

### ARTICLE III. - BOATING REGULATIONS

#### Sec. 94.35. - Rules applicable to all public waters.

The United States Coast Guard Inland Rules apply to all public water of this city to the extent they are applicable.

(Ord. 662, passed 6-19-95)

#### Sec. 94.36. - Excessive speed.

No person may operate any boat at a rate of speed greater than is reasonable and prudent, having due regard for the conditions and hazards, actual and potential, then existing, including weather and density of traffic, or greater than will permit him, in the exercise of reasonable care, to bring the boat to a stop within the assured clear distance ahead.

(Ord. 662, passed 6-19-95)

**Cross reference**— Penalty, see § 94.99.

#### Sec. 94.37. - Hazardous wake or wash.

No person may operate a motorboat so as to create a hazardous wake or wash.

(Ord. 662, passed 6-19-95)

**Cross reference**— Penalty, see § 94.99.

#### Sec. 94.38. - Circular course around fisherman or swimmer.

- (A) No person may operate a motorboat in a circular course around any other boat any occupant of which is engaged in fishing or around any person swimming.
- (B) No swimmer or diver may come within 200 yards of a sightseeing or excursion boat except for maintenance purposes or unless within an enclosed area.

(Ord. 662, passed 6-19-95)

**Cross reference**— Penalty, see § 94.99.

#### Sec. 94.39. - Interference with markers or ramps.

- (A) No person may moor or attach a boat to a buoy, beacon, light marker stake, flag, or other aid to safe operation placed upon the public water of this city. No person may move, remove, displace, tamper with, damage, or destroy the markers or aids to safe operation.
- (B) No person may moor or attach a vessel to a public boat launching ramp except in connection with the launching or retrieving of a boat from the water.

(Ord. 662, passed 6-19-95)

**Cross reference**— Penalty, see § 94.99.

Sec. 94.40. - Obstructing passage.

- (A) No person may anchor a boat in the traveled portion of a river or channel so as to prevent, impede, or interfere with the safe passage of any other boat through the same area.
- (B) No person may anchor a vessel near a public boat ramp so as to prevent, impede, or interfere with the use of the boat ramp.

(Ord. 662, passed 6-19-95)

**Cross reference**— Penalty, see § 94.99.

Sec. 94.41. - Operating boats in restricted area.

No person may operate a boat within a water area that has been clearly marked, by buoys or some other distinguishing device, as a bathing, fishing, swimming, or otherwise restricted area by the city. This section does not apply to a patrol or rescue craft or in any case of an emergency.

(Ord. 662, passed 6-19-95)

**Cross reference**— Penalty, see § 94.99.

Sec. 94.42. - Operating vessels in scuba diving or snorkeling areas.

- (A) No person may operate a vessel within 50 feet of a buoy or of another vessel displaying a "diver down" flag that marks an area in which a person is scuba diving or snorkeling.
- (B) No person may operate a vessel at a speed greater than the minimum speed necessary to maintain steerageway and headway while the vessel is within 150 feet of a buoy or a vessel displaying a "diver down" flag that marks an area in which a person is scuba diving or snorkeling.
- (C) To be entitled to the protections of this section, a scuba diver or snorkeler must prominently display a "diver down" flag from a buoy or vessel.
- (D) This section does not apply:
  - (1) To a person who is operating a patrol or rescue craft; or
  - (2) In an emergency.
- (E) Division (A) of this section does not apply:
  - (1) To a person who is already operating a vessel in an area when another person displays a "diver down" flag within 150 feet of that vessel;
  - (2) To a person who is operating a vessel in a waterway that is less than 300 feet wide; or
  - (3) To a person who has permission to enter the area from the person who placed the buoy or the person who is operating the vessel displaying the "diver down" flag.
- (F) In this section, "diver down flag" means a square or rectangular red flag that has a diagonal white stripe and is at least 24 inches by 24 inches in size.

(Ord. 662, passed 6-19-95)

**Cross reference**— Penalty, see § 94.99.

Sec. 94.43. - Operation of water-skis, aquaplanes, and the like.

- (A) No person may operate a vessel on any water of this city towing a person or persons on water-skis, surfboards, or similar devices and no person may engage in water-skiing, surfboarding, or similar activity at any time between the hours from one hour after sunset to one before sunrise. This section does not apply to motorboats or vessels used in water-ski tournaments, competitions, or exhibitions or trials therefor if adequate lighting is provided.
- (B) All motorboats having in tow or otherwise assisting in towing a person on water-skis, aquaplanes, or similar contrivances shall be operated in a careful and prudent manner and at a reasonable distance from persons and property so as not to endanger the life or property of any person.
- (C) A person being towed on water-skis, aquaplanes, or similar devices by a vessel is considered an occupant of the vessel.

(Ord. 662, passed 6-19-95)

**Cross reference**— Penalty, see § 94.99.

Sec. 94.44. - Speed limit and prohibition of water skiing on diversionary canal.

- (A) It shall be unlawful for any person to operate any vehicle upon the Highland Bayou Diversionary Canal commencing at a point located 400 feet East of the Hitchcock Sewer Plant and ending at the Highland Bayou Diversionary Canal's intersection with Highland Bayou at a speed in excess of five miles per hour.
- (B) It shall be unlawful for any person to water ski upon the Highland Bayou Diversionary Canal from a point located 400 feet East of the Hitchcock Sewer Plant and the Highland Bayou Diversionary Canal's intersection with Highland Bayou.

('78 Code, § 13-6) (Ord. 327, passed 8-28-78; Am. Ord. 543, passed 9-22-88; Am. Ord. 589, passed 7-17-91)

**Cross reference**— Penalty, see § 94.99.

Sec. 94.45. - Speed limit and prohibition of water skiing on johnson canal.

- (A) It shall be unlawful for any person to operate any vehicle upon the Johnson Canal connecting east of Harbor Walk Drive at a speed in excess of five miles per hour.
- (B) It shall be unlawful for any person to water ski upon the Johnson Canal from a point located east of Harbor Walk Drive.

(Ord. 2004-844, passed 8-24-04)

**Cross reference**— Penalty, see § 94.99.

Sec. 94.46. - Speed limit and prohibition of water skiing on all channels within the harborwalk subdivision.

- (A) It shall be unlawful for any person to operate any vehicle upon the channels within the Harborwalk Subdivision at a speed in excess of five miles per hour.
- (B) It shall be unlawful for any person to water ski upon the channels within the Harborwalk Subdivision.

(Ord. No. 2006-871, 6-29-06)

Secs. 94.47—94.54. - Reserved.