish whether from a vehicle or otherwise, including but not limited to any public highway public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley; except, when such property is designated by the Parish or by any of its agencies or political subdivisions for the disposal of such items and such person is authorized to use such property for such purpose.

B. No person shall operate any truck or other vehicle in such a manner or condition that litter resulting from industrial, commercial, mining, or agricultural operations in which the person is involved can blow or fall out of such vehicle or that mud from its tires can fall upon the roadway.

C. If the litter is disposed of from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or school bus, all as defined by LA--R.S.32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be a permissive rebuttable presumption that the possessor committed the act of disposing.

D. When litter disposed in violation of this Section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings that display the name of a person or in any other manner indicates that the article belongs or belonged to such person, there shall be a permissive rebuttable presumption that such person has violated this Section.

E. A person shall be jointly and severally liable for the actions of its agents, officers, and directors for any violation of this Section by any agent, officer, or director in the course and scope of his employment or duties.

F. The person shall be cited for the offense by means of a citation, summons, or other means provided by law.

G. Any person found liable under the provisions of this Section shall:

1. Pay a civil penalty of one hundred (\$100) dollars.
2. Repair or restore property damaged by or pay damages for any damaging arising out of the violation of this Section.
3. Pay all reasonable investigative expenses and costs to the investigative agency or agencies.
4. Pay for the cleanup of the litter unlawfully discarded by the defendant

H. Any person found liable under the provisions of this Section shall pay special court costs of fifty (\$50) dollars in lieu of other costs of court that shall be disbursed as follows:

1. Twenty dollars (\$20) shall be paid to the judicial expense fund for that judicial district, or to the justice of the peace or the city court, as the case may be.
2. Twenty dollars (\$20) shall be paid to the office of the district attorney, or to the constable or to the municipal prosecuting attorney, as the case may be.
3. Ten dollars (\$10) shall be paid to the clerk of the district court, or to the justice of the peace or the city court, as the case may be.

I. A person may be held liable and fined under this Section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.

J. For the purposes of this Section, each occurrence shall constitute a separate violation.

(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.06 Littering prohibited; civil penalties; special court costs

A. No person shall dispose or permit the disposal of litter upon any public place in this Parish, upon private property in this Parish not owned by him, upon property located in rural areas in this state not owned by him, or in or on the waters of this state whether from a vehicle or otherwise, including but not limited to any public highway public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley.

B. No person shall operate a motor vehicle on any highway or a boat on any waters in such a manner or condition that the contents can blow or fall out of such vehicle or boat.

C. No person shall dispose of litter in such a manner that the litter may be carried away or deposited by the elements upon any parts of said public or private property or waters.

D. If the litter disposed of is from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined by LA--R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be a permissive rebuttable presumption that the possessor committed or permitted the act of disposing.

E. When litter disposed in violation of this Section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings that display the name of a person or in any other manner indicates that the article belongs or belonged to such person, there shall be a permissive rebuttable presumption that such person has violated this Section.

F. The person shall be cited for the offense by means of a citation, summons, or other means provided by law.

G. Persons found liable under the provisions of this Section shall be assessed the following penalties:

1. For a first violation, such person shall be either fined seventy-five (\$75) dollars or be given the option to perform eight (8) hours of community service in a litter abatement work program in lieu of the assessed fine.

2. For a second violation and each subsequent violation, such person shall either be fined five hundred (\$500) dollars or be given the option to perform sixteen (16) hours of community service in a litter abatement work program in lieu of the assessed fine.

H. Persons found liable under the provisions of this Section shall pay special court costs of one hundred (\$100) dollars in lieu of other costs of court and the special court costs shall be disbursed as follows:

1. Twenty dollars (\$20) shall be paid to the judicial expense fund for that judicial district, or to the justice of the peace or the city court, as the case may be.

2. Twenty dollars (\$20) shall be paid to the office of the district attorney, or to the constable or to the municipal prosecuting attorney, as the case may be.
3. Ten dollars (\$10) shall be paid to the clerk of the district court, or to the justice of the peace or the city court, as the case may be.
4. Twenty-five (\$25) dollars shall be paid to the state treasury for credit to the Keep Louisiana Beautiful Fund.
5. Twenty-five (\$25) dollars shall be paid to the law enforcement agency that issued the citation.

