

## **CHAPTER 17**

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#### **Section 17.1 Highway regulatory act adopted**

(a) Pursuant to the authority conferred by L.R.S. Title 32:41(C), the municipality adopts the provisions of L.R.S. Title 32, Chapter 1, (Louisiana Highway Regulatory Act) and all regulations of the State Department of Development and Transportation and the secretary of the Department of Public Safety adopted pursuant thereto, except for such provisions and regulations as by their nature can have no application and except as otherwise provided in this code.

(b) Any person charged with a violation of this section may promise, in writing on a form prepared or otherwise used by the municipality, to appear to answer the charge.

(c)(1) Any person charged with a violation of this section may plead guilty to the alleged offense and pay the fine prior to date of adjudication in the clerk's office in the Town Hall during business hours or by mail. Payment by mail must be postmarked on or before the date of adjudication and may be made by check or money order. No temporary checks or cash shall be accepted by mail.

(2) If the offender fails to pay the fine by mail in advance of adjudication and fails to appear at the time and date indicated on the citation, an additional penalty in an amount not to exceed the amount of the fine for the original violation may be imposed by the mayor's court.

(d) Subsections (b) and (c) shall not apply to citations alleging that the operator of the motor vehicle was:

- (1) Under the influence of alcohol or controlled substances.
- (2) Exceeding the speed limit by fifteen (15) miles per hour or more.
- (3) Exceeding the speed limit in a school zone.
- (4) Driving with a suspended license.
- (5) Drag racing.
- (6) Cited for failure to maintain compulsory security.

(e) Subsections (b) and (c) shall not apply when the operator was involved in an accident in which a person was injured or is alleged to have committed the same offense twice within a period of one hour. (Ordinance No. 2 of 1980; Ordinance No. 6 of 1996)

### **Section 17.2 Supervision, regulation, etc. by police chief, generally**

The chief of police shall supervise and regulate all traffic on the public streets, enforce the provisions of this chapter; investigate the public highways and effect methods and practices relative thereto as in his judgment and experience he deems advisable; and enforce them as an exercise of the police power of the municipality.

### **Section 17.3 Making and enforcing regulations, permanent and temporary**

The chief of police is hereby empowered to make and enforce regulations necessary to make effective the provisions of this chapter and to make and enforce temporary regulations to cover emergencies and special conditions.

### **Section 17.4 Authority to place signs, signals and markings**

The chief of police is authorized and directed as to those signs and signals required herein to place and maintain or cause to be placed and maintained all traffic signs and signals with the approval of the board. (Amended by Ordinance No. 4 of 1986.)

### **Section 17.5 Free flow of traffic; obstruction prohibited**

All persons are prohibited from engaging in driving procedures which obstruct the free flow of traffic in, around, over and through the streets, alleyways and other public ways. Any person is prohibited from stopping his vehicle (except at a stop signal or stop sign, or to honor another driver's right-of-way, or in an emergency situation) in a manner as to obstruct the free and orderly flow of traffic by the maneuver, or to engage in unduly slow driving procedures so as to obstruct the free flow of traffic or to needlessly "circle the block" or dawdle, or make unnecessarily rapid accelerations and decelerations or to in any other manner constitute a traffic nuisance or hazard.

### **Section 17.6 Speed limits established**

(a) No person shall operate any motor vehicle or tractor upon any of the streets and highways at a greater speed than is reasonable and proper having regard to the width, traffic, and use thereof, or so as to endanger the property or life or limb of any person.

(b) Except as provided in (c) and (e), the speed limit for all municipal streets shall be twenty-five miles per hour.

(c) Each municipal street located within one thousand feet of a public school shall be considered a school zone and on days when school is in session, the speed limit on each municipal street within that area shall be twenty miles per hour between the hours of seven a.m. and nine a.m. and between the hours of two p.m. and four p.m. (Ordinance No. 6 of 1995)

(d) Increase speed limit to forty-five miles per hour on West St. Francis Street between designated signs unless school zone hours are in effect. (Ordinance No. 4 of 2005)

(e) The speed limit shall be twenty miles per hour in Brusly Oaks Subdivision. (Ordinance No. 6 of 2006)

#### **Section 17.7 Stop intersections established**

The intersections specified in appendix I-A, hereby incorporated herein, are established as stop intersections, and official stop signs shall be erected (or are hereby confirmed if heretofore erected) in a position as to face traffic approaching the second-named street upon the first-named street in the direction or directions therein indicated. All motor vehicles approaching the intersection upon the first-named street in the direction or directions therein indicated in each case shall come to a full stop within a reasonable distance before entering the intersection.

