

Regular Session, 2012

HOUSE BILL NO. 246

BY REPRESENTATIVE LORUSSO

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

1 AN ACT

2 To amend and reenact R.S. 38:225(A)(1)(a), relative to levees; to prohibit the placement of
3 any obstruction upon or within six feet of any part of levees; and to provide for
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 38:225(A)(1)(a) is hereby amended and reenacted to read as follows:

7 §225. Obstructions on levees, waterways, and rights-of-way therefor; removal at
8 expense of person responsible; destroying markers prohibited

9 A. No person shall:

10 (1)(a) Place or cause to be placed upon or within fifteen feet of any part of
11 the levees fronting any waterway commonly used for commercial navigation, or
12 upon or within six feet of any part of the levees fronting any outfall drainage canal
13 not used for commercial navigation, and is subject to the control or surveillance of
14 police juries, levee boards, municipal corporations, or other authorized boards or
15 departments any object, material, or matter of any kind or character which obstructs
16 or interferes with the safety of the levees or is an obstacle to the inspection,
17 construction, maintenance, or repair of any levee; or place or cause to be placed any
18 object, structure, material, or matter of any kind or character upon any part of any
19 land which the state or any agency or subdivision thereof may own or acquire by
20 deed, lease, servitude, charge, or otherwise, and through its authorized

1 representative, may donate, grant, or otherwise convey to the United States' rights-
 2 of-way, easements, or other servitudes for the construction, improvement, or
 3 maintenance of any flood-control structures or natural or other waterway, which may
 4 obstruct or interfere with the improvement or maintenance of such waterway or use
 5 of the land for flood-control purposes.

6 * * *

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. 246

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

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

Proposed law prohibits the placing of material or matter of any kind which obstructs or interferes with the safety of the levees or is an obstacle to the inspection, construction, maintenance, or repair of any levee within 15 feet of any part of a levee along a waterway commonly used for commercial navigation and six+ feet of any part of a levee fronting any outfall drainage canal not used for commercial navigation.

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

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill.

1. Provided that no obstructions can be placed within 15 feet of a levee on a waterway that is used for commercial navigation.
2. Provided that no obstructions can be placed within six feet of a levee on a waterway that is on a drainage canal not used for commercial navigation.