



Jackson County Missouri

Jackson County Courthouse
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Legislation Details (With Text)

File #: 5610 **Version:** 1 **Name:** Chapter 50 update - Park Regulations
Type: Ordinance **Status:** Passed
File created: 3/24/2022 **In control:** Land Use Committee
On agenda: 3/28/2022 **Final action:** 4/18/2022
Title: AN ORDINANCE repealing sections 5000., 5002., 5005., 5011., 5013., 5014., 5015., 5018., 5019., 5020., 5021., 5023., 5024., 5025., 5026., 5028., 5029., 5030., 5035., 5036., 5037., 5038., 5040., 5041., 5042., 5046., 5049., 5059., 5066., 5069., 5071., 5072., 5073., 5080., 5081., 5082., 5083., 5084., 5090., Jackson County Code, 1984, relating to County parks and park operations, and enacting, in lieu thereof, thirty-nine new sections relating to the same subjects.
Sponsors: Tony Miller
Indexes: JACKSON COUNTY CODE, LAND USE COMMITTEE, PARKS, SUBSTITUTION
Code sections: Chapter 50 - Park Regulations
Attachments: 1. 5610bu.pdf, 2. 5610adopt.pdf

Date	Ver.	Action By	Action	Result
4/18/2022	0	Land Use Committee	recommend for perfection	Pass
4/18/2022	0	County Legislature	substitute	Pass
4/18/2022	0	County Legislature	perfect substitute	Pass
4/18/2022	0	County Legislature	adopt substitute	Pass
4/12/2022	0	County Legislature	Go To 3rd Perfection	Pass
4/5/2022	0	County Legislature	Go To 2nd Perfection	Pass
4/4/2022	0	Land Use Committee	hold	Pass
3/29/2022	0	County Legislature	Go To 1st Perfection	Pass
3/28/2022	0	County Legislature	assign to committee	

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE repealing sections 5000., 5002., 5005., 5011., 5013., 5014., 5015., 5018., 5019., 5020., 5021., 5023., 5024., 5025., 5026., 5028., 5029., 5030., 5035., 5036., 5037., 5038., 5040., 5041., 5042., 5046., 5049., 5059., 5066., 5069., 5071., 5072., 5073., 5080., 5081., 5082., 5083., 5084., 5090., Jackson County Code, 1984, relating to County parks and park operations, and enacting, in lieu thereof, thirty-nine new sections relating to the same subjects.

ORDINANCE NO. 5610, March 28, 2022

INTRODUCED BY Tony Miller, County Legislator

WHEREAS, the Director of Parks + Rec recommends the revision of many sections in chapter 50 of

the County Code, relating to County parks and park operations, to incorporate best practices and current standard procedure for park visitors; and

WHEREAS, the adoption of the recommended revisions is in the best interest of the health, welfare, and safety of the citizens of Jackson County; now therefore

BE IT ORDAINED by the Legislature of Jackson County, Missouri, as follows:

Section A. Enacting Clause

Sections 5000., 5002., 5005., 5011., 5013., 5014., 5015., 5018., 5019., 5020., 5021., 5023., 5024., 5025., 5026., 5028., 5029., 5030., 5035., 5036., 5037., 5038., 5040., 5041., 5042., 5046., 5049., 5059., 5066., 5069., 5071., 5072., 5073., 5080., 5081., 5082., 5083., 5084., 5090., Jackson County Code, 1984, are hereby repealed, and thirty-nine new sections in lieu thereof, to read as follows:

5000. Scope.

The provisions of this chapter govern the use and management of the Jackson County Park System, Waterways, the Rock Island Rail Corridor, and other County-owned properties used at least in part for recreation[s] purposes.

5002. Definitions.

When used in this chapter, the following words and phrases shall have the following meanings. If any words and phrases are not defined by this chapter but are defined in the state law regulating the use of parks, the state law definition shall apply.

5002.1 Authorized Emergency Vehicles.

Authorized Emergency Vehicles shall include the following:

a. Ambulance. Any vehicle operated as an ambulance;

b. State Highway Patrol. Any vehicle operated by the Missouri State Highway Patrol;

c. Police. Any vehicle operated by a municipal police department within Jackson County;

d. Fire. Any vehicle operated by a municipal fire department or fire protection district within Jackson County;

e. Sheriff. Any vehicle operated by the Jackson County Sheriff or any deputy sheriff; and

f. Park Ranger. Any vehicle operated by a Jackson County park ranger.

5002.2 Director.

The Director the Jackson County Parks + Rec Department or that officer's designee.

5002.[2] 3 Rock Island Rail Corridor.

The non-parkland property acquired by Jackson County for use as common carrier asset and for transit facilities, economic development, and multi-modal transportation services, including

bicycle and pedestrian facilities.

50[19.1] 02.4 Waterfowl.

Any species of birds commonly known as swans, geese, brants, river and sea ducks, and any other waterfowl falling under the jurisdiction of the Missouri Conservation Commission or otherwise defined by the Commission as migratory waterfowl.

