

ORDINANCE NO. 2081

AN ORDINANCE adopting regulations regarding the time, manner, and area of boating operations on waters of the City of Camas.

Section I

Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

1. "Aids to navigation" means buoys, beacons and other fixed objects in or on the water which are used to mark channels, obstructions to navigation or restricted areas.

2. "Authorized emergency vessel" means those vessels of the county or municipal police or fire department, the United States government, and the state of Washington equipped with red or blue lights and siren.

3. "Boater" means any person on a vessel on waters of the City of Camas.

4. "City" means City of Camas.

5. "Darkness" means that period between one (1) hour after sunset and one (1) hour before sunrise.

6. "Diver's flag" means a red flag, five (5) units of measurement on the hoist by six (6) units of measurement on the fly with a white stripe of one (1) unit crossing the red diagonally, the flag having a stiffener to make it stand out from the pole or mast. This flag shall pertain to skin and scuba (self-contained underwater breathing apparatus) diving and shall supplement any nationally recognized diver's flag or marking. A unit of measurement shall not be less than two (2) inches.

7. "Livery" means the business of renting or leasing boats.

8. "Marina" means a facility providing boat moorage space, fuel, or commercial services. Commercial services include but are not limited to overnight or live-aboard boating accommodations.

9. "Motor driven boats and vessels" means all boats and vessels which are self propelled.

10. "Operate" means to steer, direct, or otherwise have physical control of a vessel that is underway.

11. "Operator" means an individual who steers, directs, or otherwise has physical control of a vessel that is underway or exercises actual authority to control the person at the helm.

12. "Owner" means a person who has a lawful right to possession of a vessel by purchase, exchange, gift, lease, inheritance, or legal action whether or not the vessel is subject to a security interest.

13. "Personal flotation device" means a buoyancy device, life preserver, buoyant vest, ring buoy, or buoy cushion that is designed to float a person in the water and that is approved by the commission.

14. "Personal watercraft" means a vessel of less than sixteen feet that uses a motor powering a water jet pump, as its primary source of motive power and that is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind the vessel, rather than in the conventional manner of sitting or standing inside the vessel.

15. "Pier" means any pier, wharf, dock, float, gridiron, or other structure intended to provide for the loading or unloading or other discharge of vessels or for their service or repair, or to provide access for persons to the water from the shore for fishing, swimming or any other water-related activity.

16. "Reckless" or "recklessly" means acting carelessly and heedlessly in a willful and wanton disregard of the rights, safety or property of another.

17. "Restricted area" means an area that has been designated to be used for, or closed to, certain purposes such as swimming, underwater diving, vessel operation, and competitions or exhibitions on the water, including races, regattas and trials therefor.

18. "Shoreline" means the existing intersection of water with the ground surface or with any permanent, shore connected facility.

19. "Slow--No-wake" means the speed at which the particular boat being operated does not create a discernable wake, but in no event, a speed in excess of five (5) miles per hour.

20. "Swimming" includes floating on any air mattress, inner tube or similar inflatable device, not including inflatable rafts, as well as propelling or floating oneself in the water.

21. "Underwater diving" means the activity of submerging in water while equipped with snorkeling, hard had or scuba diving equipment.

22. "Underway" means that a vessel is not at anchor, or made fast to the shore, or aground.

23. "Vessel" includes every description of watercraft on the water, other than a seaplane, used or capable of being used as a means of transportation on the water. However, it does not include inner tubes, air mattresses, and small rafts or flotation devices or toys customarily used by swimmers.

24. "Water skiing" means the physical act of being towed behind a vessel on, but not limited to, any skis, aquaplane, kneeboard, tube, or any other similar device.

25. "Waters of the City" means any waters within the territorial limits of the City of Camas.

Section II

Incapacity of Operator. It is unlawful for any person who owns or is in control of any vessel to authorize or knowingly permit the same to be operated by any person who by reason of physical or mental disability, incapacity or immaturity is incapable of safely and lawfully operating such vessel under the prevailing circumstances, including the type, size and motor power of the vessel, and the weather and water conditions.

Section III

Speed Restrictions.

1. Vessels shall not exceed a slow-no-wake speed within one hundred (100) feet of any shoreline, pier, breakwater, person

in the water, boat launch, log sorting area, or established moorage, regardless of the speed otherwise authorized on a particular body of water.

2. Vessels shall not exceed a maximum speed of forty (40) miles per hour on all waters of the City, except the Columbia River.

3. Vessels shall not exceed posted speed limits.

4. Regardless of the forty (40) mile per hour speed limit contained in sub-section 2 above or the lesser posted speed limit, the vessel shall be operated in a careful and prudent manner and at a speed no greater than is reasonable and proper under the conditions at the time and place of operation, taking into account the amount and character of traffic, size of the waters, freedom from obstruction to view ahead, and so as not to unreasonably endanger persons or property or other rights of any person entitled to the use of such waters. The operator of any vessel shall be responsible for its wake and any damage or injuries caused by a wake from its vehicle.

Section IV

Exemption of Authorized Emergency Vessels. The foregoing speed restrictions shall not apply to any authorized emergency vessel responding to an emergency or in pursuit of an actual or suspect violator of the law.

