



Legislation Details (With Text)

File #: O-5-21 **Version:** 1 **Name:**

Type: Ordinance **Status:** Adopted

File created: 1/28/2021 **In control:** Maritime Advisory Board

On agenda: 5/10/2021 **Final action:** 5/10/2021

Title: Tucker Street Launching Facility - For the purpose of providing procedures for use of the Tucker Street launching facility; providing certain definitions; establishing acceptable proofs of residency for issuance of certain permits; and providing penalties for violations.

Sponsors: Fred Paone, Elly Tierney

Indexes: Environmental Matters Committee, Maritime Advisory Board, Public Safety Committee, Transportation Committee

Code sections:

Attachments: 1. O-5-21 First Reader, 2. O-5-21 Staff Report, 3. O-5-21 Fiscal Impact Note, 4. O-5-21 MAB Findings and Recommendations, 5. O-5-21 Amendment 1 - Tierney, 6. O-5-21 Amendment 2 - WITHDRAWN, 7. O-5-21 Amendments 3-4 - Environmental Matters Cmte 4-21-21, 8. O-5-21 Amendments 5-6 - Savidge, 9. O-5-21 Amendment 7 - Paone - 4/26/21, 10. O-5-21 SIGNED

Date	Ver.	Action By	Action	Result
5/10/2021	1	City Council	reconsider	Pass
5/10/2021	1	City Council	adopt on second reader	Pass
5/10/2021	1	City Council	adopt on third reader	Pass
5/10/2021	1	City Council	postpone	Fail
5/10/2021	1	City Council	affirm	Pass
4/26/2021	1	City Council	amended	Pass
4/26/2021	1	City Council	amended	Pass
4/26/2021	1	City Council	amended	Pass
4/26/2021	1	City Council	amended	Pass
4/26/2021	1	City Council	adopt as amended	Pass
4/26/2021	1	City Council	adopt on third reader	Pass
4/26/2021	1	City Council	adopt on second reader	Pass
4/21/2021	1	Environmental Matters Committee	recommend with amendments	Pass
3/17/2021	1	Environmental Matters Committee	Recommend Favorably-Amendment	Pass
3/17/2021	1	Environmental Matters Committee	postpone	Pass
3/11/2021	1	Transportation Committee	recommend favorably	Pass
3/1/2021	1	Public Safety Committee	recommend favorably	Pass
2/22/2021	1	City Council	declare the public hearing closed	
2/8/2021	1	City Council	refer to Annapolis Education Commission	
2/8/2021	1	City Council	refer to Annapolis Education Commission	
2/8/2021	1	City Council	refer to Annapolis Education Commission	

2/8/2021	1	City Council	refer to Annapolis Education Commission	
2/8/2021	1	City Council	adopt on first reader	Pass

Tucker Street Launching Facility - For the purpose of providing procedures for use of the Tucker Street launching facility; providing certain definitions; establishing acceptable proofs of residency for issuance of certain permits; and providing penalties for violations.

**CITY COUNCIL OF THE
City of Annapolis**

Ordinance 5-21

**Introduced by: Alderman Paone and Alderwoman Tierney
Co-sponsored by:**

**Referred to
Maritime Advisory Board
Environmental Matters Committee
Public Safety Committee
Transportation Committee
90 day Rule: _____**

AN ORDINANCE concerning

Tucker Street Launching Facility

FOR the purpose of providing procedures for use of the Tucker Street launching facility; providing certain definitions; establishing acceptable proofs of residency for issuance of certain permits; and providing penalties for violations.

BY repealing the following portion of the Code of the City of Annapolis, 2020 Edition
11.12.110

BY repealing and re-enacting with amendments the following portions of the Code of the City of Annapolis, 2020 Edition
12.20.110

BY adding the following portion to the Code of the City of Annapolis, 2020 Edition
15.10.005

SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that the Code of the City of Annapolis shall be amended to read as follows:

**Title 11 - PUBLIC PEACE, MORALS AND WELFARE
Chapter 11.12 - PUBLIC PEACE AND ORDER**

~~Section 11.12.110 – Tucker Street launch regulations.~~

- A. No person shall launch a boat, skiff, raft, canoe, jet ski or any other watercraft from the end of Tucker Street into Weems Creek unless the owner or operator of the craft is a resident of the City of Annapolis.
- B. No person, regardless of residency, who is engaged in a commercial enterprise whose business is the sale, manufacture, distribution or repair of any watercraft or who is the employee of any such commercial enterprise, shall use the end of Tucker Street at Weems Creek for purposes of launching, demonstrating, testing or selling of watercraft which are the property or product of that commercial enterprise.
- C. Violation of this section is a misdemeanor.

