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→§ 1601. Creation; territorial limits

The Twin Parish Port District, (previously known as the "Delcambre Port Commission") hereinafter referred to as the district, is hereby created as a political subdivision of the state of Louisiana, and its territorial limits are hereby fixed as follows:

Iberia Parish: Beginning at a point on the boundary line between St. Martin Parish and Iberia Parish, at the point where the centerline of La. 182 intersects said boundary line, thence southeasterly along the centerline of La. 182 to its intersection with the centerline of La. 88; thence southwesterly along the centerline of La. 88 to its intersection with the range line between R5E and R6E, and thence southerly along said range line to its intersection with Parish Road 508; thence westerly along said Parish Road 508 to its intersection with the centerline of U.S. Highway 90; thence southeasterly along the centerline of U.S. 90 to its intersection with La. 3013; thence southwesterly to a point 1000 feet from the western right of way line of U.S. Highway 90; thence southeasterly parallel to and 1000 feet from U.S. Highway 90 to the southwestern right-of-way line of U.S. Highway 90, to the section line between Sections 20 and 21 T12S, R6E, Southwestern Land District; thence southerly between Sections 20 and 21, and between Sections 29 and 28, to the north line of Section 87, T12S, R6E; thence in a straight line to the corner common to Sections 16, 19, and 20, in T13S, R6E; thence continuing south between Section 19 and 20, 37 and 38, 45 and 44, to the corner common to Sections 44, 45, 48, and 49, in T13S, R6E; thence westerly between Sections 45 and 48 to the corner common to Sections 45, 46, 47 and 48, in T13S, R6E, thence south between Sections 47 and 48, T13S, R6E, and continuing south between Sections 5 and 6, 8 and 7 to the northern shore of Vermilion Bay; thence generally easterly and southerly along the northern and eastern shoreline of Vermilion Bay to the boundary line between Iberia and St. Mary Parishes; thence following said boundary line to and through East Cote Blanche Bay, West Cote Blanche Bay and thence southerly along said boundary line to the lower limits of Iberia Parish in the Gulf of Mexico; thence generally westerly following the southern limits of Iberia Parish to its intersection with the boundary line between Iberia Parish and Vermilion Parish; thence continuing westerly along the southern limits of Vermilion Parish to a point due south of the most westerly western line of the Paul Rainey Wildlife Game Refuge; thence north to the shoreline of the Gulf of Mexico; thence easterly following said shoreline of the Gulf of Mexico to Southwest Pass; thence following the western shoreline of Southwest Pass and Vermilion Bay around to the boundary line between Vermilion Parish and Iberia Parish; thence following the boundary line between Iberia Parish and Vermilion Parish in a generally northerly direction to and around Lake Peigneur and continuing northerly along said line and the line between Iberia and Lafayette Parishes to the point common to Iberia, Lafayette and St. Martin Parishes; thence easterly along the boundary line between Iberia and St. Martin Parishes to the point of beginning, to the intersection of La. 182.

Vermilion Parish: Wards one and all of Ward 2 less and except that portion of Ward 2 lying West of the following described line, beginning at a point on the common boundary line of Wards 2 and 3 formed by the intersection of the centerline of Youngs Coulee and the West line of Fractional Section 8, T 13 S-R 4 E, thence in a Southerly direction through T 13 S-R 4 E along the West lines of Fractional Section 17, Section 20, Section 29, and Section 32 to the North Line of T 14 S-R 4 E, thence continuing Southerly through T 14 S-R 4 E along the West lines of Sections 5, 8, 17, 20, 29 and 32 to the North Line of T 15 S-R 4 E, thence continuing through T 15 S-R 4 E, in a Southerly direction along the West Line of Section 6 and 7 to the Vermilion Bay Shoreline, thence in a Southeasterly direction through Vermilion Bay to a point located on the common boundary line between Vermilion Parish Wards 2 and 7 whose geographic position is 29° 42'30" North Latitude, 92° 5'00" West Longitude.

