



Legislation Details (With Text)

File #: O-8-20 **Version:** 1 **Name:**

Type: Ordinance **Status:** Adopted

File created: 2/26/2020 **In control:** City Council

On agenda: 7/13/2020 **Final action:** 7/13/2020

Title: Harbors and Waterfront Areas - Code Updates - For the purpose of updating certain definitions; removing obsolete language; requiring regular pump out of a vessel's holding tank; making stylistic changes; and generally related to updating Title 15.

Sponsors: Gavin Buckley, Elly Tierney

Indexes: Environmental Matters Committee

Code sections:

Attachments: 1. O-8-20 Title 15 Updates First Reader.pdf, 2. O-8-20 Staff Report.pdf, 3. O-8-20 Fiscal Impact Note.pdf, 4. O-8-20 Amendments 1-4 Rules and Environ Matters Cmte.pdf, 5. O-8-20 SIGNED.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------------------|--------------------------------------|--------|
| 7/13/2020 | 1 | City Council | adopt on second reader | Pass |
| 7/13/2020 | 1 | City Council | amended | Pass |
| 7/13/2020 | 1 | City Council | adopt as amended | Pass |
| 7/13/2020 | 1 | City Council | adopt on third reader | Pass |
| 7/2/2020 | 1 | Rules & City Government Committee | Recommend Favorably-Amendment | Pass |
| 7/2/2020 | 1 | Rules & City Government Committee | Recommend Favorably-Amendment | Pass |
| 7/2/2020 | 1 | Rules & City Government Committee | Recommend Favorably-Amendment | Pass |
| 7/2/2020 | 1 | Environmental Matters Committee | Recommend Favorably-Amendment | Pass |
| 7/2/2020 | 1 | Environmental Matters Committee | Recommend Favorably-Amendment | Pass |
| 7/2/2020 | 1 | Environmental Matters Committee | Recommend Favorably-Amendment | Pass |
| 7/2/2020 | 1 | Environmental Matters Committee | recommend with amendments | Pass |
| 7/2/2020 | 1 | Rules & City Government Committee | recommend with amendments | Pass |
| 6/9/2020 | 1 | Rules & City Government Committee | postpone | Pass |
| 5/20/2020 | 1 | Environmental Matters Committee | postpone | Pass |
| 4/27/2020 | 1 | City Council | declare the public hearing closed | |
| 4/13/2020 | 1 | City Council | declare the public hearing left open | |
| 3/9/2020 | 1 | City Council | approve | Pass |
| 3/9/2020 | 1 | City Council | refer | |

Harbors and Waterfront Areas - Code Updates - For the purpose of updating certain definitions; removing obsolete language; requiring regular pump out of a vessel's holding tank; making stylistic changes; and generally related to updating Title 15.

CITY COUNCIL OF THE
City of Annapolis

Ordinance 8-20

Introduced by: Mayor Buckley and Alderwoman Tierney
Co-sponsored by:

Referred to
Environmental Matters Committee
90 day Rule: 5/26/20

AN ORDINANCE concerning

Harbors and Waterfront Areas - Code Updates

FOR the purpose of updating certain definitions; removing obsolete language; requiring regular pump out of a vessel's holding tank; making stylistic changes; and generally related to updating Title 15.

BY repealing the following portions of the Code of the City of Annapolis, 2020 Edition
15.06.030

BY repealing and re-enacting with amendments the following portions of the Code of the City of Annapolis, 2020 Edition
15.02.030
15.06.040
15.06.090
15.10.020
15.10.080
15.10.100
15.10.130

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 15.02 - GENERAL PROVISIONS

Section 15.02.030 - Definitions.

For purposes of this title, the following words and phrases have the meanings indicated:

REVISOR'S NOTE: In this section, the definition of "City dock" is updated.
No other changes are made.

E. "City dock" means that portion of the City's waterfront property which extends from Prince George

Street to the east side of Newman Street, and includes the Dock Street Parking lot, Susan Campbell Park, ~~the~~ THE LOT BETWEEN 110 COMPROMISE STREET AND NEWMAN STREET ~~lot next to Fawcett's~~, the foot of Newman Street, and all bulkheads, lots, walkways, and piers within those boundaries except the ~~FAWCETT'S~~110_COMPROMISE STREET DOCK, and the ~~Department of Natural Resources dock~~DOCKS SURROUNDING 69 PRINCE GEORGE STREET.

