HLS 13RS-451 ORIGINAL

Regular Session, 2013

HOUSE BILL NO. 74

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BY REPRESENTATIVE LORUSSO

LEVEES: Provides with respect to the location of obstructions placed on a levee in Orleans Parish

AN ACT

2 To amend and reenact R.S. 38:225(A)(1)(a), relative to levees; to limit the placement of 3 obstructions upon certain levees in Orleans Parish; and to provide for related matters. 4 Notice of intention to introduce this Act has been published 5 as provided by Article III, Section 13 of the Constitution of 6 Louisiana. 7 Be it enacted by the Legislature of Louisiana: 8 Section 1. R.S. 38:225(A)(1)(a) is hereby amended and reenacted to read as follows: 9 §225. Obstructions on levees, waterways, and rights-of-way therefor; removal at 10 expense of person responsible; destroying markers prohibited 11 A. No person shall: 12 (1)(a) Place or cause to be placed upon or within fifteen feet of any part of 13 the levees fronting any waterway or upon or within six feet of any part of a levee 14 fronting the 17th Street, Orleans Avenue, or London Avenue outfall drainage canal 15 located in Orleans Parish not used for commercial navigation and is subject to the 16 control or surveillance of police juries, levee boards, municipal corporations, or other 17 authorized boards or departments any object, material, or matter of any kind or 18 character which obstructs or interferes with the safety of the levees or is an obstacle 19 to the inspection, construction, maintenance, or repair of any levee; or place or cause to be placed any object, structure, material, or matter of any kind or character upon 20

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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any part of any land which the state or any agency or subdivision thereof may own or acquire by deed, lease, servitude, charge, or otherwise, and through its authorized representative, may donate, grant, or otherwise convey to the United States' rights-of-way, easements, or other servitudes for the construction, improvement, or maintenance of any flood-control structures or natural or other waterway, which may obstruct or interfere with the improvement or maintenance of such waterway or use of the land for flood-control purposes.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Lorusso HB No. 74

Abstract: Prohibits the placement of any obstruction within six feet of any part of a levee in Orleans Parish.

<u>Present law</u> prohibits the placing of material or matter of any kind which obstructs or interferes with the safety of the levee or is an obstacle to the inspection, construction, maintenance, or repair of any levee within 15 feet of any part of the levee.

<u>Proposed law</u> adds a prohibition on placement of obstructions within six feet of any part of a levee fronting the 17th Street, Orleans Avenue, or London Avenue outfall drainage canal in Orleans Parish not used for commercial navigation.

(Amends R.S. 38:225(A)(1)(a))

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