

BY COUNCIL MEMBER MESSINA

ORDINANCE NO. 2017-23

AN ORDINANCE TO AMEND AND RE-ENACT TITLE 11, CHAPTER 18, SECTION 11:207 OF THE CODE OF ORDINANCES OF THE CITY OF CENTRAL RELATIVE TO THE ESCORT OF OVERSIZED VEHICLES AND TO PROVIDE FOR ALL RELATED MATTERS

WHEREAS, the Council of the City of Central desires to revise and re-enact that provision.

BE IT ORDAINED by the Council of the City of Central, State of Louisiana as follows:

Section 1: Title 11, Chapter 18, Section 11:207 of the Code of Ordinances of the City of Central as enacted by Ordinance No. 2005-05 is hereby amended and re-enacted so as to read as follows:

(a) Definitions. As used in this section, the following terms shall have the following meaning:

(i) "Mobile home" shall mean:

(a) a trailer or semi-trailer which is designed, constructed and equipped as a dwelling place, living abode, or sleeping place, either permanently or temporarily, and is equipped for use as a conveyance on highway; or

(b) a trailer or semi-trailer whose chassis and exterior shell is designed and constructed for use as a "mobile home" as defined in subsection (i)(a), but which is used instead permanently or temporarily for the advertising, sales, display, or promotion of merchandise or services, or for any other commercial purpose except the transportation of property for hire or the transportation of property for distribution by a private carrier.

(ii) "Oversized vehicle" shall mean any vehicle or combination of vehicles, which, together with its load, exceeds either 12 feet in width, or 14 feet in height, or 90 feet in length. However, a mobile home which is less than 16 feet in width shall not be considered an oversized vehicle.

(iii) "Qualified law enforcement officer" shall mean a Central Police Department officer, an East Baton Rouge Sheriff's Office deputy assigned to the Traffic Division, a Louisiana State Police Trooper, or any other bona fide law enforcement agency official, as designated by the Chief of the Central Police Department.

(b) Requirement. No person shall operate or permit to be operated an oversized vehicle, as defined in this section, within the corporate limits of Central, without at least two off-duty qualified law enforcement officers as escorts.

(c) Exception. Any oversized vehicle that is being transported by a Louisiana State Police escort is exempt from the requirement of subsection (b).

(d) Fees. A fee of \$100.00 per City of Central police escort per trip shall be paid directly to the officer. If a City of Central police unit escorts an oversized vehicle onto private property, a unit use fee of \$10.00 per unit per trip shall be paid to the City of Central.

Section 2: Conflicts

The specific terms and conditions of this Ordinance shall prevail against prior ordinances of the City to the extent that there may be any conflict.

Section 3: Severability

If any section, subsection, sentence, clause or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, such declaration of invalidity shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part declared invalid. The remainder of the Ordinance shall not be affected by the declaration of invalidity and shall remain in force and effect.

Section 4: Effective Date

This Ordinance shall be effective upon publication.

Introduced before the Council on this 22nd day of August, 2017.

Notice of the public hearing was published in The Advocate on the 8th day of September, 2017.

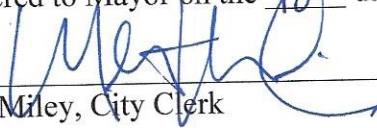
This Ordinance having been submitted to a vote, the vote thereon is as follows:

For:	Ellis, Fralick, Messina, Vance
Against:	Evans
Absent:	None

Adopted this 12th day of September, 2017.


Signed this 15th day of September, 2017.

Delivered to Mayor on the 18th day of September, 2017:



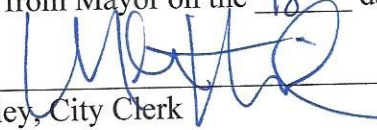
Mark Miley, City Clerk

Approved:



I.M. Shelton, Jr., Mayor

Received from Mayor on the 18th day of September, 2017:



Mark Miley, City Clerk

Adopted Ordinance published in The Advocate on the 22nd day of September, 2017.