I. A person may be held liable and fined under this Section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.

J. For the purposes of this Section, each occurrence shall constitute a separate violation.

(Ord. 01-0284, adopted 03/01/2001; amended by Ord. 08-1763, adopted 03/06/2008)

SEC. 15-001.07 Community service litter abatement work program and indemnification

A. A "court approved community service litter abatement program" may be created by the Office of the Parish President. Such program shall supervise persons ordered by state and local courts to perform community service work collecting or removing litter. If such program is not created, a fee schedule shall be established by the Court having jurisdiction over the matter.

B. If a community service program is established, a person who participates in a community service litter abatement work program shall have no cause of action for damages against the entity conducting the program or supervising his participation therein, nor against any employee or agent of such entity, for any injury or loss suffered by him during or arising out of his participation in the program, unless the injury or loss was caused by the intentional or grossly negligent act or omission of the entity or its employee or agent. The entity shall not be liable for any injury caused by the individual participating in the program unless the gross negligence or intentional act of the entity or its employee or agent was a substantial factor in causing the injury. No provision hereof shall negate the requirement to provide an offender with necessary medical treatment as statutorily required.

(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.08 Distribution of fines; Parish Beautification Fund and establishment of litter control

A. All fines, either civil or criminal, collected pursuant to this article or any applicable state law shall be deposited in a beautification fund administered by the Office of the Parish President for the purpose of encouraging, organizing, and coordinating volunteer local anti littering campaigns, to pay expenses for litter clean up, collection, enforcement, prosecution and prevention, and to purchase and operate equipment in connection thereof, all in accordance with LA--R.S. 33:1236.2 and LA--R.S. 33:1236 (54).

B. The Office of the Parish President may establish a litter control section within the Parish to enforce the provisions of this Section.

(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.09 Jurisdiction and procedure - Justice of the Peace; Constable

A. A Justice of the Peace shall have concurrent jurisdiction over the litter violations occurring in the Parish. In addition, a constable may issue summons and serve subpoenas anywhere in the Parish all in accordance with LA--R.S. 13:2586. Prosecution of litter violations and compensation in criminal cases of a justice of the peace and constable shall be in accordance with LA--R.S. 13:2587.1 and LA--R.S. 13:2589.(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.10 Adopt-A-Road program

A. To fulfill the obligations and responsibilities assigned to it under LA--R.S. 30:2521, the Parish has developed a program to be known as "Adopt-A-Road" whereby an individual, business or private civic organization may adopt section of Parish roadway or parks for the sole purpose of controlling litter along that section of road. Included in the responsibilities of any business or private civic organization that chooses to participate in the program shall be the following:

1. Develop a functional plan to influence and encourage the public to improve the appearance of the road or park.

2. Conduct four (4) general cleanups annually for two years.
(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.11 Reimbursements to Justice of the Peace Courts

A. All fines collected by the Justice of the Peace Courts for litter violations pursuant to La. R.S. 25:1101 et seq. shall be paid to St. Tammany Parish pursuant to La. R.S. 25:1112. St. Tammany Parish shall reimburse the Justice of the Peace Court which handles the litter violation(s) for the time spent and expenses incurred pursuant to La. R.S. 13:2589(B). This reimbursement shall consist of FIFTY PERCENT (50%) of the fines collected by St. Tammany Parish from the Justice of the Peace Courts.
(Ord. No. 89-1148, adopted 09/21/89; amended by Ord. No. 01-0284, adopted 03/01/2001)

CROSS REFERENCE: See Section 9-019.00 of the Code of Ordinances, and Division 3 entitled "Permit and Fee System for Solid Waste Disposal" of Chapter 9 beginning at Section 9-030.11 through Section 9-030.14 therein.

SEC. 15-001.12 Bottles/Glass Containers Prohibited

a) **Prohibited.** It shall be unlawful for any person to dump, throw or have in his possession any bottle, container or other item made of glass while on the premises of any public park, beach, playground, campground or other recreational facility in the unincorporated areas of this parish.

b) **Enforcement.** Enforcement of this Section is authorized, directed and empowered to the Sheriff's Department, State Police, Justices of the Peace, and duly authorized Parish Violation officials.

c) **Violation.** Any violation of this Section shall constitute a misdemeanor punishable as contained in Section 1-008.0 of this Code of Ordinance, and may be tried in the 22nd Judicial District Court or any appropriate Justice of the Peace Court in St. Tammany Parish in accordance with Acts 250 and 296 of the 1989 Legislature.

d) **Fines:** Any fines collected by the Justice of the Peace Courts for violations hereof shall be paid to St. Tammany Parish pursuant to La. R.S. 25:1101 et seq., and the Parish shall reimburse said Courts pursuant to La. R.S. 13:2589(B).
(Ord. No. 92-1622; Adopted 7/16/92)

STATE REFERENCE: LSA R.S. 25:1101 et seq.; Acts 250 and 296 of the 1989 Legislature.