5002.[1]5 Waterway.

Any body of water, lake, pond, stream, or waterway owned or controlled by Jackson County. Jackson County waterways include, but are not limited to, Longview Lake, Prairie Lee Lake, Blue Springs Lake and Lake Jacomo.

5005. Park Rangers.

Jackson County park rangers shall assist the Director in the control, management and protection of all Jackson County parks, park property, Waterways, the Rock Island Rail Corridor, and all wildlife, natural, and cultural resources of the parks.

5005.1 General Duties.

Jackson County park rangers shall strive to assure the convenience and safety of all persons using county parks as permitted by this chapter.

5005.2 Enforcement of Park Regulations.

Jackson County park ranger shall have concurrent jurisdiction with the officers of the Sheriff's Patrol to enforce all park regulations set out in chapter 50, Jackson County Code. (See sections 64.335 & 590.105 RSMo)

5005.3 Enforcement of Nonmoving Traffic Violations.

Jackson County park rangers shall have the jurisdiction to enforce the following provisions of chapter 52, Traffic Code, and chapter 55, Petty Offenses:

5240. Aggressive Driving;

5257. Vehicles on Roads to be Licensed; Display Required;

5270. Obstruction of Traffic Prohibited;

5271. Blocking Driveway Prohibited;

5272. Standing in Curb Loading Zone;

5273. Maximum Time at Curb Loading Zone;

5274. Buses;

5275. Taxicabs;

5276. Bus and Taxicab Stands, Use Restrictions;

5277. Parking Restricted on Certain Streets;

5284. Illegally Parked Vehicles;

5286. Vehicle Abandonment Prohibited;

5531. Disorderly Conduct;

5534. Weapons Offenses;

5539. Obedience to Sheriff, Deputy, or Park Ranger;

5540. Littering;

5545. Stealing;

5547. Possession of Controlled Substances

5549. False Report or Information;

5551. Fleeing or Attempting to Elude an Officer;

5552. Hindering an Officer/Resisting Arrest;

5554. Resisting Arrest; and

5556. Public Indecent Exposure.

5005.4 Violation of Law Other Than Park Regulation.

On observing any violation of this code, or the laws of the United States or the state of Missouri, the Jackson County park rangers may notify the Sheriff, the Highway Patrol, or any appropriate law enforcement authority of the United States, the state, or the county, or of the city in which the park is located.

5005.5 Emergencies.

In the event of emergencies involving illness or injury, or danger to life, the Jackson County park rangers shall take reasonable steps to obtain needed medical, rescue or other emergency assistance.

5005.6 Oath of Office.

Upon successful completion of required law enforcement training, each park ranger shall take an oath of office before the clerk of the county legislature.

5011. Sales and Concessions.

Sales or advertisement of merchandise or other goods or services for sale or hire, in or on any Jackson County park, facility, land, or water is prohibited, except by written permission of the Director or under license otherwise provided for by this chapter.

5011.1 Display of Written Permits.

Written permits issued by the Director pursuant to this section for the sale or advertisement of merchandise or other goods or services for sale or hire in or on any Jackson County park, facility, land, or water, must be conspicuously displayed at all times.

5011.2 Advertisement.

No person, group, or organization shall display or distribute literature, posters, fliers, or any other material in any Jackson County park except by written permission of the Director. If granted written permission by the Director, any person, group, or organization that has displayed posters, fliers, or any other materials shall take down said items at the conclusion of the event and/or activity for which the display was permitted and remove them from park property.

5011.3 Photography Permit Required.

No person shall, for commercial purposes, photograph, record, video, videotape, or use any other means of capturing images and/or sounds within any Jackson County Parks + Rec park or facility for commercial purposes, without having obtained the appropriate photography permit from the Director. All forms of photography are prohibited at the Longview and Blue

Springs swim beaches unless a written permit has been issued by the Director.

5013. Motor Vehicles.

The term “Motor Vehicle” shall include but shall not be limited to any automobile, truck, motorcycle, minibike, trailbike, Segway, hoverboard, snowmobile, dune buggy, all-terrain vehicle, trailer, camper, and other such similar motorized equipment. An e-bike, as defined in subsection 5013.5 of this section, is specifically excluded from this definition of “Motor Vehicle.” The operation of e-bikes on County park trails is governed by subsection 5013.5.

5013.1 Motor Vehicle Operation.

Motor vehicles may only be operated on roadways and parking areas designated by the Director. No person shall operate any motor vehicle through, around or beyond a restrictive sign, recognizable barricade, fenced gate, or other traffic control barrier or device. No person shall operate any motor vehicle in any area other than on paved roadways and parking areas designated by the Director. The Director may also designate where certain “Other Power Driven Mobility Devices” may be limited or permitted.

5013.2 All Terrain Vehicles.

No person shall operate an all-terrain vehicle in any Jackson County park without the written permission of the Director.