#### **Section 17.8 Yield right-of-way intersections established**

The intersections specified in appendix I-B, hereby incorporated herein, are established as yield right-of-way intersections and official yield signs shall be erected (or are hereby ratified if heretofore erected) in a position as to face traffic approaching the second-named street from the first-named street in the direction or directions therein indicated. All vehicles and tractors approaching the intersection upon the first-named street in the direction or directions there-in indicated shall yield the right-of-way to any motor vehicle in the intersection or approaching on the second-named street so closely as to constitute an immediate hazard during the time that the operator of the vehicle or tractor is moving across or within the intersection.

#### **Section 17.9 Vehicle weight limits established**

It is unlawful for any person to operate a motor vehicle on any municipal street which is carrying a load in excess of six tons, with the exception of concrete (cement) trucks, which are limited to eight yards of concrete mix on any one load.

#### **Section 17.10 Vehicles to be parked within marked spaces**

Whenever a space is marked off on any roadway for the parking of an individual vehicle, every vehicle there parked shall be parked within the lines bounding that space.

**Section 17.11 Parking prohibited at all times in certain locations**

It is unlawful for the owner or operator of any motor vehicle or other vehicle to park the vehicle in any of the places on the streets and alleys specifically designated in appendix II-A, hereby incorporated herein.

**Section 17.12 Parking, storing, or driving on or across neutral grounds, parks, rights-of-way, sidewalks, and other public ways**

(a) No person shall park, store, or drive any vehicle of any kind on or across any neutral ground, park, right-of-way, sidewalk, or other public way, or park or store any automobile or other vehicle on any sidewalk, or on the strip between the property line and the street curbs.

(b) The police department may remove, tow away, and impound, or have removed, towed away, and impounded any vehicle parked or stored on any neutral ground or on or across any sidewalk, right-of-way or other public way.

(c) Whoever violates the provisions of this section shall be fined not more than two hundred dollars (\$200.00), or imprisoned for not more than sixty (60) days, or both. (Ordinance No. 10 of 1987)

**Section 17.13 Parking, storing, or driving vehicle on or across private property without authority**

(a) No person shall park, store, or drive any vehicle of any kind on or across privately owned property without the prior authorization and consent of the owner of the private property.

(b) The police department may remove, tow away, and impound, or have removed, towed away, and impounded any vehicle parked or stored on any private property in violation of this section if the owner of the private property consents to and authorizes the removal of the vehicle.

(c) Whoever violates any provision of this section shall be fined not more than two hundred dollars (\$200.00), or imprisoned for not more than sixty (60) days, or both. (Ordinance No. 10 of 1987)

**Section 17.14 Trains; blocking crossings; speed limit**

(a) It is unlawful for any railroad company or corporation, its successors or assigns, any trainman, conductor, brakeman, flagman or other member of the train crew or any other person to operate or permit operation of any trains, locomotive, or any other vehicle so as to obstruct, use, or occupy any crossings on any public street for more than fifteen minutes at one time.

(b) It is unlawful for any person to operate or permit operation of a railroad train within the

corporate limits at a speed in excess of thirty-five miles per hour.

**Section 17.15 Bicycle operation regulated; registration;disposal**

- (a) As used in this chapter, the term "vehicle" shall include bicycles, motor bikes, motor scooters, and motorcycles.
- (b) The vehicles listed in (a) above shall not be ridden over or upon the sidewalks of this municipality.
- (c) Operators of vehicles listed in (a) above shall in all respects comply with existing state laws regarding registration, operation, and safety.
- (d)
  - (1) As used in this subsection, the term "bicycle" includes tricycles and shall be deemed to mean any vehicle propelled by human power by action of the feet upon pedals, upon which a person may ride, having wheels with a diameter of twenty inches or longer.
  - (2) The owner, or the parent or guardian of the owner, of a bicycle may register the bicycle with the chief of police. Such registration may consist of either filing a copy of a completed registration form required by the parish or municipality wherein the bicycle was purchased or filing a completed registration form as prescribed by the chief of police.
  - (3) The chief of police shall keep the record of all bicycles registered pursuant to this subsection for five years.
  - (4) It shall be unlawful for any person to remove, change, alter, or mutilate any bicycle frame number.
  - (5) Any person who violates paragraph (4) above shall, upon conviction thereof, be fined not more than fifty dollars, imprisoned not more than ten days, or both, for each offense.
  - (6) Bicycles in the possession of the chief of police, either as found property or as recovered stolen property, may be disposed of as follows:
    - (i) When the bicycle is lawfully registered or can otherwise be identified as to ownership, the chief shall return the bicycle to the lawful owner thereof.
    - (ii) When the lawful ownership of the bicycle cannot be established, the chief may dispose of the bicycle, or component parts thereof, in one of the following methods as approved by the board:
      - (A) By sale to the highest bidder through a public bid process.
      - (B) Through use by the municipality.
      - (C) By donation to a school or institution of learning or to a charitable nonprofit organization.
  - (7) Thirty days prior to the disposition of any bicycle in accordance with paragraph (6), the municipality shall publish a notice of the municipality's intention to dispose of any