§ 1602. Board of commissioners; members; vacancy; composition; officers; agents and employees

A. A board of commissioners hereinafter referred to as the board, is hereby created, which shall be the governing authority of said district. It shall consist of eleven members, who shall be citizens of the United States and qualified voters within the limits of said district during their term of office. The members of the board shall serve overlapping terms of five years each. On or after October 1, 1977, the members shall be appointed in the following manner:

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- (1) Three members; shall be appointed by the town of Delcambre and the terms of the members so appointed shall be for five years each;
- (2) Two members shall be appointed by the governing authority of Iberia Parish from ward one of said parish and the initial terms of the members so appointed shall be for three years each;
- (3) Two members shall be appointed by the governing authority of Vermilion Parish, one of whom shall be appointed from ward one of said parish and one of whom shall be appointed from ward two of said parish, and the initial terms of those members so appointed shall be for two years each;
- (4) In addition to the above members, the governing authority of Vermilion Parish shall appoint one member from either ward one or ward two of said parish, who shall serve an initial term of two years; and,
- (5) In addition to the above members, the town of Erath shall appoint three members who shall serve initial terms of one year each.

Thereafter the successors to each of the members shall serve terms of five years each. All board members shall serve without compensation.

B. Any vacancy occurring during a term shall be filled by appointment for the remainder of the unexpired term by the authority that made the original appointment.

C. The board shall elect from among its own members a president, a vice president, a secretary, and a treasurer, whose respective duties shall be prescribed by the board. At the option of the board the office of the secretary and treasurer may be held by one person. The board shall meet in regular session once each month, and shall also meet in special session at the call of the president of the board, or on the written request of five members of the board. Four members of the board shall constitute a quorum and all action or resolutions of the board must be approved by the affirmative vote of not less than four members of the board, and by a majority of members present, and the president of the board shall vote in all instances. The board shall prescribe rules to govern its meetings and shall fix the place at which meetings shall be held.

D. The board may authorize a reasonable travel allowance for its members in the performance of their official duties, and it may employ such officers, agents and employees as it may find necessary in the performance of its duties, and may prescribe the duties, powers and compensation of such officers, agents and employees.

§ 1603. Rights and powers of board

The board may, upon such terms as it may agree upon, contract for legal, financial, engineering and other professional services necessary or expedient in the conduct of its affairs, and it may, upon terms and conditions mutually agreeable, utilize the services of the other executive departments of the state.

The district shall regulate the commerce and traffic within such port area in such manner as may, in its judgment, be for the best interest of the state. It shall have charge of and administer public wharves, docks, sheds and landings, and shall be empowered to construct or acquire and equip wharves and landings and other structures useful for the commerce of the port area and to provide mechanical facilities therefor; to construct slips and inlets and wharves for the facilitation of agricultural commodities including, but not limited to slips and inlets and wharves for the transportation of agricultural commodities and the facilitation of handling facilities; to construct inlets, slips, wharves and all other structures for the facilitation and handling and sale of all natural resources, including but not limited to all forms of seafood; to erect sheds or other structures on such wharves and landings; to maintain proper depths of water at all such wharves and landings; to provide light, water, police protection and other services for its

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facilities as it may deem advisable; to construct or acquire, maintain and operate basins, locks, canals, warehouses and elevators; to charge for the use of all facilities administered by it and for all services rendered by it, such fees, rates, tariffs, or other charges as it may establish; to establish harbor lines within the port area by agreement with the Corps of Engineers; and to construct, own, operate and maintain terminal rail facilities and other common carrier rail facilities for the purpose of rendering rail transportation to and from the facilities to be erected, owned and operated by the district in both intrastate and interstate commerce; and to construct recreational facilities to accommodate existing and future industry. The legislature shall not impair any contract lawfully entered into by the district. Title to all property and improvements thereon operated by the district shall vest in the Twin Parish Port District.

The district may charge a reasonable fee to each vessel arriving in the port area in ballast or carrying cargo of any kind. It may also charge for each copy of any certificate issued by it or by any of its officers or employees for inspecting hatches, surveying cargo, or making other surveys or inspections of vessels in the port area, but shall furnish, without charge to the master of each such vessel one copy of all surveys upon his vessel or cargo.

