

THE FOLLOWING ORDINANCE WAS SPONSORED BY COUNCIL MEMBER ZUCKERMAN; MOVED FOR ADOPTION BY COUNCIL MEMBER ZUCKERMAN; SECONDED BY COUNCIL MEMBER MCGUIRE

ORDINANCE NO. 24-44

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

WHEREAS, City of Mandeville resident safety is a priority, particularly during severe weather events;

WHEREAS, flooding on public roadways and highways within the City of Mandeville 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 City of Mandeville to reduce these situations by regulating the operation of vehicles and boats on flooded streets; and

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

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Mandeville hereby amends Section 10 of the City of Mandeville Code of Ordinances to add “Section 10- xx Operation of Motor Vehicles or Boats on Public Streets, Roads, or Highways that are Flooded” to read as follows:

Section 10-~~XX~~ Operation of Motor Vehicles or Boats on Streets, Public Roads, or Highways

(a) No person shall operate a motor vehicle or boat on a public street, road, or highway or any portion thereof that is flooded as defined in subsection (b) except as may be allowed by subsection (c), (d) or (e) herein.

(b) 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. For purposes of this section, "street" shall be construed to include all public streets, roads, highways and bridges within the City of Mandeville.

(c) Notwithstanding any provision of this section to the contrary, persons residing in homes or apartments or having places of business accessible only by a flooded street may only operate vehicles or boats on said street if: 1) there is no barricade placed by proper authorities across said street or the 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 City by any department of the City, the Mandeville Police Department, or any authorized 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 in place on any such street which is flooded, unless at the time otherwise directed by a Mandeville police officer.

(e) The provisions of subsection (a) or (d) herein shall not apply to authorized vehicles or boats operated by City departments, emergency services, or law enforcement personnel for the preservation and protection of life or property.

(f) Whoever shall violate this section shall be fined under the penalty provisions under Section 1-9 for each violation.

BE IT ORDAINED that this ordinance shall be effective following the Mayor's signature;
and

NOW, THEREFORE, BE IT FURTHER ORDAINED that the Clerk of this Council be and is hereby authorized and empowered to take any and all actions which she, in the exercise of her discretion, deems necessary to promulgate the provisions of this ordinance.

The ordinance being submitted to a vote, the vote thereon was as follows:

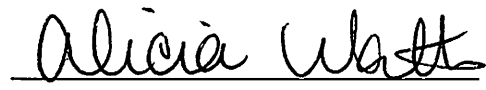
AYES: Zuckerman, McGuire, Strong-Thompson, Discon

NAY: Vogeltanz

ABSTENTIONS: 0

ABSENT: 0

And the ordinance was declared adopted this 9th day of January, 2025

A handwritten signature in cursive script that reads "Alicia Watts".

Alicia Watts
Clerk of Council

A handwritten signature in cursive script that reads "Scott Discon".

Scott Discon
Council Chairman

SUBMITTAL TO MAYOR

The foregoing Ordinance was **SUBMITTED** by me to the Mayor of the City of Mandeville this 13th day of January 2025 at 1:30 o'clock Pm.

Alicia Watts

Alicia Watts, CLERK OF COUNCIL

APPROVAL OF ORDINANCE

The foregoing Ordinance is by me hereby **APPROVED**, this 14th day of January, 2025 at 9:20 o'clock a. m.

L. Clay Madden

L. Clay Madden, MAYOR

VETO OF ORDINANCE

The foregoing Ordinance is by me hereby **VETOED**, this _____ day of _____, 2025, at _____ o'clock _____. m.

L. Clay Madden, MAYOR

RECEIPT FROM MAYOR

The foregoing Ordinance was **RECEIVED** by me from the Mayor of the City of Mandeville this 14th day of January, 2025 at 10 o'clock a. m.

Alicia Watts

Alicia Watts, CLERK OF COUNCIL

CERTIFICATE

I, THE UNDERSIGNED Clerk of the City Council of the City of Mandeville do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the City Council of the City of Mandeville at a duly noticed, called and convened meeting of said City Council held on the 9th day of January, 2025 at which a quorum was present and voting. I do further certify that said Ordinance has not thereafter been altered, amended, rescinded, or repealed.

WITNESS MY HAND and the seal of the City of Mandeville this 14th day of January 2025.

Alicia Watts

Alicia Watts, CLERK OF COUNCIL