5013.3 Truck Sizes.

No person shall operate [the operator of] a truck rated over one and a half tons [is prohibited from operating said truck] in [all] any Jackson County park[s]. Woods Chapel Road, Longview Road, Raytown Road, and 109th Street are excluded from this prohibition.

5013.4 Horse Trailer Parking.

No person shall park a trailer or other conveyance designed to transport horses in any park or recreational area, including designated equestrian trailhead parking areas, without a permit issued by the Director. Permits will be issued for a definite time and duration and will not be transferable. Permits must be clearly displayed on the rear of the trailer or transport. Participation in a reserved event as designated by the Director does not require a permit.

5013.5 E-bike Usage on County Trails and Shared Use Paths.

“E-bike,” as used in this chapter, is defined as a pedal-assisted one, two, or three-wheeled electric bicycle that requires user interaction to propel the device with assistance from an electronic engine or battery (defined by the industry as a class 1 or class 3 type bike). Class 1 and Class 3 e-bikes shall be permitted on the following County trails and shared use paths: the Little Blue Trace, the Rock Island Trail, the Longview Trail, and all designated mountain bike, single-track trails at the Blue River Parkway, Lake Jacomo, and Landahl Park. The Director may designate other trails and shared use paths where e-bikes are permitted. No person shall operate any Class 2 type e-bike, any throttle or full accelerator bike that does not require the operator to pedal to propel the bike, or any other combustion-powered bicycle of any type, on any park trail or shared use path. No person shall operate any e-bike on any

County park trail unless such trail has been specifically designated for e-bike operation in this subsection or has otherwise been designated for such operation by the Director pursuant to this subsection.

5014. Hot Air Balloons and Other Transportation Equipment.

Hot Air Balloons may be launched from launching sites designated by the Director and are subject to permits and regulations promulgated by the Director. No person shall launch a Hot Air Balloon on any park land, lake, or waterway, except from a designated launching site or when authorized by the Director as a Special Event.

5014.1 Ultralight Aircraft.

No person shall operate any ultralight aircraft on any Jackson County park land, lake, or waterway except when authorized by the Director.

5014.2 Para-Sailing Equipment and Operation.

No person shall operate any para-sailing equipment, kiteboard, or similar device on any Jackson County lake or waterway except when authorized by the Director.

5014.3 Bicycles/Mountain Bikes/All-Terrain Bikes/E-bikes.

No person shall operate any bicycle, mountain bike, all-terrain bike, wide-tired bike, or other non-motorized, pedal-operated vehicle, or e-bike, in any Jackson County park except at areas designated by the Director and on marked trails or roads within any park.

5015. [Shooting Into Park] Firearms.

No person shall discharge a firearm or other weapon within the boundaries of any Jackson County Park, or into any park area from beyond the park boundaries, unless authorized by the Director.

5018. Animals, Fish, and Wildlife.

No person shall pursue, catch, kill, molest, possess, illuminate, spotlight, feed, or take in any manner or any quantity any wildlife nor shall any person destroy the dens or nests of any wildlife on park land except as otherwise permitted by this chapter, or by the express permission of the Director when necessary to control animal damage.

5018.1 Domestic Animals.

No person shall bring any domestic animal into any County park or area used for recreation, unless such animal shall be in the immediate control of such person on a leash not exceeding six feet in length.

5018.2 Horseback Riding.

No person shall engage in horseback riding in any county park or area used for recreation, except on a marked bridle path [and] or in an area so designated by the Director.

5018.3 Trapping.

No person shall set or possess any [steel, plastic or wooden] trap for catching, pursuing, or

killing wildlife in any Jackson County park without written permission from the Director. If granted, a copy of the written permit must be carried up any person while engaged in trapping on Jackson County park property.

5018.4 Livestock.

No person shall graze any livestock in any Jackson County park without written permission from the Director.

5018.5 Releasing of Wildlife.

No person shall bring any animal into a Jackson County park for release. This shall include an animal control officer, unless written permission is obtained from the Director.

501[9.1] 8.6 Deer Stands, Prohibition.

No person shall use, construct, or in any way attach a deer stand, or any other structure, or any portion thereof, including steps, to any tree or any other object, unless approved by the Director.

501[9.3] 8.7 Feeding or Baiting Wildlife, Prohibition.

No person shall feed or bait any wildlife, including all mammals, birds (excluding feeding at songbird stations), deer, raccoons, and any other species of wildlife, without the written permission of the Director [which feeding:

a) Results in a threat to the public health, safety or welfare of park visitors, patrons, or employees; or

b) Draws birds or wildlife to an area for any purpose including hunting or poaching].

501[9.2] 8.8 Feeding of Waterfowl, Prohibition.