SEC. 15-002.00 Obstruction Of Ditches Or Waterways

It shall be unlawful for any person to obstruct any ditch or waterway with any trees, logs, earth or other substance. (Ord. adopted 07/10/1900; Ord. adopted 11/17/15)

SEC. 15-002.01 Obstruction Of Waterways And Shoreline; Lake Road Boat Launch

1. It shall be unlawful for any person to obstruct the waterways and shoreline within one thousand (1,000) feet of the Lake Road Boat Launch by docking any vessel(s), the placement of any structure(s), permanent or temporary, or any other obstruction possibly impeding the access or safe use of the launch area.
2. Enforcement of this Section is authorized, directed and empowered to the Sheriff's Department and the Parish Department of Public Works.
3. Any person(s) found to be in violation of the provision of this Section shall be subject to the penalty provisions of Section 1-008.0 of the Code of Ordinances. (Ord. No. 84-294, adopted 12/20/84)

SEC. 15-002.02 Aircraft in Eden Isles Subdivision

It shall be unlawful for any pilot of any aircraft, airplane, seaplane to land, take off or taxi in or on any road or waterway or from any lot or tract of ground situated in Eden Isles Subdivision, Units 1, 2, 3 and 4, all as more fully shown in said subdivision plats which are filed in the Office of the Clerk of Court for St. Tammany Parish, Louisiana, except in a bonafide emergency. (Ord. 81-298, adopted 11/24/81)

SEC. 15-003.00 Fortune-Tellers, Mind Readers, Etc., Prohibited

It shall be unlawful for fortune-tellers, mind readers, faith healers, palm readers, Indian advisors or others engaged in similar activities, to operate within the Parish. (Ord. No. 303, Bk. 5, P. 84)

SEC. 15-004.00 Killing Or Interference With Police Dogs

It shall be unlawful for any person to willfully or maliciously torture, torment, beat, kick, strike, mutilate, injure, disable, or kill any dog used by the Sheriff's Department in the performance of the functions or duties of such Department, or to interfere with or meddle with any such dog while being used by said Department or any officer or member thereof in the performance of any of the duties or functions of said Department or of such officer or member. (Ord. No. 314, Bk. 5, P. 165)

SEC. 15-005.00 Herbicides Prohibited

It shall be unlawful for any person, group, company, corporation or organization to apply, use, or incorporate the use of any herbicide, including but not limited to, those registered with and/or approved by the U. S. Environmental Protection Agency or the Louisiana Department of Agriculture and Forestry, for the management, control, eradication or maintenance of weeds, grass, trees, shrubs, foliage, vegetation or other natural growth in any parish right-of-way, ditch, servitude, drainage area, roadside, road shoulder, green area, buffer zone, waterway, neutral ground or median in the unincorporated areas of St. Tammany Parish. (Ord. No. 853, adopted 07/20/78; amended by Ord. No. 93-1789, adopted

08/19/93)

CROSS REFERENCE: See also in Section 11-066.00, .01, .03 and 11-066.05; see also in Sections 20-002.20 through 20-002.23.

SEC. 15-005.01 Definitions

a) **Herbicide:** Any substance, chemical, toxic, element or composition thereof, commonly or professionally known, identified as, or used, for the purpose of destroying, eradicating, eliminating, killing, stunting or preventing weeds or the growth thereof. (Ord. No. 853, adopted 07/20/78; amended by Ord. No. 93-1832, adopted 10/21/93)

b) **Parish rights-of-way, etc.:**

1) **Right-of-way:** Any public way, street, road, alley, easement, servitude or access, which was dedicated to or acquired by the Parish to provide means of access to abutting properties; whether paved, improved or unimproved, including those areas dedicated for proposed or future uses.

2) **Ditch:** Natural or dedicated area which provides for the containment or flow of water from rain or adjacent drainage areas or waterways such as streams, creeks, ponds, lakes or rivers.

3) **Servitude:** A right-of-way through or across property belonging to another.

4) **Easement:** Designated right to use the property of another for a specific purpose, i.e., drainage, utility easement.

5) **Drainage Area:** Area maintained for the purpose of channeling or preventing accumulation of water from surrounding land.

