

City of Scottsbluff, Nebraska

Monday, August 1, 2016

Regular Meeting

Item Resolut.2

Council to consider an Ordinance allowing certain sizes of kayaks, canoes and non-motorized water craft on the East Riverside pond (third reading).

Staff Contact: Perry Mader, Park and Rec Director

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA AMENDING SECTIONS 13-10-17 AND 15-1-7 OF THE MUNICIPAL CODE ALLOWING CERTAIN SIZES OF KAYAKS, CANOES AND NON-MOTORIZED WATER CRAFT ON THE EAST POND IN RIVERSIDE PARK, REPEALING ALL PRIOR ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA:

Section 1. Chapter 13, Article 10, Section 17 of the Scottsbluff Municipal Code is amended by repealing the existing language and adding the following language:

"13-10-17. Swimming, boating, prohibited on city property; exceptions.

It shall be unlawful for any person to swim or boat on any property owned by the City, provided however, that it shall not be unlawful to swim in municipal swimming pools, and provided further that it shall not be unlawful to kayak, canoe or use non-motorized water craft in the east pond at Riverside Park if in compliance with Section 15-1-7 of this Code.

Section 2. Chapter 15, Article 1, Section 7 of the Scottsbluff Municipal Code is amended by repealing the existing language and adding the following language:

"15-1-7. Boating and swimming; prohibited, listing of exception; fishing allowed; when.

No boating or swimming is allowed in any park owned by the City. Provided, however, that kayaking, canoeing and non-motorized water craft are allowed on the east pond in Riverside Park. Provided further that any kayaking, canoeing, and water craft must not be propelled with a motor and only in a kayak, canoe or non-motorized water craft which is shorter than 14 feet in length and with each occupant of the kayak, canoe or non-motorized water craft wearing a life jacket at all times they are on a pond. In addition, all persons under the age of 18 must be accompanied with an adult while on the pond. No swimming, tubes, inflatables or other devices shall be allowed on or in a pond. Fishing is permitted in the ponds at Riverside Park, subject to the applicable regulations of the State of Nebraska.

Section 3. Previously existing Chapter 13, Article 10, Section 17 and Chapter 15, Article 1, Section 7 and all other ordinances and parts of ordinances in conflict herewith are repealed. Provided, however, this Ordinance shall not be construed to effect any rights, liabilities or duties or causes of action, either criminal or civil, existing or actions pending at the time this Ordinance becomes effective.

Section 4. This Ordinance shall become effective upon its passage and approval as provided by law and publication shall be in pamphlet form.

PASSED AND APPROVED on _____, 2016.

Attest:

Mayor

City Clerk (Seal)

Approved as to form:

City Attorney