

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE repealing sections 5045., 5046., and 5047., Jackson County Code, 1984, relating to boating in County parks and enacting, in lieu thereof, three new sections relating to the same subject, with a penalty provision.

ORDINANCE # 3473, March 8, 2004

INTRODUCED BY Bob Spence, County Legislator

WHEREAS, it is appropriate that the County's park ordinance be amended so as to provide additional specific boating regulations for Prairie Lee Lake due to its relatively small size in comparison with other Jackson County lakes; and,

WHEREAS, this amendment is in the best interests of the health, safety, and welfare of the citizens of Jackson County; now therefore,

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

Section A. Enacting Clause.

Section 5045., Jackson County Code, 1984, is hereby repealed and three new sections enacted in lieu thereof, to be known as sections 5045., 5046., and 5047., to read as follows:

5045. Length and Width of Boats Permitted.

Except as otherwise provided in this chapter, no person shall operate a boat over ten feet (10') in width or over thirty feet (30') in length on any Jackson County lake or waterway. No person shall operate any watercraft, except personal watercraft, under eight feet (8') in length on any Jackson County waterway.

5046. [Sailboats] 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 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.

5047. Personal Watercraft.

No person shall operate any personal watercraft, including jet skis, jet boats, jet mates, water scooters, surf jets, wave jammers, wave runners, wet jets, surjets, hydroskis or wet bikes on Lake Jacomo. No person shall operate any personal watercraft as defined in this section [will be allowed] on [all other] any Jackson County lake[s and] or waterway[s only] except between sunrise and sunset [except that no person shall operate a personal watercraft on Prairie Lee Lake on weekends or holidays].

5047.1 Personal Flotation Device Required.

No person shall operate a personal watercraft unless each person aboard is wearing a type I, type II, type III or type V personal flotation device approved by the United States Coast Guard.

5047.2 Engine Cut-off Switch Lanyard, Attachment of.

No person shall operate a personal watercraft equipped by the manufacturer with a lanyard type engine cutoff switch unless such lanyard is attached to the person's body, clothing, or personal flotation device, as appropriate for the specific vessel.

5047.3 Operation in Reckless or Unsafe Manner Prohibited.

No person shall operate a personal watercraft in a reckless or unsafe manner or perform any maneuver on a personal watercraft which would unreasonably or unnecessarily endanger life, limb, or property. Such maneuvers shall include, but shall not be limited to, weaving through congested vessel traffic, jumping the wake of another vessel when visibility around such vessel is obstructed, becoming airborne or completely leaving the water while crossing the wake of another vessel within one hundred feet of the vessel creating the wake, operating at a speed in excess of a slow-no wake speed within fifty feet of any vessel or any person in or on the water, and operating at such a speed and proximity to another vessel so as to require the operator to swerve to avoid collision. No person shall operate a personal watercraft on any county waterway for towing a person or persons on water skis, or a surfboard, or similar device unless there is a person on the personal watercraft, in addition to the operator, or an approved rear-view mirror attached to the personal watercraft, in a position to observe the progress of the person or persons being towed.

5047.4 Responsibility of Owner of Watercraft.

No person who owns a personal watercraft or who has charge over or control of a personal watercraft shall authorize or knowingly permit the personal watercraft to be operated in violation of this section, nor shall a parent or guardian authorize

or knowingly permit a child of such parent or guardian to operate a personal watercraft in violation of this section.

5047.5 Not Applicable to Permitted Special Events.

The provisions of this section shall not apply to a person participating in a regatta, race, marine parade, tournament, or exhibition for which a permit has been issued by the director.

Section B. Penalty Provision.

Any violation of this ordinance is punishable pursuant to §5093., Jackson County Code, 1984.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:


Acting County Counselor

I hereby certify that the attached Ordinance, Ordinance # 3473 introduced on March 8, 2004 was duly passed on March 22, 2004 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 7

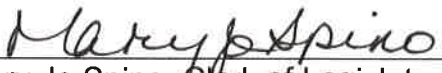
Nays 0

Abstaining 0

Absent 2

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

3.23.04
Date


Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance # 3473.

3-23-04
Date


Katheryn J. Shields, County Executive