Title 12 - VEHICLES AND TRAFFIC

Chapter 12.20 - STOPPING, STANDING AND PARKING

Section 12.20.110 - Parking trailers.

- A. For purposes of this section, the term "trailer" shall include trailers, boat trailers, camping trailers, fifth wheel trailers, pole trailers, semitrailers, travel trailers and home trailers as those terms are defined in the Annotated Code of Maryland, Transportation Article, (1982 Repl. Vol.) or its successor.
- B. It is unlawful and a misdemeanor for the driver or owner of any trailer or trailer-type vehicle to cause the same to be parked, while attached to a motor vehicle, upon any public street, lane or alley within the City, for more than forty-eight consecutive hours and ten days total within a calendar year.
- C. It is unlawful and a misdemeanor for the driver or owner of any trailer or trailer-type vehicle to cause the same to be parked, while detached from a motor vehicle, upon any public street, lane or alley within the City, except in the event of an emergency.
- D. No trailer or trailer-type vehicle detached from a motor vehicle shall be parked on any municipal parking lot, nor shall any attached trailer-type vehicle be parked on any municipal parking lot when the combined length of the towing vehicle and trailer attached exceeds nineteen feet.
- E. The Chief of Police, or his or her authorized representative, may grant exemptions from subsection C above, in nonresidential-zoned areas only with respect to a specific trailer or trailer-type vehicle to be located at a specified location for a specified length of time, subject to such conditions, requirements and fees as the Chief of Police or his or her representative may designate.
- F. Boat Trailers at Launching Facilities.
 - 1. Except as provided below, it is unlawful and a misdemeanor for a boat trailer, whether or not it is attached to a motor vehicle, to be parked upon a public street, lane or alley in the area bounded by Rowe Boulevard, Weems Creek, Severn River, the municipal border with the United States Naval Academy, to its intersection at Taylor Avenue and Annapolis Street, and Taylor Avenue. An exception shall be granted to any resident of the City of Annapolis to park a boat trailer within the area delineated above, if said trailer is attached to a motor vehicle and bears a boat trailer permit issued by the City of Annapolis.
 - 2. The Director of Recreation and Parks, or his or her authorized representative, shall issue to any City resident, a boat trailer permit upon proof of residency, and ownership and registration of boat and trailer. ACCEPTABLE PROOFS OF RESIDENCY INCLUDE A MARYLAND STATE IDENTIFICATION CARD OR DRIVER'S LICENSE, ALONG WITH ONE OR MORE OF THE FOLLOWING:
 - (a) VOTER REGISTRATION CARD,
 - (b) WATER BILL, TAX BILL,
 - (c) CITY RESIDENTIAL PARKING PERMIT, OR
 - (d) LEASE AGREEMENT FOR A CITY PROPERTY.

The permit shall be issued for and shall be affixed to a specified boat trailer and shall be nontransferable.

3. The permit fee shall be established by resolution of the City Council, payable at the time of the submission of the application for the permit. The permit year shall commence on January 1st and terminate on December 31st. The fee shall not be prorated and no portion of any fee shall be refundable. Further, the fee may be waived for any City resident submitting proof of age above sixty years.
- G. Notwithstanding any other provision of this section to the contrary, it is unlawful and a misdemeanor for the driver or owner of any trailer or trailer-type vehicle to cause the same to be parked in a manner that interferes with or hinders the operation of any authorized emergency vehicle.
- H. Any person violating this section, including any violation of the boat permit provisions hereof, upon conviction, is subject to a fine as established by resolution of the City Council.