No person shall feed any migratory waterfowl, or create any condition, or allow any condition to exist, which results in a congregation or congestion of migratory waterfowl and which:

a) results in an accumulation of waterfowl feces or droppings;

b) results in damage to flora, fauna, or private public property;

c) results in a threat to the public health, safety, or welfare; or

d) results in a threat to the health, safety, or welfare of migratory waterfowl.

501[9.4] 8.9 Non-Game Fish, Feeding Prohibition.

No person shall feed non-game fish except at designated fish feeding stations.

5019.[5] Plants.

All trees, plants, and vegetation on County park land are protected. No person shall collect, destroy, or remove any tree, plant, or other vegetation from park lands or waterways except by permission of the Director. Dead fallen wood may be collected for use as firewood at park campgrounds and picnic

areas. No person shall collect standing timber for use as firewood.

5020. Artifacts and Items of Antiquity.

All items of antiquity on County park land are protected. No person shall collect any artifact or item of antiquity from park land except as approved by the Director. If permission is granted by the Director, all County land and property shall be restored to its original condition after antiquities are collected.

5021. Fires.

No person shall ignite or maintain any fire on park land except in designated ovens, stoves, rings, or other fireplaces provided for that purpose by the County. No person shall leave a fire unattended, and all fires must be extinguished after use. Prescribed burns shall be permitted when authorized by the Director.

[5021.1 Fire Danger.

The use or possession of fireworks of any kind on county park land is permitted only when authorized by the director of parks and recreation for special events.]

5023. Littering.

[Only] No person shall dispose of any litter or trash generated from recreational activity in any Jackson County Park[s shall be disposed of] except in an appropriate container[s] provided by the Director for that purpose.

5023.1 Dumping.

No person shall dump[ing of] trash, brush, or other debris on park land, lakes, or waterways [is prohibited].

5023.2 [Person Presumed Responsible.] Responsibility, Presumption.

The operator of a vehicle or vessel shall be presumed to be responsible for litter which is thrown, dropped, or left from the vehicle or vessel on County property or waters.

5024. Disorderly Conduct.

No person shall:

- a) Engage in disorderly conduct or any conduct tending toward a breach of the peace; or,
- b) Engage in any violent, tumultuous, offensive, or disorderly conduct by threatening, traducing, quarreling, challenging to fight or fighting, or by using obscene, offensive, profane or unseemly language to the annoyance, disturbance, or vexation of another.

5024.1 When Noises Constitute Disorderly Conduct.

The causing or making of any unnecessary loud noise, [or] shouting, or yelling, or by the use of amplified speakers or sound systems shall be considered disorderly conduct.

5025. Alcoholic Beverages.

The Director may prohibit possession or consumption of alcoholic beverages at certain park areas, park functions, and/or park facilities by the posting of signs to that effect.

5025.1 Possession of Alcoholic Beverages Prohibited, Where.

No person shall possess or consume any alcoholic beverage [within Prairie Lee Park, at Prairie Lee Lake,] at any swimming beach or archery range operated by Jackson County [at any location within Jackson County], at the Fleming Meeting Hall, at any flying field, or at any historic site operated by Jackson County, except when authorized in writing by the Director [for park related events. This section shall also apply to lakeside residents of Prairie Lee Lake who are using the lake or park.]

5025.2 Alcohol, Possession or Consumption by Persons Under 21.

No person under the age of twenty-one years shall possess or consume any alcoholic beverage in any Jackson County park.

5025.3 Intoxication.

Any person in a state of intoxication on any Jackson County park property may be removed from park property.

5025. 4 Contributing to the Delinquency of a Minor.

No person shall give away, make readily available, or otherwise supply any ["intoxicating beverage"] alcoholic beverage to any person under the age of twenty-one (21) on any park property.

5026. Shelterhouse Reservations.

No person shall use or occupy any shelterhouse [on] in any Jackson County park without first making a reservation with and securing a permit from the Director. Shelterhouse reservations may only be made by a person twenty-one (21) years of age or older. The person making the reservation shall be held accountable for the condition of the shelterhouse at the end of the use of the shelterhouse. Anything attached to picnic tables, restrooms, shelterhouses, etc., such as signs, banners, barricades, etc., must be removed and either disposed of or taken off park property at the conclusion of the event/activity. The person reserving the shelterhouse shall also be responsible for the actions of those in his party.

5028. Diving or Jumping From Bridges or Structures.

No person shall dive or jump from any bridge or natural or man-made structure into any Jackson County lake or waterway.

5028.1 Rappelling from Structures.

No person shall rappel by any means from any natural or man-made structure without written permission from the Director.

5029. Camping Areas.

No person shall engage in camping or the over night use of the County park lands except in areas and in such manner as shall be designated by the Director. The Director may [designate] promulgate rules and regulations concerning camping and such rules and regulations shall be posted at park camping areas.

5029.1 Campsite Minimum Age Requirement.

Only persons age 21 and over shall be permitted to reserve a campsite. Each reserved site shall have a person age 21 or over physically at the campsite whenever the reserved campsite is occupied by any person.