The district shall have authority to make and enter into contracts, leases and other agreements with railroads, trucking companies, barge lines and with any and all companies interested in the transportation, storage and shipping of goods and other products, whether by rail, truck line, barge line, ocean going vessels or otherwise for the use of facilities administered by the district or any part or portion thereof, for a period of time not exceeding forty years. No exclusive franchise, however, shall be granted to any carrier.

The district is further authorized to receive, by gift, grant, donation or otherwise any sum of money, aid or assistance from the United States, the state of Louisiana, or any political subdivision thereof.

§ 1603.1. Ordinances

A. The commission is further authorized to adopt ordinances concerning the territory, jurisdiction, and control of the port area, and the proper conduct thereof. The ordinances shall be enforceable by a fine not to exceed one thousand dollars or imprisonment not to exceed six months in the parish jail, or both, in the discretion of the court. The commission shall by proper ordinances make rules and regulations for the conduct, management, and control of the port, its commerce, traffic and navigation, the waters and landings within its territorial jurisdiction, the structures and other facilities under its administration, and for the government thereof, which the commission may, in its judgment, find to be necessary or proper in the exercise of the powers now conferred upon it by the constitution and statutes of the state of Louisiana, and shall, from time to time, enlarge, modify, or change such rules and regulations in its discretion. By such ordinances the commission may, without limitation of such powers granted herein, adopt such rules and regulations with respect to the safety and efficiency of port operations, the protection of property, life, and personal safety and welfare of its employees and of the public; the control, use, and protection of the landings, docks, wharves, warehouses, equipment, and other facilities and improvements and appurtenances thereto under its administration; the navigation and use of the waters within its jurisdiction; the loading, unloading, transfer, or transshipment of cargoes from, to, or between all watercraft and other vehicles within its jurisdiction; the prevention of interference with and the obstruction of facilities and services necessary or related to the orderly and efficient handling of the commerce and traffic of the port; the protection, removal, and disposition of cargoes; and generally, with respect to the safety and efficiency of the operations of the port. The Sixteenth Judicial District Court for the Parish of Iberia shall have jurisdiction of the trial and punishment of all violations of the ordinances passed by the commission committed within the parish of Iberia; and, the Fifteenth Judicial District Court for the Parish of Vermilion shall have jurisdiction of the trial and punishment of all violations of the ordinances passed by the commission committed within the parish of Vermilion.

B. (1) The style of all ordinances shall be "Be it ordained by the commission of the Twin Parish Port District ...". No ordinance shall be adopted except by the affirmative vote of a majority of the commissioners.

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(2) A proposed ordinance may be introduced by any commissioner at any commission meeting. Each proposed ordinance shall be in writing. An ordinance shall contain only one subject which shall be indicated in its title except for ordinances involving the annual operating budget, a capital improvement budget, or a codification of ordinances.

(3) After a proposed ordinance has been introduced, copies of it shall be provided to all commissioners. The title of a proposed ordinance shall be published once in the Twin Parish Port District's official journal. The notice shall indicate the time and place where the commission will consider its adoption. No ordinance shall be adopted until a public hearing on it has been held. No ordinance can be adopted at the meeting at which it is introduced.

(4) Each proposed amendment to an ordinance shall be presented in writing or reduced to writing before its final consideration. An amendment to a proposed ordinance shall neither nullify the purpose of the proposed ordinance nor, except for ordinances involving the annual operating budget, a capital improvement budget, or a codification of ordinances, add a new subject matter to it.

(5) A proposed ordinance shall be read by the title when called for final passage. The vote on an ordinance at final passage shall be taken by "yeas" and "nays", and the names of the commissioners voting for and against each proposed ordinance or amendment shall be entered in the minutes.

(6) Every ordinance adopted by the commission shall be signed by the president and attested to by the secretary.

(7) The commission shall keep a book entitled "Ordinances of the Twin Parish Port District" in which they shall file the original of every ordinance which has been adopted by the commission immediately after its passage and attach a note to the ordinance stating the date of its enactment and a reference to the book and page of the commission's minutes containing the record of its adoption.

(8) The commission shall publish each ordinance adopted by the commission once in the official journal designated pursuant to [R.S. 43:141](#) through 149, within twenty days of its adoption and prior to its effective date.