bicycle, together with a description of the bicycle for which disposition is planned. This notice shall be published one time and no less than thirty days thereafter, the chief shall proceed, as authorized by the board, in accordance with paragraph (6). (Ordinance No. 2 of 1995)

#### **Section 17.16 One way streets established**

(Added by Section 1, Ordinance adopted January, 1980. Effective February 15, 1980. Rescinded March 10, 1980.)

#### **Section 17.17 Moving buildings, structures, trailers, or mobile homes on municipal streets**

(a) It is unlawful to pull a building or structure or a trailer or mobile home, as those terms are defined in section 19.29(h), on any municipal street without first obtaining a permit therefore from the municipal clerk.

(b) Upon application of any person for a permit to pull a building or structure or a trailer or mobile home, as those terms are defined in Section 19.29(h), upon any municipal street, the municipal clerk shall ascertain the intended location of the building or structure or trailer or mobile home; that the proposed location of the building or structure or the trailer or mobile home complies with all municipal ordinances if the proposed location is within the municipality; and collect five dollars (\$5.00) from the applicant before issuing a permit authorizing such movement.

(c) The permit required by this section is in addition to any other permit and fee required by municipal ordinance, including but not limited to, the permit and fee required by section 19.32.

(d) It is unlawful to pull a building or structure or a trailer or mobile home, as those terms are defined in section 19.29(h), on any municipal street without being escorted by municipal police. (Added by Section 1, Ordinance No. 9 of 1983)

#### **Section 17.18 Operating motor vehicles not covered by required security**

(a) No person shall knowingly operate a motor vehicle nor shall any owner allow a motor vehicle to be operated when such motor vehicle is subject to the Motor Vehicle Safety Responsibility Law and is not covered by the required security.

(b) Whoever violates this section shall, upon conviction, be fined not more than five hundred dollars.

#### **Section 17.19 Handicapped parking; restrictions**

(a) No person shall park a vehicle in any parking space designated for the mobility impaired in a publicly owned and operated parking facility, public facility, or public facility for accommodation when the vehicle does not have a license plate for the mobility impaired which contains the word "handicapped" embossed on it or a properly displayed parking card issued pursuant to R.S. 47:463.4 or 463.4.1.

(b) Any person violating subsection (a) shall be fined two hundred seventy-five (\$275) dollars for each violation.

(c) In addition to the fine in subsection (b), the offender may be required to pay the towing fee and any storage costs incurred in enforcing this section. (Ordinance No. 4 of 1996)

**Section 17.20. Maintenance of highway median area; herbicides and other chemicals prohibited**

(a) No person or other legal entity shall apply, distribute, or otherwise use any herbicide or other chemical to regulate, restrict, control, or terminate the growth of any vegetation in any highway median area within the municipality.

(b) Whoever violates the provisions of subsection (a) shall, upon conviction, be subject to the penalties provided in section 25.6. (Ordinance No. 2 of 1997)

## APPENDICES

Appendices I and II contain traffic regulations and parking requirements that are incorporated by reference in the various sections of Chapter 17 of this code. These appendices include the following:

- I-A Stop intersections established
- I-B Yield right-of-way intersections established
- II-A Parking prohibited at all times
- II-B One Way streets established