5030. Time Limit.

No person shall camp[ing] at [one or more] any combination of campsites in a Jackson County park for a period longer than 14 consecutive days [is prohibited] without the written permission of the Director. Written permission of the Director is also required to camp in Jackson County park campground in excess of 14 days during any 30-day period.

5035. Natural Terrain Maintained, Metal Detectors, Mining, and Prospecting Prohibited.

No person shall disturb in any way the natural terrain, plants, or animals in any Jackson County park. No person shall operate a metal detector, fishing magnet, or mine or prospect for any mineral or object, in any Jackson County park without the written permission of the Director.

5036. Golf.

No person shall play or practice the game of golf, nor hit golf balls, in any Jackson County Park, except at the designated Golf Course or during special events with written approval of the Director.

5037. Construction of Docks on Prairie Lee Lake, Permit Required.

An owner of lakeside property at Prairie Lee Lake directly abutting the lake, may be permitted to construct a dock on the lake in accordance with this section. Each such dock shall be compatible with other docks and lakeside residences in terms of size, type, spacing between docks, and method of construction. No person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any dock or similar structure on the waters of Prairie Lee Lake, or cause or permit the same to be done, without first obtaining a valid permit from the Director of Public Works.

5037.1 No Fee for Lakeside Property Owners.

No fee for a permit under this section shall be assessed against an owner of lakeside property at Prairie Lee Lake.

5037.2 Standards.

The issuance of a permit under this section shall be governed by construction standards to be promulgated by the Director of Public Works. Such standards shall, to the extent practicable, comply with chapter 54 of this Code, the Uniform Building Code, and the policy enunciated in this section. A copy of all such standards shall be on file in the offices of the Clerk of the County Legislature and Director of Public Works. Any used dock or dock part to be utilized on Prairie Lee Lake shall be thoroughly cleaned prior to installation and shall contain no plant, animal, or other living organic matter.

5038. Personal Floating Facilities.

No person shall place or erect any free-floating dock, floating trampoline, or other elevated floating mooring/swimming/diving facilities on any Jackson County Waterway.

5040. Boating Regulations.

The use and operation of watercraft and motors on any Jackson County Waterway shall be in accordance with the laws and regulations of the State of Missouri and the Missouri [Water] Highway Patrol. The County Legislature may [prescribe rules and regulations] enact ordinances pertaining to licensing, permits, size, type, horsepower, and operation of watercraft and motors on Jackson County waterways. Also, the Director may promulgate rules and regulations pertaining to the use of the parks. As used in this chapter, the term "motor" shall include any inboard or outboard motor used to propel a watercraft, regardless of horsepower or type of fuel used.

5040.1 Copies of State Regulations.

The Director shall file a true copy of the Missouri Watercraft Manual with the Clerk of the County Legislature by January 15 of each year. Copies of the Missouri Watercraft Manual shall be made available to park patrons at park offices and through park rangers.

5040.2 Personal Flotation Services, Class I, II, and III Motorboats.

No person shall operate or otherwise ride as a passenger in any class I, II, or III motorboat (motorboats 16 feet and over in length) unless such boat shall have on board at least one wearable personal flotation device of type I, II, or III, as approved by the United States Coast Guard, in serviceable condition and readily accessible, for each person on board said boat and for each person being towed by said boat who is not wearing such a device, and unless such boat shall have on board at least one approved type IV throwable personal flotation device. Ski belts and inflatables do not qualify as approved personal flotation devices.

5040.3 Personal Floatation Devices, Class A Watercraft.

No person shall operate or otherwise ride as a passenger in any class A watercraft (less than 16 feet in length) unless such boat shall have on board at least one personal flotation device of class I, II, III, or IV, as approved by the United States Coast Guard, in serviceable condition and readily accessible, for each person on board said boat and for each person being towed by said boat who is not wearing such a device. Ski belts and inflatables do not qualify as approved personal flotation devices.

5040.4 Personal Floatation Devices, Persons Under the Age of Seven (7) Years.

No person shall operate or otherwise ride as a passenger in any motorboat, sailboat, canoe, kayak, or any other similar watercraft, containing any person under the age of seven (7) years, unless each such person under the age of seven (7) years is wearing a United States Coast Guard approved personal flotation device. Ski belts and inflatables do not qualify as approved personal flotation devices.

5040.5 Lighting.

No person shall operate any motorboat, sailboat, canoe, kayak or other watercraft between the hours of sunset and sunrise unless such watercraft shall exhibit running lights in the following manner:

- a) positioned on the bow, a red light to the port and a green light to the starboard visible for 180 degree for one mile and,

b) positioned on the stern a white light visible for 360 degree for two miles.

