

ORDINANCE NO. 46-13

AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF KILLIAN REGULATING THE OPERATION OF MOTOR VEHICLES OR BOATS ON FLOODED PUBLIC STREETS, ROADS, OR HIGHWAYS WITHIN THE TOWN OF KILLIAN AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, Town of Killian resident safety is a priority, particularly during severe weather events;

WHEREAS, flooding on public roadways and highways within the Town of Killian can create hazardous driving conditions, vehicle loss of control, roadway damage, threat to life and private property;

WHEREAS, the operation of vehicles and boats on flooded streets can interfere with emergency response efforts, obstruct critical infrastructure, and exacerbate flooding conditions by displacing water into neighboring areas;

WHEREAS, it is the intent of the Town of Killian to reduce these situations by regulating the operation of vehicles and boats on flooded streets; and

WHEREAS, the Town recognizes the need for clear, enforceable guidelines for the public to follow in case of flooding.

NOW, THEREFORE, BE IT ORDAINED that the Town Council of the Town of Killian hereby amends Section 46 of the Town of Killian Code of Ordinances to add "Section 46-13 Operation of Motor Vehicles or Boats on Public Streets, Roads, or Highways that are Flooded" to read as follows:

Sec. 46-13. - Operation of Motor Vehicles or Boats on Public Roads, Highways or Bridges That are Flooded.

- (a) No person shall operate any motor vehicle or boat on a street or any portion thereof that is flooded as defined in subsection (b) of this Section except as may be allowed by subsection (c), (d) or (e) of this Section.
- (b) For purposes of this Section, a street shall be considered to be flooded when covered by water from the crown or centerline of the street to the top of the curb or edge of the street; or at any time when water covering the surface or any part of the surface of the street also extends into the front yard area of properties adjacent to the street. Also, for purposes of this Section, the term "street" shall be construed to include all public streets, roads, highways and bridges.

(c) Notwithstanding any provision of this Section to the contrary, persons residing in or having places of business accessible only by a flooded street may operate vehicles on said street, but only if:

(1) There is no barricade placed by proper authorities under this chapter across said street or portion thereof to be driven upon; and

(2) Persons operating said vehicles maintain the lowest possible speed required to keep the vehicle moving while on the flooded area and do not create a wake which may cause damage or may aggravate damages to properties adjacent to the street.

(d) No person shall, in any way, tamper with, move, damage or destroy any barricades, signs or signals placed upon any street within the Town of Killian by any department of the Town of Killian, the sheriff's office or any other governmental agency in connection with any such street being flooded; nor shall any person disobey the instructions, signals, warnings or markings of any warning sign, signal or barricade so placed on any such street which is flooded unless at the time otherwise directed by a police officer of the state or Town of Killian.

(e) The provisions of subsection (a) or (d) of this Section shall not apply to vehicular or boat travel authorized by the Town of Killian, Parish department of public works, or emergency preparedness or any law enforcement or emergency vehicles when necessary for the preservation and protection of life or property.

(f) The violation of any provision of this Section shall be punishable by a fine not exceeding five hundred dollars (\$500.00) or imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment, within the discretion of the court. All law enforcement agencies, officials and compliance officers of the Town of Killian are authorized and empowered to enforce compliance of the provisions of this Section.

The Town Clerk shall certify the adoption of this ordinance and cause the same to be published as required by law. A motion was made by Corey Beasley to adopt the ordinance and was duly seconded by Nesley Bigner. This ordinance having been introduced on Date: November 11, 2015 by Chaleb Atwell, notice of public hearing having been published, said public hearing having been held, and been read by the title at a regular meeting of the Town Council on Date: December 8, 2015, and called for final passage and having been put to a vote, the vote thereon was as follows:

YEAS: Bignar, Sharp, Clardy, Beasley
NAYS: None

ABSTAIN:

ABSENT: Guthrie

Caleb Atwell

Caleb Atwell, Mayor

CERTIFICATE

I, Savannah, Town Clerk of the Town of Killian, do hereby certify that the foregoing ordinance is a true and exact copy adopted by the Killian Town Council at a meeting thereof legally held on the 8 day of December, 2025.

Savannah Harris

Town Clerk

Delivered to Mayor: Date December 10, 2025

Received from Mayor: Date December 10, 2025

Effective Date: December 8, 2025