### APPENDIX I-A

#### **Stop Intersections Established**

1. Blanchard Street with North Kirkland Drive, east.
2. River Oaks Street with North Kirkland Drive, east.
3. Gwin Street with South Kirkland Drive, east.
4. Bourgeois Street with South Kirkland Drive, east.
5. Lee Drive with North Frontage Road, west.
6. Julien Street with Bourgeois Street, south.
7. Julien Street with Gwin Street, north.
8. Julien Street with Gwin Street, south.
9. Julien Street with East Main Street, north.
10. LeJeune Street with Bourgeois Street, south.
11. LeJeune Street with Gwin Street, north.
12. LeJeune Street with Gwin Street, south.
13. LeJeune Street with East Main Street, north.
14. St. Matthew Street with Bourgeois Street, north.
15. St. Matthew Street with Gwin Street, north.
16. St. Matthew Street with Gwin Street, south.
17. St. Matthew Street with East Main Street, north.
18. St. Mark Street with Bourgeois Street, south.
19. St. Mark Street with Gwin Street, north.
20. St. Mark Street with Gwin Street, south.
21. St. Mark Street with East Main Street, north.
22. St. Luke Street with Bourgeois Street, south.
23. St. Luke Street with Gwin Street, north.
24. St. Luke Street with Gwin Street, south.
25. St. Luke Street with East Main Street, north.
26. St. John Street with Bourgeois Street, south.
27. St. John Street with Gwin Street, north.
28. St. John Street with Gwin Street, south.
29. St. John Street with East Main Street, north.
30. Landry Street with Bourgeois Street, south.
31. Landry Street with East Main Street, north.
32. First Street with East Main Street, north.
33. St. Mary Street with East Main Street, south.
34. Bourg Street with East Main Street, north.



35. Gwin Street with Landry Street, west.
36. Hebert Street with Vaughn Drive, east.
37. Anita Street with West Main Street, south.
38. Richard Street with West Main Street, south.
39. Live Oak Drive with South LaBauve Avenue, east.
40. Allene Street with North LaBauve Avenue, east.
41. Pecan Street with North LaBauve Avenue, east.
42. Short Street with North LaBauve Avenue, east.
43. Marshley Street with South Frontage Road, west.
44. North LaBauve Avenue with Allene Street, south.
45. Margaret Street with East St. Francis Street, north.
46. Marionneaux Street with Margaret Street, east.
47. Orleans Quarters Drive with LaBauve Avenue, east.
48. Elaine Street with West Saint Francis, south.
49. Elaine Street with West Main Street, north.
50. Ory Drive with South LaBauve Avenue, east.
51. Red Oak Street with Ory Drive, north.
52. Red Oak Street with Ory Drive, south.
53. White Oak Street with Ory Drive, north.
54. White Oak Street with Ory Drive, south.
55. Pin Oak Street with Ory Drive, south.
56. Gleason Street with Margaret Street, east.
57. Gleason Street with Floyd Street, west.
58. Jay Street with East Main Street, south.
59. Riverside Village Boulevard with South Vaughan Drive, west.
60. Clubhouse Drive with West Saint Francis, south.
61. Clubhouse Drive with Spanish Oak Drive, north.
62. North Brusly Oaks Drive with Elaine Street, west.
63. Willow Oak Drive with North Brusly Oaks Drive, north.
64. Willow Oak Drive with North Brusly Oaks Drive, south.
65. Oak Leaf Court with Spanish Oak Drive, south.
66. Cypress Point with East Brusly Oaks Drive, west.
67. Oak Bend Drive with East Brusly Oaks Drive, west.
68. Sidney Street with North Vaughan Drive, west.

#### **APPENDIX I-B**

#### **Yield Right-of-Way Intersections Established**

1. Tullier Street with Courtney Drive, west.
2. Irma Street with Lee Drive, south.
3. Anita Street with Venzule Drive, north.
4. Bourg Street with South Kirkland Drive, south.

#### **APPENDIX II-A**

#### **Parking Prohibited At All Times**

1. South side of East Main Street from approximately ten feet west of intersection with Bourg Street to the intersection of East Main Street and Bourg Street.
2. West side of Bourg Street from approximately one car length south of intersection with East Main Street to the intersection with East Main Street.
3. South side of East St. Francis Street in front of and adjacent to driveway of Brusly Fire Station between signs with working "No Parking Between Signs".
4. East and west sides of First Street from East Main Street to Bourgeois Street. (Ordinance No. 4 of 1987)
5. South side of West St. Francis Street from railroad right of way west of Louisiana Highway 1 to South LaBauve Avenue. (Ordinance No. 12 of 1995)
6. East side of Elaine Street from West Main Street to West St. Francis Street. (Ordinance No. 12 of 1995)

#### **One Way Streets Established**

1. Bourg Street, South.