Each watercraft is required to illuminate a white light on the stern or on the highest point of the vessel, visible from all directions, whenever it is anchored or moored away from docks, between sunset and sunrise

5040.6 Fire Extinguishers.

No person shall operate any motorboat unless such motor boat shall carry on board United States Coast Guard approved fire extinguishers as follows:

a) Every class A and every class 1 motorboat carrying or using gasoline or any other flammable or toxic fluid: one B1 type fire extinguisher;

b) Every class 2 motorboat: one B2 or two B1 type fire extinguishers;

c) Every class 3 motorboat:

1) Three B1 type fire extinguishers; or

2) One B2 type and one B1 type fire extinguisher; or

3) A fixed fire extinguishing system and one B2 type fire extinguisher; or

4) A fixed fire extinguishing system and two B1 type fire extinguishers.

5040.7 Sounding Devices.

No person shall operate any motorboat, sailboat, canoe, kayak, or other watercraft greater than sixteen (16) feet in length unless such watercraft shall carry on board an operable mouth, hand, or power operated sounding device audible for at least one-half mile.

5040.8 Age Limits.

The minimum age for operating a motorboat in the state of Missouri is fourteen (14). No person under fourteen (14) years of age shall operate any motorboat unless such person is under the direct on board supervision of a parent or guardian or other person sixteen (16) years of age or older, or unless such motorboat is moored. No person shall authorize or knowingly permit a motorboat owned by such person or under such person's control to be operated on any county waterway in violation of this subsection, nor shall a parent or guardian authorize or knowingly permit such a child under fourteen (14) years of age of such parent or guardian to operate a motorboat in violation of this subsection.

5040.9 Missouri Water Safety Course.

In accordance with Missouri law, the operator of any watercraft on any Jackson Waterway born on or after January 1, 1984, must have completed the Missouri Watercraft Safety Course and must show proper ID and the certificate of completion, upon request by any park ranger and when renting a County-owned watercraft.

5041. Launching Areas.

No person shall launch a boat or raft onto any Jackson County Waterway from any area except [the] from a launching ramp[s] or designated launch area maintained by Jackson County for such purpose.

5041.1 Public Courtesy Dock Time Limits.

No person shall exceed [10] ten minutes docking time for parking a motor vehicle and/or trailer while loading or unloading passengers or materials at [the] any public dock[s and] or ramp area[s] within [the] a County park [lands].

5042. Boat and Motor Permits.

No person shall operate any watercraft on any Jackson County waterway, except for lakeside property owners at Prairie Lee Lake, without the appropriate boat and/or motor permit issued by the Director. Permits shall be issued on a seasonal or a one-day basis and are non-refundable and non-transferable. Season boat permits and combination boat and motor permits shall be displayed on the port bow (left front) side of the watercraft. Season motor permits shall be displayed on the port bow (left front) side on the motor. One-day ramp permits shall be carried on the watercraft while on any Jackson County waterway. Lakeside property owners at Prairie Lee Lake will be issued identification tags and will not be required to obtain separate boat and motor permits to use Prairie Lee Lake. The identification tags shall be displayed on the port bow (left front) side of the watercraft.

5042.1 Use of Boat Ramps.

No person shall use a launching ramp at any Jackson County Waterway without having obtained the appropriate boat and/or motor permit from the Director.

5042.2 Mooring, Dock, Dry Storage and Locker Permits.

No person shall moor, dock, or store any watercraft on any specifically designated mooring dock, or dry storage facility owned or operated by Jackson County without having obtained the appropriate permit therefor. Dock and mooring spaces may be purchased as available with the actual permit issuance subject to verification of ownership and registration information. Dock and mooring permits will allow the permit holder to use any Jackson County Waterway for the time period indicated on the permit; however separate motor permits are still required. Dock and mooring permits shall be displayed on the port bow side (left front) of the watercraft. Permits are also required for the use of designated dry storage areas but these do not allow the permit holder use of Jackson County Waterways unless the holder also purchases boat and motor permits as applicable. Dry Storage permits shall be displayed on the left front side of the trailer and port bow (left front) side of the boat.

[5042.3 Renewal of Permits.

All dock, mooring and dry storage permit holders of record as of January 1 may renew their permit options during January and February each year on payment of all fees and compliance with the terms and conditions of this chapter. Actual permit issuance will be subject to verification of ownership and registration information. For the purpose of this section, permit holder of record shall be defined as either the current holder of a valid permit if January 1 is included in the permit season or the holder of a valid permit on the last day of the last completed permit season immediately preceding January 1.]

[5042.4 Permits Issued After March 1.

On or after March 1 of each year, any remaining dock, mooring, and dry storage permits may be sold using a random drawing procedure or lottery. All interested parties shall register for

said lottery between January 1 and February 28 of each year. The lottery shall be held before the third Monday in March. All registrants or their representatives must be present during the drawing in order to participate in the lottery. Any dock, mooring or dry storage purchases through the lottery process will require the full payment of fees at the time of selection. Actual permit issuance will be subject to verification of ownership and registration information.]

[5042.5 Permits Issued After July 31.

