ORDINANCE NO. 3 3 4 8

AN ORDINANCE of the City Council of the City of Kent, Washington, amending Chapter 4.06 of the Kent City Code relating to recreational vessels and related activities within the City by adding a new subsection regulating the operation of personal watercraft on Lake Meridian.

WHEREAS, the City Council adopted Chapter 4.06 of the Kent City Code establishing regulations for recreational vessel use and related water dependent activities within the City of Kent; and

WHEREAS, Lake Meridian provides recreational activities to both local residents and members of the public, including swimming, waterskiing, fishing and other similar water dependent activities; and

WHEREAS, during the last few years, recreational uses and more specifically, vessel traffic on the lake have increased dramatically; and

WHEREAS, the increased popularity of personal watercraft has resulted in increasing conflicts with other uses on the lake, such as waterskiing, creating concerns for public safety; and

WHEREAS, Lake Meridian is approximately one hundred (100) acres in size and due to the small size of the lake, all vessel traffic exceeding eight (8) miles per hour must operate in an area at least two hundred (200) feet from the shoreline and one

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hundred feet (100) feet from other vessels and swimmers and must proceed around the lake in a counter-clockwise direction; and

WHEREAS, personal watercraft are small, highly maneuverable, and fast vessels that must operate in the same traffic area as other vessels and waterskiers; and

WHEREAS, regulations on water related activities have been in place for a number of years; however, these regulations did not contemplate the increasing use of personal watercraft; and

WHEREAS, testimony was presented during the April 1, 1997, public hearing before the City Council on this matter as well as during the public safety committee meetings held on March 18, 1997 and April 15, 1997 that increased use of personal watercraft operation on the lake interferes with waterskiing and other recreational related activity on the lake causing a threat to public safety; and

WHEREAS, the City Council desires to maximize the recreational use of the lake for all users to the greatest extent possible; and

WHEREAS, the City Council desires to ensure that all different types of recreational water dependent activities can be safely enjoyed on the lake; and

WHEREAS, restricting the times when personal watercraft may operate will give all users an opportunity to utilize the lake and reduce potential conflicts in uses and enhance public safety; and

WHEREAS, the City Council has reviewed the testimony presented to the Public Safety Committee and the full City Council has further reviewed alternative proposals to enhancing safety on the lake; and

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WHEREAS; the City Council finds that the regulation of personal watercraft on Lake Meridian would enhance the health, safety, and interest of all recreational users of the lake; NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The findings set forth in the recitals above are hereby incorporated by reference as if set forth herein in full.

SECTION 2. Section 4.06.200 of the Kent City code is hereby amended by adding a new subsection, Subsection C., as follows:

Sec. 4.06.200. Lake Meridian - Motor powered vessel restrictions - water skiing and personal watercraft operation.

A. Generally. The following rules and regulations are adopted for the use of motor-powered vessels on Lake Meridian:

1. It is unlawful to use or operate any vessel powered by motor power on Lake Meridian, except that vessels with the following engines will be permitted:

   a. Water-cooled outboard engines of stock manufacture or stock manufactured inboard engines with outboard drive units (inboard/outboards) which vent all exhaust gases through the lower drive unit in conjunction with cooling water and/or vent at a point on the drive unit which is under water at all times; or watercooled direct drive inboard engines equipped with a muffler or silencer of sufficient size and capacity, to effectively muffle and reduce noise similar to that of outboards and inboard/outboards. This includes both propeller and jet propulsion watercraft.
b. Air-cooled outboard or inboard engines of stock manufacture rated by the manufacturer at ten horsepower or less.
c. Electric fishing trolling motors.

2. No vessel shall operate in excess of eight miles per hour after 6:00 p.m. until the hour of 9:00 a.m. and not in excess of thirty-five miles per hour from 9:00 a.m. to 6:00 p.m.

3. Vessels exceeding speeds of eight miles per hour shall remain at least two hundred feet from the shoreline and one hundred feet from other vessels and swimmers and shall proceed around the lake in a counterclockwise direction.

4. All vessels operating on Lake Meridian shall carry United States Coast Guard approved personal flotation devices in good condition for each person in the vessel.

5. Motor-powered vessels operating after sundown shall be equipped with and have lit proper running lights.

6. The anchorage or moorage of unoccupied vessels is prohibited except when tied to a pier or dock with the permission of the owner of the pier or dock.

7. No remote controlled vessels powered by internal combustion engines shall operate before 9:00 a.m. or after 6:00 p.m.

8. Skin diving is prohibited except as necessary for public employees and their agents or other authorized personnel to perform their duties or in the case of an emergency.

B. Waterskiing. The following regulations apply to all water skiing activities as defined in RCW 88.12.010(22) including, but not limited to, being towed behind a vessel on skis, an aquaplane, kneeboard, tube, or similar device:

1. Water skiing on the lake at speeds up to and including eight miles per hour is permitted any time between dawn and dusk.
2. Water skiing on the lake at speeds over eight miles per hour shall be limited to the hours of 9:00 a.m. to 6:00 p.m.

3. It is unlawful to water ski within three hundred feet of shore except as follows:
   a. from privately owned shoreline, water skiers may start at and return to shore by means of the most expeditious route;
   b. from City owned shoreline, water skiers may start or return (deep water start) from a distance of 200 feet or greater from shore but are prohibited from starting or stopping within 200 feet of shore. For purposes of this provision, City owned shoreline includes the swimming beach and boat launching areas of the park. For purposes of starting at and returning to shore as authorized herein, water skiers may temporarily exceed the speed limit of eight miles per hour.

4. All persons in vessels towing persons on water skis, tubes, surfboards, or similar contrivance shall remain seated at all times.

5. All operators of vessels having in tow or otherwise assisting a person on water skis, tubes, surfboards or similar contrivance shall comply with Section 4.06.060.

6. Regulations stated in this subsection shall not apply to vessels used in water ski tournaments, competitions, expositions, or trials therefore, which have been duly authorized by the City.

C. Personal Watercraft. In addition to RCW 88.12.145 adopted in Section 4.06.020, the following regulations shall apply to personal watercraft.

1. Personal Watercraft may be operated on the lake at speeds up to and including eight (8) miles per hour any day except during hours of darkness.

2. Personal Watercraft may be operated on the lake at speeds in excess of eight (8) miles per hour only as follows:
a. between the hours of 12:00 noon and 6:00 p.m.;
b. on even numbered days of the calendar; and
c. from and including May 16 through and including September 15th of any year.

SECTION 3. - Severability. If any one or more sections, subsections, or sentences of this Ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance and the same shall remain in full force and effect.

SECTION 4. - Effective Date. This Ordinance shall take effect and be in force thirty (30) days from the time of its final approval and passage as provided by law.

JIM WHITE, MAYOR

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED: 6 day of May, 1997.
APPROVED: 7 day of May, 1997.
PUBLISHED: 9 day of May, 1997.

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I hereby certify that this is a true copy of Ordinance No. 3348, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

Brenda Jacober (SEAL)
BRENDA JACOBER, CITY CLERK

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