6) **Roadside/Road Shoulder:** Natural or dedicated areas which are parallel, contiguous to, abut, adjoin, border, edge, connect or approach any public right-of-way, road, street or highway.

7) **Median/Neutral Ground:** The area dividing or separating a roadway and not used for right of passage.

(Ord. No. 853, adopted 07/20/78; amended by Ord. No. 93-1832, adopted 10/21/93)

SEC. 15-005.03 Exemptions

Exempt herefrom are hand held manual pump sprayers up to a maximum three (3) gallon capacity. (Ord. No. 853, adopted 07/20/78; amended by Ord. No. 93-1832, adopted 10/21/93)

SEC. 15-005.05 Violations; Penalties:

A violation of the provisions of this article [Division] shall constitute a misdemeanor and shall be punishable under Section 1-008.00 of the Code of Ordinances of St. Tammany Parish. For each day a violation occurs, the same shall constitute a separate offense regardless of whether said violation is of a continuing nature. (Ord. No. 853, adopted 07/20/78; amended by Ord. No. 93-1832, adopted 10/21/93)

SEC. 15-005.06 Placement of Advertising Signs in Parish rights-of-way

This article shall be known and may be cited as the "St. Tammany Parish Advertising

Signs on Rights-of-Way”.

SEC. 15-005.07 Definitions:

Parish shall mean the jurisdictional boundaries of the Parish of St. Tammany and all its waterways.

Political sign shall mean any sign urging the election or defeat of any candidate seeking any political office, or urging the passage or defeat of any ballot measure.

Real Estate sign shall mean any temporary sign pertaining to the sale, lease or rental of land or buildings, which is erected or displayed on the lot or parcel to which it applies.

Right-of Way shall mean any portion of ground dedicated to the Parish for public use as a street or other use.

Sign shall mean a medium of communication, including its structure and component parts, which is used or intended to be used to attract attention to its subject matter or location usually for advertising purposes.

Sign owner shall mean that person who owns a sign and/or is responsible for a sign. In those cases in which an owner cannot be determined; the owner of the subject being advertised shall be deemed the owner of the sign.

Snipe sign shall mean a sign which is tacked, nailed, posted, pasted, glued or otherwise attached to poles, stakes, or to other like objects.

SEC. 15-005.08 General Prohibition:

The erection, installation, maintaining or otherwise placing or permitting to remain upon any Parish highway, right-of-way, including the shoulder, bank, and outer or far side thereof, street, roadway, emergency lane, median, of any commercial advertising sign, snipe sign, poster, marker, placard, notice, light, signal light, warning of direction sign, is prohibited, except insofar as specifically excepted according to provisions made in this ordinance.

SEC. 15-005.09 Exemptions from General Prohibition:

The above prohibition shall not apply to the following:

1. Signs placed by the Parish Department of Public Works and Parish Department of Planning, or by order of the Parish President or Parish Council to direct, warn, caution or inform the traveling public for the convenience and safety thereof;
2. Signs placed by the Louisiana State Department of Transportation and Development or other state agency for the purpose of informing or warning the public of a regulation made pursuant to law by such agency in keeping with its purposes, the safety, convenience or welfare of the public;
3. Signs placed by the authorities of incorporated municipalities within their corporate limits, in those instances where a parish road crosses or enters a municipal corporation;
4. Signs placed by railroad companies at or near railroad crossings, where required or permitted by law.

SEC. 15-005.10 Permits - Temporary required:

The Parish Director of Planning, or his designee, may issue temporary permits, or certificates of authority, permitting the advance placement on private property, of temporary signs with the purpose of directing guests, members of organizations or other persons to a spot or location where a permitted special event will be held. (amended by Ord. No. 03-0615, adopted 02/06/2003)

SEC. 15-005.11 Issuance; removal of signs:

Any such temporary permit shall be in writing and signed by the issuing officer, and it shall provide that after the permitted special event, all such signs shall be removed by the person to whom the temporary permit is issued; a sum estimated as sufficient to defray the expense of removing the signs if such permittee fails to do so, shall be collected at the time the temporary permit is issued. The security shall be returned when satisfactory evidence of the removal of such signs by permittee has been presented to the issuing official. (amended by Ord. No. 03-0615, adopted 02/06/2003)

SEC. 15-005.12 Issuance under other ordinance or resolution:

If the Council, by resolution or ordinance, grants a special permit, either temporary or permanent, for the placement of any sign in the right-of-way of any road, such resolution or ordinance shall not be deemed a repeal of these procedures, but shall be deemed an exception, along with those exceptions listed above in Exemptions from General Provisions.