After July 31 of each year, the director of parks and recreation may issue seasonal boat, motor, combination boat and motor, mooring, dock, and dry storage permits for the remainder of the current season at one-half the fees established for the applicable full season.]

5042.[6] 3 Display of Permits.

No person shall operate, dock, moor, or store any watercraft, motor, or trailer on any Jackson County Waterway or other property owned or operated by Jackson County unless said watercraft shall display all applicable boat, motor, dock, mooring, and dry storage permits in accordance with this section.

5046. Boating on Prairie Lee Lake.

5046.1 Sailboats.

No person shall place or operate a sailboat on Prairie Lee Lake.

5046.2 Boats, Length and Width.

No person shall operate a boat, other than a pontoon boat, over ten feet (10') in width or over

twenty-one feet six inches (21.5') in length on Prairie Lee Lake.

5046.3 Pontoon Boats, Length and Width.

No person shall operate a pontoon boat over ten feet (10') in width or over thirty feet (30') in length on Prairie Lee Lake.

[5046.4 Personal Watercraft.

No person shall operate a personal watercraft on Prairie Lee Lake on weekends or holidays.]

5046.[5] 4 Artificial Wake Enhancement.

No person shall operate a boat on Prairie Lee Lake that has been modified to or uses any device or means to create an artificially large or modified wake.

5049. Sailboards, Windsurfing, and Stand-Up Paddleboards.

No person shall operate a sailboard, windsurfer, stand-up paddleboard, or similarly-designed craft on any Jackson County lake or Waterway except in accordance with this section and the rules and regulations promulgated by the Director.

[5049.1 One Occupant.

Only one (1) person may occupy the sailboard during its operation.]

5049.[2] 1 Boat Permit and Personal Flotation Device Required.

The operator of any sailboard, windsurfer, stand-up paddleboard, or similarly designed craft must display a current Jackson County boat permit and wear at all times [while sailboarding] a Type I, II or III Personal Flotation Device approved by the U.S. Coast Guard.

5049.2 Day and Time Reservations.

The Director may allow sailboarding, windsurfing, and stand-up paddleboarding on any Waterway [Longview and Blue Springs Lake] between sunrise and sunset, Monday through Thursday. No person shall sailboard, windsurf, or stand-up paddleboard on Friday, Saturday, or Sunday, or on any holiday on any Waterway, other than Lake Jacomo.

[5049.3 Wet Suit Required.

From October 1 through May 15 the operator and any passenger of any sailboard or personal watercraft must wear a wet suit designed to protect the trunk, arms and legs.]

[5051. Windsurfing.

The director of parks and recreation may allow windsurfing on Longview and Blue Springs Lakes between sunrise and sunset, Monday through Thursday. No person shall windsurf on Friday, Saturday, Sunday or on holidays. Windsurfing shall be allowed on Lake Jacomo without restrictions.

5051.1 Windsurfing Regulations.

Any person windsurfing on Longview or Blue Springs Lakes shall first obtain a permit and shall be subject to all regulations promulgated by the director of parks and recreation.]

5059. [Maximum Speed on Lake Jacomo.

Except for lake patrol boats operated by the county or the state, motorized boats may not be operated on Lake Jacomo in excess of ten miles per hour (10 mph).]

[5060] 5059. Horsepower Limits on Prairie Lee Lake.

No boat with an attached or installed motor having more than one hundred and ninety (190) horsepower (outboard) and/or one hundred and sixty-five (165) horsepower (inboard) may be placed on Prairie Lee Lake on Saturdays, Sundays or holidays.

5066 Water Skiing.

The operator of any vessel being used to tow a person on water skis or other appropriate device approved for use on Jackson County lakes and waterways must have in addition to himself another person on board seated so as to observe the progress of the person being towed or the vessel must be equipped with a ski mirror and red ski flag. All water skiing and other approved activity shall be conducted only from sunrise to sunset.

5066.1 Direction of Skiing on Prairie Lee Lake.

On Prairie Lee Lake both the operator of the towing vessel and the person or persons being

towed will maneuver counterclockwise so that the skis or other device or any person will not strike or collide with another object or person.

5066.2 Waterskiing Conduct.

No person will manipulate water skis or other device in a reckless or negligent manner endangering the life or property of any person. No person shall manipulate water skis or other device while intoxicated or under the influence of any narcotic drug, barbiturates or marijuana.

5066.3 Flotation Devices for Water Skiing.

Any person involved in water skiing or other approved similar activity must wear a type I, II or III coast guard approved personal flotation device. Ski belts and other inflatables are not allowed.

5066.4 Water Skiing at Lake Jacomo.

No person shall water ski on Lake Jacomo except by special permission of the Director.

5066.5 Skier Down Flags.

A skier down flag shall be displayed when required by Missouri law on all Waterways.

5069 Authority to Issue Written Notice of Violation.

Jackson County park rangers shall have authority to issue written notice of violation to any [permit holder] boat operator who fails to comply with the boating and watercraft regulations of this chapter.