Section V

Obedience to Peace Officer. No person shall willfully fail or refuse to comply with the direction of a peace officer, who is at the time discharging the duty of regulating and directing waterborne traffic.

Section VI

Refusal to Give Information or Cooperate. It is unlawful for any person while operating or in charge of any vessel to refuse when requested by a peace officer to give his name and address and the name and address of the owner of the vessel, or to give a false name and address to such peace officer.

Section VII

Overloading and Overpowering. No person shall knowingly load or power a vessel beyond the maximum capacity specified by the manufacturer for such vessel.

Section VIII

Swimming.

1. Swimming shall be confined to:
 - a. Restricted areas designed for swimming, or
 - b. The area one hundred (100) feet from a pier, the shore or vessel accompanying the swimmer.
2. Except in any emergency, swimming is prohibited at all times within designated channels, or within one (100) hundred feet of boat launching areas when such activity obstructs or hinders navigation or boat operation.

Section IX

Safety Devices on Piers. Every owner, agent, lessee or other person in charge of any pier open to the public shall maintain on such pier at least one thirty-inch ring life buoy and an additional thirty-inch life buoy for every three hundred (300) lineal feet of berthing space to each of which shall be attached at least one hundred feet (100) of line, one end of which shall be fastened to the life buoy.

Section X

Riding on Decks and Gunwales.

1. No person operating a motorboat shall allow any person to ride or sit on the gunwales or on the decking over the bow of the boat while under way unless the motor boat is provided with adequate guards or railings.
2. Nothing in this section shall prohibit passengers or other persons from aboard a boat from standing on the deck over the bow of the boat in order to moor the boat to a mooring buoy, float or dock or to cast off from such buoy, float or dock or for any other necessary purpose.

Section XI

Mooring to Buoys/Destroying Aids to Navigation. No person shall moor a boat or obstruct any of the buoys or beacons placed in any waters of this county. By the authority of the county, state or any agency of the United States nor in any manner hang on with a boat to such buoy, beacon or other navigational aid maintained in the waters of the county or deface, destroy or remove aids to navigation.

Section XII

Underwater Diving.

1. Underwater diving is prohibited unless the diver is within two hundred (200) feet of a properly displayed diver's flag as required by federal law.
2. It is unlawful to operate a vessel in excess of slow-no-wake speed within two hundred (200) feet of a diver's flag.
3. It is unlawful to interfere with navigation while underwater diving.

Section XIII

Personal Flotation Devices. Any person operating or riding a sailboard, windsurfer, jet ski or motorized surfboard must wear at all times a personal flotation device that is approved by the United States Coast Guard.

Section XIV

Special Regulations. This chapter sets forth special regulations or restrictions regarding time, manner or area of boating operations on certain designated bodies of water.

A. LaCamas Lake.

1. It shall be unlawful to operate a motor boat on LaCamas Lake at a speed in excess of ten (10) miles per hour for the first fifteen (15) days following the opening of trout fishing season in Clark County.

2. It shall be unlawful to operate a motor boat on LaCamas Lake at any time at a speed in excess of slow-no-wake speed in the following areas:
- a. Easterly of the buoys at the east end of the lake across from the state boat ramp.
 - b. Westerly of the buoys at the west end of the lake.

B. Round Lake.

It shall be unlawful to operate an internal combustion engine on Round Lake east of the State Highway 500 bridge that divides LaCamas Lake and Round Lake.

C. Columbia River.

Vessels shall not exceed a slow-no-wake speed within two hundred (200) feet of any shoreline, pier, breakwater, person in the water, boat launch, log sorting area, or established moorage.

Section XV

Regattas/Permit Required. It shall be unlawful for any person to hold or to participate in any regatta, motorboat race, boating exhibition, water ski tournament, or similar event unless a permit is obtained through the Police Department: PROVIDED, that such a permit is not required if authorized by an appropriate agency of the United States.

Section XVI

Penalty. Violation of any of the regulations of this chapter shall constitute a misdemeanor until the violation is included in a civil infraction monetary schedule adopted by rule by the State Supreme Court pursuant to Chapter 7.84, Revised Code of Washington.

Section XVII

Effective Date. This ordinance shall take force and be in effect five (5) days from and after its publication according to law.

PASSED by the Council and APPROVED by the Mayor this 22nd day of July, 1996.

SIGNED: [Signature]
Mayor

ATTEST: [Signature]
Clerk

APPROVED as to form:

[Signature]
City Attorney

Affidavit of Publication

STATE OF WASHINGTON }
COUNTY OF CLARK }

I, Michael Gallagher, being first duly sworn, depose and say that I am the owner, editor, publisher of The Post-Record, a weekly newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publication hereinafter to, published in the English language continuously as a weekly newspaper in Camas, Clark County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication

of said newspaper, that the ORDINANCE NO. 2081

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for one successive and consecutive weeks in the following issues;

Issue date July 30, 1996

Issue date _____

Issue date _____

Issue date _____

Issue date _____

Issue date _____

The fee charged for the above publication was:

\$ 222.30

Michael Gallagher
Publisher

Subscribed and sworn to before me this 31st

day of July, 19 96

Beverly J. Webster
Notary Public in and for the
State of Washington,
Residing at Camas, Washington

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AUG 12 1996

PAID