

CITY OF BLACK DIAMOND, WASHINGTON

ORDINANCE NO. 05-786

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, AMENDING BLACK DIAMOND MUNICIPAL CODE SECTIONS 8.24.010(B), 8.24.010(E)(2) AND ADDING A NEW SUBSECTION 8.24L010(E)(4)(J)

WHEREAS, the City Council finds that in order to protect the public health, safety and welfare it is necessary to add additional regulations establishing a minimum age of 16 to operate a personal watercraft within the City; now therefore.

THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Black Diamond Municipal Code Section 8.24.010 (B) is hereby amended to read as follows:

B. Noise Restrictions: It is unlawful to use or operate any vessel powered by motor power on Lake Sawyer unless the vessel propulsion system is: (1) a water cooled outboard engine of stock manufacture or a stock manufactured inboard engine with an outboard drive unit (inboard-outboards) which vents all exhaust gases through the lower drive unit in conjunction with cooling water and/or vents at a point on the drive unit which is under water at all times; or (2) is a water cooled direct drive inboard engine or other type of engine equipped with a muffler, silencer or other device or mechanism of sufficient size and capacity to effectively muffle and reduce noise similar to that of outboards and inboard/outboards. This includes both propeller and jet propulsion watercraft.

Section 2. There is hereby added a new Black Diamond Municipal Code subsection 8.24.010(E)(4)(j) which shall read as follows:

j. Minimum Age for Personal Water Craft Operation: All persons operating a Personal Watercraft type vessel at any time shall be at least 16 years of age.

Section 3. Black Diamond Municipal Code Section 8.24.010 (E)(2) is hereby amended to read as follows:

2. Rules on the Water:


a. "Speeding Hours": Vessels may exceed the posted speed limit of 8 miles per hour between the hours of two (2) p.m. and seven (7) p.m. on Monday through Fridays and from eleven (11) a.m. to three (3) p.m. on Saturdays, Sundays and holidays.

- b. Maximum Speed During "Speeding Hours": The maximum speed allowable during the above designated hours shall be thirty six (36) miles per hour.
- c. Movement of Vessels: All watercraft operating in excess of eight (8) miles per hour shall proceed in a "counterclockwise" direction.
- d. Designated Areas of Operation during "Speeding Hours": Watercraft operating in excess of eight (8) miles per hour with or without someone in tow shall not operate between buoys and shorelines and within one hundred 100 feet from other craft or persons.
- e. Operation Inside Buoy Areas: All motorized vessels shall operate at a no wake speed on shoreline side of buoys areas at all times.
- f. Marine Patrol Actions: Marine patrol officers shall have the discretion, depending on the volume of watercraft on the lake, to require all boats not staying within the flow of traffic to move their activity to an area between the shoreline and the buoys described in Section 8.24.010(E).

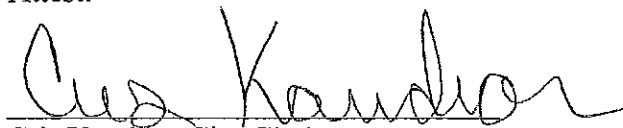
Section 3. Severability. If any provision of this Ordinance is determined to be invalid or unenforceable for any reason, the remaining provisions of this Ordinance shall remain in force and effect.

Section 4. Effective Date. This Ordinance shall be in full force and effect five (5) days from and after its passage, approval, posting and publication as provided by law. A summary of this ordinance may be published in lieu of publishing the Ordinance in its entirety.

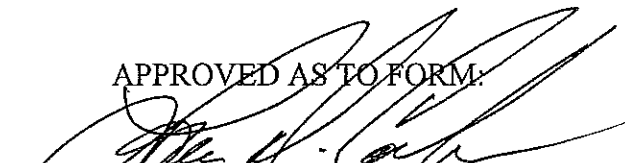
Introduced the 2nd day of June, 2005. Passed by the majority of the City Council at a meeting held on the 2nd day of June, 2005.


 Mayor Howard Botts

Attest:


 Cris Kandior, City Clerk

APPROVED AS TO FORM:


 Loren Combs, City Attorney

Published: 6-15-05
 Posted: 6-3-05
 Effective Date: 06-20-05