[Park rangers shall report the notice of violation to the director of park and recreation.]

5069.1 Revocation and Suspension.

The Director may suspend or revoke any boating-related permit issued under authority of this chapter. The appeal procedure may be obtained from the Director.

5071. Riding on Bow and Gunwales Prohibited.

The operator of a motorboat 26 feet in length or less, shall not ride or sit, or allow any passengers to ride or sit on either the starboard or port gunwales or on the decking over the bow railing, top of seat back, or decking over the back of the motorboat while under way, unless such person is inboard of adequate guards or railings which could prevent someone from being lost overboard . As used in this section, the term "adequate guards or railings" means guards or railings having a height parameter of at least six inches but not more than eighteen inches.

5071.1 Exceptions.

a) The operator may allow a person to temporarily occupy the decking over the bow for a necessary purpose such as docking, mooring to, or casting off from a mooring buoy.

b) Vessels being propelled by sail are not [included] within the prohibition of this section

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5072. Removal of Park Patrons.

Jackson County park rangers [shall have the right] are authorized to remove any person from the

County's lakes and Waterways for any of the following reasons:

- 1) Severe weather conditions;
- 2) Other dangerous conditions where personal safety or property is endangered; or
- 3) [Infractions] Violations of the County's code, rules, [and] or regulations.

5073. Traffic Movement.

[All] Any watercraft operator[s] shall stop [their] the operator's craft upon the signal of any park ranger and shall obey all reasonable signal direction given by any park ranger in directing the movement of traffic on any Jackson County lake or Waterway.

5073.1 Right of Way to Emergency Watercraft.

When any emergency watercraft gives an audible signal by siren, or visible signal, with red or blue emergency lights, the operator of any watercraft shall immediately stop or position [their] the operator's watercraft in such a manner as to give the right of way to the emergency [vehicle] watercraft.

5080. Operation of Radio/Remote Controlled [Aircraft] Devices.

No person shall operate any remote radio/remote controlled device, including but not limited to, aircraft, aerial drones, cars, trucks, rock crawlers, and boats, except in areas designated for such operation by the Director.

[5081. Display of Frequency and Channel.

Any person operating a radio controlled aircraft within designated areas in Jackson County parks shall prominently display on the transmitter at all times frequency flags and channel numbers.]

508[2] 1. Liability Insurance Required.

No person shall operate a radio controlled [aircraft or boat] device on or above park land or Waterways unless [he] such device has liability insurance of at least the minimum limits, with proof of coverage in the person's possession while operating said device, offered by the Academy of Model Aeronautics to its members, with regard to aircraft, or comparable governing body or agency coverage for other devices [the minimum limits offered by the American Power Boat Association to its members, with regard to boats]. Any person holding a current Academy of Model Aeronautics membership card will be presumed to have met the above requirement with regard to aircraft. [Any person holding a current American Power Boat Association membership card will be presumed to have met the above requirement with regard to boats.]

508[3] 2. Permit.

[It shall be unlawful for any] No person shall [to] operate any type of radio controlled equipment for the purpose of operating miniature or model airplanes, ground running vehicles, water borne boats or vehicles, rockets or any other similar device within the physical boundary of any park that is under the jurisdiction of Jackson County, Missouri, without first [purchasing] obtaining the proper operating permit issued by Jackson County. Said permit must be in the possession of the permit holder while operating radio/remote controlled devices in a County park.

508[4] 3. Radio-Controlled Flying Field Sound Level.

No person shall operate any radio-controlled flying device with a sound level in excess of ninety-eight (98) decibels on an a weighted scale when measured from a distance of fifty (50) or more feet.

508[5] 4. [Permission to Dive] Diving, Permit Required.

Any person wishing to scuba dive in any Jackson County lake[s and] or waterway[s] must obtain written approval from the Director [contact the Jackson County Rangers' Station located at Lake Jacomo] twenty-four (24) hours prior to [their] the dive and inform the [senior ranger on duty] Director of the time, location, purpose, and number of persons involved in the dive.

5090. Abandoned Property.

Any boat, boat lift, craft or other property of value found abandoned, adrift, or left unattended in or near County lakes or on County park land may be taken by the County.

5090.1 Lien for Expenses.

The County shall have a lien on such property for all expenses of taking, towing, and storing that property and for all damage caused by that property to the property of the county, or to any other person.

5090.2 Procedure for Property Disposal.

If the owner of the property does not claim the property and redeem the lien within [6 months] ninety (90) days, the property may be disposed of in the same manner as surplus County property.

Effective Date: This ordinance shall be effective immediately upon its signature by the County

Executive.

APPROVED AS TO FORM:

Chief Deputy County Counselor County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5610 introduced on March 28, 2022, was duly passed on April 18, 2022 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 7 Nays 1

Abstaining 0 Absent 1

This Ordinance is hereby transmitted to the County Executive for his signature.

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5610.

Date

Frank White, Jr., County Executive