

ORDINANCE NO. 2220

AN ORDINANCE GOVERNING BOATING AT THE COUNCIL GROVE LAKE PARK; SETTING ANNUAL REGISTRATION REQUIREMENTS; FEES; OPERATION OF BOATS; AND SETTING PENALTIES FOR VIOLATION OF THIS ORDINANCE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COUNCIL GROVE, KANSAS:

Section 1. DEFINITIONS. The following words shall have the following definitions for the purpose of this ordinance, and only this ordinance:

- A. Resident. A "resident" shall be any person that is a resident of the City of Council Grove, Kansas; a person being named as a Lessee on a leasehold of the Council Grove Lake Park or any person who is a City water customer outside the City limits of the City of Council Grove, Kansas.
- B. Non-resident. A "non-resident" shall be all persons who do not fall within the definition of "resident" above.
- C. Approved Aquatic Nuisance Species (ANS) Education Course. The "Approved Aquatic Nuisance Species (ANS) Education Course" is the course offered online by the Kansas Department of Wildlife, Parks, and Tourism (KDWPT) which can be found at the KDWPT web site.
- D. Council Grove Boater Safety Course. The "Council Grove Boater Safety Course" is a course offered online which can be found at <https://programs.ksoutdoors.com/Programs/Council-Grove-Boater-Safety-Course>.
- E. Boat. A "boat" means any vessel that is required to be registered by the State of Kansas as well as any vessel designed to be propelled by machinery, oars, paddles or wind action upon a sail for navigation on water.

Section 2. EXEMPTION FROM THIS ORDINANCE. Non-motorized vessels shorter than ten feet of length are exempt from the registration requirements of this ordinance, however the rest of the ordinance is applicable to them. Any boat operated below wake speed and used solely and exclusively for fishing is also exempt from registration under this ordinance, however the rest of the ordinance is applicable to them.

Section 3. CERTIFICATION REQUIRED. No boating license shall be issued to any person who has not completed and received a certificate of completion of an approved Aquatic Nuisance Species (ANS) Education Course within the preceding three years and the Council Grove City Boater Safety Course within the immediate preceding one year.

Section 4. BOAT LICENSE. Persons desiring to keep, have or maintain any boat upon the Council Grove City Lake shall make application for that purpose to the City Clerk or an approved license vendor. Upon demonstration that the applicant has met all the requirements of this ordinance, the City Clerk or an approved license vendor shall issue the license and the boat shall be assigned a number. The licensee shall affix the license number supplied to him upon the starboard side of the bow of the boat. If the license number shall be lost, destroyed or damaged, the licensee must purchase a replacement number from the City Clerk for a fee of \$2.00 per set.

Section 5. BOAT RESTRICTIONS. No person shall make application for a boat license unless the boat meets all requirements of state law. The burden of proof that the boat meets these requirements is upon the boat owner.

Section 6. BOAT FEES FOR RESIDENTS. The annual boat fees for residents who have met the requirements of this ordinance shall be based upon a graduated scale on the horsepower of the motor used to propel the boat. Fees for such residents are as follows:

- A. Ten dollars per year for vessels, sail boats or motor boats with a motor up to and including 50 horsepower.

- B. Twenty dollars per year for a boat with a motor from 51 to 100 horsepower.
- C. Thirty dollars per year for a boat with a motor from 101 to 150 horsepower.
- D. Forty dollars per year for a boat with a motor from 151 to 200 horsepower.
- E. Fifty dollars per year for a boat with a motor from 201 horsepower and up.
- F. Forty dollars per year for a personal water craft.

Section 7. NON-RESIDENT BOAT FEES. The annual boat fees for non-residents who have complied with the requirements of this ordinance shall be based on a graduated scale on the horsepower of the motors used to propel the boat. The fees for such non-residents are as follows:

- A. Twenty dollars per year for vessels, sail boats or motor boats with a motor up to and including 50 horsepower.
- B. Forty dollars per year for a boat with a motor from 51 to 100 horsepower.
- C. Sixty dollars per year for a boat with a motor from 101 to 150 horsepower.
- D. One hundred and twenty dollars per year for a boat with a motor from 151 to 200 horsepower.
- E. One hundred and fifty dollars per year for a boat with a motor from 201 horsepower and up.
- F. One hundred and twenty dollars per year for a personal water craft.

Section 8. NO WAKE ZONES/SPEED LIMIT. It shall be unlawful to operate a boat on the Council Grove Lake Park so as to create a wake with a white cap at its initiation or more than 5 miles per hour under the following conditions:

- A. Where speed boating is forbidden as indicated by markers, buoys or other signs.
- B. Within 200 feet of the shoreline.
- C. Before 7:00 a.m. and until the red light on the dam is lit, but if the light malfunctions, no later than sunset.
- D. No boat shall be operated in the manner to imperil or deliberately annoy fishermen or anchored boats.

Section 9. PERSONAL FLOTATION DEVICES. All boats shall be equipped with personal flotation devices as required by Kansas law.