SEC. 15-005.13 Procedures for removal of structures, signs, obstacles, objects, deposits/things within right-of-way:

1. Apparent Value: When structures, signs, obstacles, etc., are of a permanent nature with significant value, the sign owner will be notified by certified mail to remove it within five (5) days. When items do not have significant value but do retain some apparent value, the owner shall be notified orally to remove it within five (5) days. All signs of significant or apparent value will be marked with a NOTICE OF VIOLATION at the time of owner notification. If the owner is unknown or cannot be found, a NOTICE OF VIOLATION shall be affixed to the object setting forth that it must be removed within five (5) days from the date specified. Failure to remove within the specified period of time serves as forfeiture of all rights thereto and the Parish Government may remove the object for its own use, and dispose of it in any way deemed necessary. The owner and any other person responsible therefore remains liable for any damages to the public property or expenditures of public funds resulting from the installation or removal of such items. (amended by Ord. No. 03-0615, adopted 02/06/2003)

2. No Apparent Value: Structures, signs, obstacles, etc. that have no apparent value will be summarily removed and destroyed or disposed of in the most cost effective manner available. Items in this category are wooden stake signs, small cardboard signs, light paper signs, signs nailed to utility poles, snipe signs, signs deemed to be a traffic hazard or obstacle to right-of-way maintenance.

3. Political, Real Estate, or Similar Type Signs: Political, real estate, or similar type signs shall not be located within the public right-of-way. Large signs (i.e. plywood with 2 by 4 supports, or signs that exceed 4 square feet in surface area) will be marked with a NOTICE OF VIOLATION and removed after five (5) days. The ultimate disposition of political, real estate, or similar type signs will be provided in paragraph two (2) above. (amended by Ord. No. 03-0615, adopted 02/06/2003)

4. Potential Traffic Hazard or Obstacle to Maintenance: Any structure, sign, headwall, obstacle, object, deposit, or thing which is potentially hazardous or interferes with road or structure maintenance because of its location or type of construction will be removed

as provided for in paragraph two (2) above.

SEC. 15-005.14 Removal and Disposal:

Any commercial advertising sign, snipe sign, poster, marker, placard, notice, light, signal light, warning of direction sign, or any other sign as defined in the foregoing sections, considered to be of no apparent value or potential traffic hazard or obstacle to maintenance is subject to immediate removal and disposal by the Department of Permits and Regulatory, Department of Planning, Code Enforcement/Violations officers, Department of Environmental Services, Litter Abatement, St. Tammany Parish Constables, as soon as possible after either of those departments and/or officials is made aware of the location of such signs on public property or within the right-of-way.

SEC. 15-005.15 Litter Violation:

Any violation of the aforementioned Sections shall be considered a violation of the Parish Code of Ordinances and is subject to the civil and criminal procedures provided therein.

(Ord. No. 02-0551, adopted 10/10/2002; amended by Ord. No. 03-0615, adopted 02/06/2003)

CROSS REFERENCE: See Section 20-014.00 in Chapter 20

SEC. 15-005.16 - 15-005.99 Reserved

**ARTICLE II
WATERCRAFT SPEED LIMITS**

Sec. 15-006.00 Watercraft Speed Limits

Editorial Note: New Section 15-006.00 replaced Sections 15-006.00 through 15-66.031 under authority of Ord. No. 98-2881, adopted 6/18/98

A. Unlawful operation: It shall be unlawful to operate any vessel or watercraft on any waterway in St. Tammany Parish such that its speed exceeds a speed of "dead slow" within the following described "Dead Slow, No Wake" zones:

1. Tchefuncte River Area

a. A portion of the Tchefuncte River from a point 1.5 miles upstream from the river's mouth at Lake Pontchartrain to a point 2.75 miles north of the river's mouth at Lake Pontchartrain. This 1.25 mile stretch of river encompasses an area from roughly 700 yards south of the Highway 22 bridge south of the Marina Del Ray entrance to a point in the curve just upstream from the commercially developed portion of Highway 22 that backs up to the river.

b. A portion of the Tchefuncte River beginning at a line across the river at a point 200 feet north of an inlet off the river commonly known as "High Bridge Canal", and extending to a line across the river at a point 100 feet south of the High Bridge Canal. (Ord. 01-0396, adopted 11/15/2001)

c. Within the "Tchefuncte Country Club Marina" and associated canals and slips, including the mouth of the marina at the Tchefuncte River, in their entirety.