Chapter 15.06 - RULES FOR VESSELS USING CITY WATERS AND SHORES

Section 15.06.030 - Excessive noise. RESERVED

City Code Section 11.12.020, Disturbing the peace-Noise prohibition, shall apply in and on that portion of City waters which is subject to a six miles per hour speed limit. This section shall not apply to the sound of the engine of a vessel when the engine is started, idling or running; however, it shall apply to the repetitive revving sounds from the engine.

Section 15.06.040 - Swimming and water skiing prohibited.

A person may not water ski in the water within Market Slip and within one hundred fifty feet of any portion of Susan Campbell Park. A person may not swim in the water within Market Slip and within ~~one hundred fifty~~150 feet of any portion of Susan Campbell Park without the prior approval of the Harbormaster.

Section 15.06.090 - Vessel toilets.

A. A person may not operate the toilet fixtures of a vessel within City waters at any time so as to cause or permit to pass or be discharged into City waters any sewage or other waste matter or contaminate of any kind which does not meet State, County, and Federal requirements for water quality discharged by such devices. A person may not operate incinerating toilets in a vessel within City waters at any time.

B. A PERSON WHO ANCHORS A VESSEL IN CITY WATERS FOR MORE THAN TWO DAYS SHALL PUMP OUT THE VESSEL'S HOLDING TANK AT REGULAR INTERVALS, AS DETERMINED BY THE HARBORMASTER. THE PERSON SHALL PRESENT EVIDENCE OF SUCH PUMPING TO THE HARBORMASTER.

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

Section 15.10.020 - Fees.

- A. Fees for the use of City facilities shall be set by resolution of the City Council.
- B. UPON APPLICATION, ~~H~~historic vessels, vessels sponsored by not-for-profit foundations, government vessels, and vessels acting on behalf of the City may be exempted from fees for visits of up to seven days in accordance with City Code, Section 6.04.210 and the regulations adopted pursuant thereto.

Section 15.10.080 - Anchoring.

- A. Anchoring is an act of navigation and must be done in conformity with City, State and Federal boating laws.
- B. Except in an emergency, a person may not anchor a vessel in City waters at any time if the vessel:
1. Interferes with or obstructs navigation;

2. Interferes with other anchored vessels;
 3. Is within ~~three hundred~~300 feet of any bridge;
 4. Is in a designated and marked channel;
 5. Is within ~~two hundred~~200 feet of any public mooring or pier;
 6. Is within seventy-five feet of any structure, shore or private mooring;
 7. Is in any designated and marked "no anchoring" area;
 8. Does not show appropriate lights at night;
 9. Poses a risk of collision to other boats already anchored;
 10. Is in a position or in a manner declared unsafe by the Harbormaster; or
 11. Creates an obstruction, security hazard, environmental hazard, or other unlawful condition.
- C. A PERSON WHO ANCHORS A VESSEL IN CITY WATERS SHALL PUMP OUT THE VESSEL'S HOLDING TANK AT REGULAR INTERVALS, AS DETERMINED BY THE HARBORMASTER. THE PERSON SHALL PRESENT EVIDENCE OF SUCH PUMPING TO THE HARBORMASTER.
- D. It shall be unlawful for any person to anchor any vessel in City waters for more than three days in any ~~one hundred eighty~~ 180 day period, unless the vessel and all persons on board register within three days of arrival and re-register every thirty days thereafter with the Harbormaster on a form provided by the Harbormaster.
- ~~D~~E. It shall be unlawful to anchor any housebarge in City waters.

Section 15.10.100 - Storage of vessels at anchor or at a public mooring.

A vessel shall display its current registration in accordance with State law. Any unoccupied vessel, may not be stored at anchor, a public mooring or a street ending in City waters. APPROVED DINGHIES THAT BELONG TO ANNUAL MOORING PERMIT HOLDERS ARE THE ONLY VESSELS THAT MAY BE STORED AT A STREET ENDING.

Section 15.10.130 - Public moorings.

- A. Subject to the approval of the Board of Port Wardens, the Harbormaster may designate where public mooring buoys shall be placed and shall obtain a permit for all public moorings from the Port Wardens.
- B. Public mooring buoys shall be available to the public upon payment in advance of a mooring rental fee. ~~The moorings shall be of two types: long-term (one month or more) and transient (less than one month).~~
- C. The Harbormaster may collect applications and fees for the rental of public mooring buoys. Use of a buoy without payment of the fee is a municipal infraction.

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.