



Legislation Details (With Text)

File #:	O-24-17	Version:	1	Name:	
Type:	Ordinance	Status:		Adopted	
File created:	4/20/2017	In control:		City Council	
On agenda:	6/19/2017	Final action:		6/19/2017	
Title:	Boat Launch Enforcement Authority - For the purpose of permitting an authorized agent of the City of Annapolis to exercise limited authority in boat launch enforcement; ensuring that patrons that utilize boat ramp(s) pay appropriate launching fees; and matters generally relating to extending boat launch enforcement powers to an authorized agent.				
Sponsors:	Michael J. Pantelides				
Indexes:	Environmental Matters Committee, Maritime Advisory Board				
Code sections:					
Attachments:	1. O-24-17 Boat Launch Enforcement.pdf, 2. O-24-17 Staff Report.pdf, 3. O-24-17 Fiscal Impact.pdf, 4. O-24-17 MAB Recommendations.pdf, 5. O-24-17 SIGNED.pdf				

Date	Ver.	Action By	Action	Result
6/19/2017	1	City Council	adopt on second reader	Pass
6/15/2017	1	Environmental Matters Committee		
5/22/2017	1	City Council	declare the public hearing closed	
5/8/2017	1	City Council	adopt on first reader	Pass
5/8/2017	1	City Council	refer to Annapolis Education Commission	
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Boat Launch Enforcement Authority - For the purpose of permitting an authorized agent of the City of Annapolis to exercise limited authority in boat launch enforcement; ensuring that patrons that utilize boat ramp(s) pay appropriate launching fees; and matters generally relating to extending boat launch enforcement powers to an authorized agent.

CITY COUNCIL OF THE City of Annapolis

Ordinance 24-17

Introduced by: Mayor Pantelides

Referred to
Environmental Matters Committee

AN ORDINANCE concerning

Boat Launch Enforcement Authority

FOR the purpose of permitting an authorized agent of the City of Annapolis to exercise limited authority in boat launch enforcement; ensuring that patrons that utilize boat ramp(s) pay appropriate launching fees; and matters generally relating to extending boat launch enforcement powers to an authorized agent.

BY repealing and re-enacting with amendments the following portions of the Code of the City of Annapolis, 2016 Edition
15.04.050
15.12.020
15.24.010
15.24.050

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 15 - HARBORS AND WATERFRONT AREAS
Chapter 15.04 - MANAGEMENT OF CITY WATERS

Section 15.04.050 - Delegation of authority.

~~During a period of absence,~~ FOR ENFORCEMENT PURPOSES UNDER THIS TITLE, the Harbormaster may delegate his authority to AN AUTHORIZED AGENT OR another member of the Harbormaster's staff.

“AUTHORIZED AGENT” MEANS THE COMPANY OR LEGAL ENTITY, AND ITS EMPLOYEES, AGENTS AND CONTRACTORS, THAT HAS BEEN DESIGNATED BY THE CITY IN WRITING TO PERFORM ANY DUTIES OR RESPONSIBILITIES RELATED TO ENFORCEMENT PURPOSES UNDER THIS TITLE.

CHAPTER 15.12 - DISTRESSED, SUNKEN, DAMAGED, DERELICT, DISABLED, NEGLECTED, OR ABANDONED VESSELS OR PROPERTY.

Section 15.12.020 - Leaving property or vessels on public docks, street endings or shores and on private docks or shores without permission of the owner.

- A. This section shall apply to all vessels which could be berthed and to all personal property which could be offloaded at every public dock, street ending, park dock, shore or other shoreside real property within the City.
- B. A person may not berth, beach or leave any vessels or any personal property at any street ending, park dock or upon any public shore without the permission of the Harbormaster and subject to the limitation of berthing, beaching or storage provided in subsections C and D of this section.
- C. The number of vessels which may be stored at any public street ending, park dock or upon any public shore having a boat launch shall not exceed one vessel for every ten linear feet of width of the total public frontage available as measured and marked by the Harbormaster, excluding the width of any launch ramps. Each public street ending shall be posted to indicate the maximum number of boats which may be stored at that location.
- D. At any street ending having a boat launch, no vessel may be berthed, beached or left in any manner which may obstruct access to and use of the boat ramp. Any street ending having a boat launch shall be posted to indicate this restriction.
- E. Except for vessels which are registered with the Harbormaster and which display a current sticker provided by the Harbormaster, no vessel may be berthed, beached or stored at any street ending, park dock, or upon any public shore for more than two consecutive nights, and no vessel may be stored at any street ending for more than ten nights in total per year.
- F. Except for unpowered canoes and kayaks conforming to the provisions of Subsection E of this section, no vessel of more than twelve feet in length or twenty-five horsepower may be berthed, beached or left overnight at any street ending.
- G. No vessel at a street ending, park dock or public shore may be left secured side to, secured to a dock by both bow and stern lines, berthed by securing one line to the shore or dock and one to an anchor, or berthed and secured by means of illegal pilings or stakes.
- H. Small vessels berthed, beached or left overnight at street endings, park docks, or on public shores, or on adjacent public property, must first register with the Harbormaster, pay applicable fees and display current stickers provided by the Harbormaster.

- I. Any small vessels found anywhere in City waters or beached on any City shores shall be kept in good condition, clean, well-secured, bailed, safe for occupancy, registered as required, and ready for use.
- J. No person shall berth, beach or leave a vessel at any private dock or on any private shore in the City without permission of the owner of the dock or shore. Upon complaint of the owner of the dock or shore of a violation of this provision, the Harbormaster may issue a citation and take other measures as provided in Subsection L of this section.
- K. NO PERSON SHALL LAUNCH A VESSEL AT ANY PUBLIC DOCK IN THE CITY WITHOUT FIRST PAYING ANY APPLICABLE LAUNCH FEE AS SPECIFIED IN THE CITY FEE SCHEDULE. UPON A VIOLATION OF THIS PROVISION, THE HARBORMASTER, OR AN AUTHORIZED AGENT, MAY ISSUE A CITATION AND TAKE OTHER MEASURES AS PROVIDED IN PARAGRAPH L OF THIS SECTION.
- L. Any violation of this section is a municipal infraction. In addition, any vessels or property found in violation of this section may be removed by the Harbormaster, OR AN AUTHORIZED AGENT, at the expense of the owner, and held in impound per Section 15.04.030 until all violations have been abated and all fees paid.

CHAPTER 15.24 - ENFORCEMENT

Section 15.24.010 - Additional enforcement responsibility generally.

In addition to the Harbormaster, AN AUTHORIZED AGENT, and members of the City Police Department the Department of Planning and Zoning, and the Fire Department shall enforce certain provisions of this title. The Department of Planning and Zoning shall enforce those sections relating to structures and the issuance of permits therefor. The Fire Department shall enforce those sections relating to fire protection.

Section 15.24.050 - Compliance.

A person may not wilfully fail or refuse to comply with any lawful or reasonable order or direction of the Harbormaster, AN AUTHORIZED AGENT, any Police Officer or any law enforcement officer in connection with the enforcement of any provisions of this title.

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

CAPITAL LETTERS indicate matter added to existing law.

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

Underlining indicates amendments