Section 10. BOAT LIGHTS. When in use on the lake, between sunset and sunrise, each boat must have lighting which complies with state law.

Section 11. MEETING AND OVERTAKING BOATS. Boats, when meeting, shall comply with regulations as required by Kansas law.

Section 12. UNLOADING OF BOATS. All parties not having leasehold sites shall use the boat ramps for unloading and reloading boats.

Section 13. COURSE OF TRAVEL. All boats used on the Council Grove Lake Park are to travel in a counter-clockwise direction, inside the perimeter of the buoys. Travel in a clockwise direction is allowed outside of the perimeter buoys.

Section 14. PROHIBITED MANEUVERS. No boat shall maneuver in small circles, or stop or turn sharply, except in the case of emergency, to pick up a fallen skier or to retrieve someone from the lake.

Section 15. AREA OF OPERATION/CREATION OF WAVES. All boats operating above no wake speed shall do so inside the perimeter of the buoys.

Section 16. OPERATION OF WAKE ENHANCING BOATS. Operating wake enhancing boats and lake surf activity (slow speed, large wakes) must take place as close as is safely possible to the midline buoys located on the centerline of the lake. Travel shall be counterclockwise with buoys being kept on the portside of the boat.

Section 17. PENALTIES. Any person violating any provisions of this ordinance shall, on a first offense, be subject to a fine of not less than \$100 nor more than \$200. On a second or subsequent offense the fine shall be not less than \$200 nor more than \$500.

Section 18. SUSPENSION OF BOATING PRIVILEGES. The City reserves the right, on a majority vote of the governing body, to revoke, or to suspend for any period of time, any boating license issued by the City on a showing of careless or reckless operation of a boat or repeated violations of this ordinance. Any person whose license is suspended or revoked may only be re-issued a license on approval of a majority vote by the governing body.

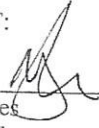
Section 19. REPEAL. Sections 12-620 through 12-634 of Ordinance No. 1820 are hereby repealed. Ordinances 1917, 1991, 2001, 2002 and 2059 are hereby repealed.

Section 20. EFFECTIVE DATE. This Ordinance shall take effective upon its publication in the official City newspaper.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY COUNCIL
ON THIS 2 day of April, 2019.


Debi Schwerdtfeger, Mayor

ATTEST:

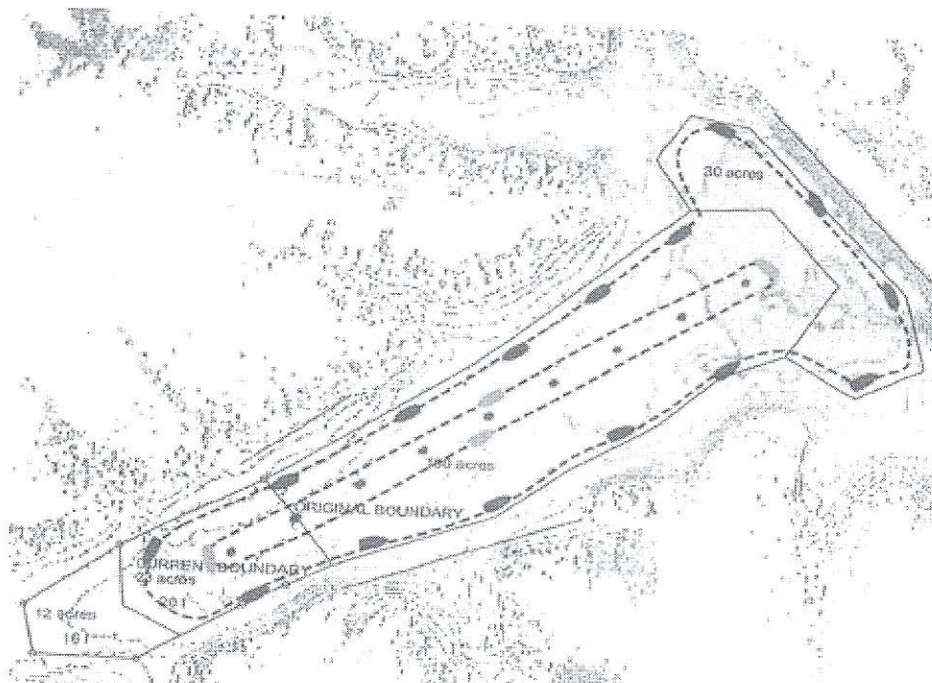

Nick Jones
City Clerk
(SEAL)



Traffic Pattern

The traffic pattern at Council Grove City Lake is as follows:

1. All watercraft traffic must proceed in a counter clockwise direction while in the high-speed area inside the buoys.
2. Below wake speed traffic may proceed in a clockwise or counter clockwise direction in the no wake zone between the buoys and shoreline.
3. Large wake producing activity (surfing) is to be conducted in a counterclockwise direction as close to the lake midline buoy line as possible.



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