Title 15 - HARBORS AND WATERFRONT AREAS

Chapter 15.10 - OPERATION, ANCHORING, AND MOORING OF VESSELS IN CITY WATERS

SECTION 15.10.005 - TUCKER STREET - LAUNCHING - PERMITTING.

- A. FOR PURPOSES OF THIS ~~CHAPTER~~SECTION, ~~THE TERM~~THESE TERMS SHALL HAVE THEIR RESPECTIVE MEANINGS:
- (I) “COMMERCIAL ACTIVITY” SHALL INCLUDE, BUT IS NOT LIMITED TO, LOADING AND UNLOADING OF BARGES AND VESSELS FOR MARINE CONSTRUCTION, OPERATION OF CHARTER VESSEL SERVICES, SOLICITATION FOR CHARTER SERVICES, SALE OF FOOD, GOODS OR SERVICES, PRODUCT OR SERVICE ADVERTISING OR PROMOTION, OR ANY ACTIVITY CONDUCTED TO MAKE A PROFIT; AND
- (II) TUCKER STREET LAUNCHING FACILITY” MEANS THE STRUCTURE SPECIFICALLY DESIGNED FOR LAUNCHING A MOTORIZED WATERCRAFT, AND DOES NOT INCLUDE ANY ADJACENT PUBLIC BEACHFRONT USED BY NON-MOTORIZED WATERCRAFT.
- B. A PERSON MAY ONLY LAUNCH A BOAT, SKIFF, RAFT, CANOE, JET SKI, OR OTHER WATERCRAFT FROM THE ~~END OF TUCKER STREET INTO WEEMS CREEK~~TUCKER STREET LAUNCHING FACILITY IF THE WATERCRAFT DISPLAYS A CURRENT LAUNCH PERMIT PROVIDED BY THE HARBORMASTER AT ALL TIMES DURING SUCH LAUNCHING IF THE VEHICLE TOWING THE WATERCRAFT DISPLAYS A CURRENT LAUNCH PERMIT IN THE DRIVER’S SIDE WINDOW PROVIDED BY THE HARBORMASTER AT ALL TIMES DURING SUCH LAUNCHING. AND AFTER THE LAUNCH.
- C. TO OBTAIN A TUCKER STREET LAUNCH PERMIT, THE OWNER OR OPERATOR OF THE WATERCRAFT MUST PROVIDE THE HARBORMASTER WITH SUFFICIENT INFORMATION TO VERIFY THAT THE OWNER OR OPERATOR IS A BONA FIDE RESIDENT OF THE CITY OR COUNTY AND HAS LEGAL TITLE TO OR THE RIGHT TO POSSESSION OF THE APPLICABLE WATERCRAFT. DEMONSTRATION OF JUST OWNERSHIP OF CITY OR COUNTY PROPERTY IS INSUFFICIENT. ACCEPTABLE PROOFS OF RESIDENCY INCLUDE A MARYLAND STATE IDENTIFICATION CARD OR DRIVER’S LICENSE, ALONG WITH ONE OR MORE OF THE FOLLOWING:
1. VOTER REGISTRATION CARD,
 2. WATER BILL, TAX BILL,

3. CITY RESIDENTIAL PARKING PERMIT, OR
 4. LEASE AGREEMENT FOR A CITY OR COUNTY PROPERTY.
- D. NO COMMERCIAL ACTIVITY IS ALLOWED AT THE END OF TUCKER STREET AT WEEMS CREEK.
- E. A PERMIT TO LAUNCH AT THE END OF TUCKER STREET IS SUBJECT TO A NONREFUNDABLE FEE AS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL.
- F. A PERSON WHO PERMITS OR COMMITS ANY ACTIVITY PROHIBITED BY THIS SECTION IS SUBJECT TO A MUNICIPAL INFRACTION PURSUANT TO SECTION 15.10.140.C, TO TICKETING AND TOWING OF VEHICLES, TRAILERS, AND VESSELS, AND LAUNCH PERMITS MAY BE REVOKED.

SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this ordinance shall take effect from the date of its passage.

Explanation:

UPPERCASE indicates matter added to existing law.

~~Strikethrough~~ indicates matter stricken from existing law.

Underlining indicates amendments.