

Reso.

2010-0381

INTRODUCED BY: CAROLYN K. SCHEXNAYDRE, COUNCILWOMAN-AT-LARGE, DIVISION A  
PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV  
V.J. ST. PIERRE, JR., PARISH PRESIDENT

RESOLUTION NO. 5794

A resolution strongly requesting all Railroad/Railway Companies operating in St. Charles Parish to adhere to LSA-R.S. 48:391, Obstruction of railroad grade crossings.

**WHEREAS**, according to LSA-R.S. 48:391 it shall be unlawful for any train, railroad car, or equipment, or engine to obstruct vehicular traffic at a public highway railroad grade crossing for a period in excess of twenty (20) consecutive minutes under normal operation; and,

**WHEREAS**, for the safety and welfare of the residents of St. Charles Parish and those traveling through the Parish it is necessary to follow the guidelines in LSA-R.S. 48:391; and,

**WHEREAS**, blocking of public highway railroad grade crossings in excess of twenty (20) minutes can be detrimental to ambulances, police, or fire response vehicles reporting to an emergency, causing possible loss of life and property.

**NOW THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL**, do hereby request the Parish Council authorize sending a letter, this Resolution, and a copy of LSA-R.S. 48:391 to all Railroad/Railway Companies operating in St. Charles Parish, Ms. Carolyn E. Cook, Federal Railroad Administration Regional Manager, Highway Rail Grade Crossing Safety, and Mr. Richard Washington, Federal Railroad Administration Manager, Highway Rail Grade Crossing.

**BE IT FURTHER RESOLVED**, that we send a copy of this Resolution and a copy of LSA-R.S. 48:391 to State Senator Joel T. Chiasson, II, State Representative Gary L. Smith, Jr., and State Representative Ernest D. Wooton.

**BE IT FURTHER RESOLVED**, because the law prohibiting obstruction of railroad crossings is quasi-criminal in nature, a rail carrier committing a violation should be cited for the violation by the St. Charles Parish Sheriff's Office.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, COCHRAN, LAMBERT, NUSS  
NAYS: NONE  
ABSENT: NONE

And the resolution was declared adopted this 6th day of December, 2010, to become effective five (5) days after publication in the Official Journal.

Revised - Railroad Crossing - Blocked.doc

CHAIRMAN: Billy Raymond, Sr.  
SECRETARY: Carlinda Jakob Tucker  
DLVD/PARISH PRESIDENT: December 7, 2010  
APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_  
PARISH PRESIDENT: MSJ  
RETD/SECRETARY: December 7, 2010  
AT: 3:25 pm RECD BY: MSJ