(9) Unless an ordinance specifies an earlier or later effective date, the ordinance shall take effect on the thirtieth day after the meeting in which the ordinance was adopted.

§ 1604. Authority to levy and collect taxes; issuance of bonds

A. The district, when authorized to do so by a vote of a majority of the electors residing in the port area qualified to vote and voting at an election for such purpose in accordance with law, may levy annually on all property situated within the port area subject to taxation an ad valorem tax not to exceed ten mills on the dollar. The district, upon its own initiative, may call a special election and submit to the qualified electors of the port area the question of authorizing the levy of such a tax. The district shall call such a special election when requested to do so by petition in writing signed by one-fourth of the qualified electors eligible to vote at such election. These special taxes shall be levied, assessed, and collected on the property within the port area under the same methods, terms, and conditions and at the same time as parish and district taxes are levied, assessed, and collected. These taxes shall be secured by the same liens upon the property subject to taxation within the port areas taxes for parish and district purposes. The property subject to any taxes within said port area shall be sold for failure to pay the same in the manner as property is sold for delinquent parish and district taxes under the laws of the state.

B. The provisions of the constitution and all laws regulating the collection of taxes, the creating of tax liens and mortgages, and tax penalties and tax sales shall also apply to the collection of all taxes authorized by this Section. The sheriffs and ex officio tax collectors for the parishes of Iberia and Vermilion, respectively, shall make a monthly settlement with the treasurer of the district and receive from him a receipt for the amount of taxes paid over in the manner tax collectors are required by law to make settlements for parish taxes. The tax collector shall receive from

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the treasurer the same quietus for a full settlement of taxes due and exigible in any given year and account for the delinquents or deductions in the same manner as though accounting to the parish. Upon the failure of the tax collector to comply with the provisions of this Section, the district shall proceed against him and the sureties on his official bond for the collection of whatever money is owing to the district for such special taxes.

C. With the approval of the State Bond Commission, the district may incur debts for its lawful purposes, and issue in its name, negotiable bonds or notes therefor, and pledge for the payment of the principal and interest of such negotiable bonds or notes the revenues derived from the operation of properties and facilities maintained and operated by it or received by the district from any taxes authorized under this Section or from other sources; however, the amount of such bonds or notes outstanding at any one time shall not exceed five million dollars. Such bonds, when authorized to be issued, shall constitute a general obligation of the district, to which the full faith and credit of the district shall be and is hereby pledged. In addition to the pledge of revenues to secure said bonds and notes, the district may further secure their payment by conventional mortgage upon any or all of the properties constructed, or acquired, or to be constructed and acquired by it. The district also may receive, by gift, grant, donation, or otherwise, any sum of money, aid, or assistance from the United States, the state of Louisiana, or any political subdivision thereof, and unless otherwise provided by the terms of such gift, grant, or donation, in its discretion, may pledge all or any part of such monies for the further securing of the payment of the principal and interest of its bonds or notes.

D. For the purpose of acquiring lands for the uses of the district and to provide funds for the making and construction of the public works, facilities and improvements, the board is authorized to issue revenue bonds in the manner and subject to the terms and conditions of Subpart C, Part I, Chapter 10, Title 33 of the Louisiana Revised Statutes of 1950, as well as Subpart B, Part I, Chapter 10, Title 33. The board is also authorized to incur debt and issue tax secured bonds for the above purposes in the manner and subject to the terms and conditions of Subpart A, Part III, Chapter 4, Title 39.

E. The provisions of this Section shall not be deemed to supersede the requirements of [R.S. 39:501](#) to [39:514](#). Notwithstanding any provision of this Chapter to the contrary the provisions of [R.S. 39:1421](#) to [39:1426](#) shall be applicable to the Delcambre Port Commission.

F. Nothing in this Section shall be construed to supersede or repeal any provisions of Act 689 of the 1976 Regular Session

§ 1605. Right to expropriate

The Twin Parish Port District may acquire by expropriation in accordance with the expropriation law of the state of Louisiana any wharves, landings or any other properties necessary for the benefit and advantage of the commerce of the said commission.