

ORDINANCE NO. 23-1994

AN ORDINANCE AMENDING CHAPTER 15, "LAKES," OF THE ABILENE CITY CODE BY AMENDING AND ADDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 15, "LAKES," of the Abilene City Code be amended as set out in Exhibit "A," attached hereto and made a part of this Ordinance for all purposes.


PART 2: That if any provision or any section of this Ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this Ordinance, which shall remain in full force and effect.

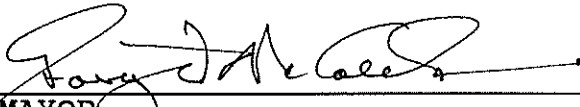
PART 3: That any person, firm, or corporation violating any of the provisions of this Chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FIRST READING this 12 day of May, 1994.


PASSED ON SECOND AND FINAL READING this 26 day of May, 1994.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

as to allow the skier to come within fifty (50) feet of any other vessel, person, stationary platform, or other object except in order to dismount from skis.

Sec. 15-8. Destruction of Property.

No person shall go into or upon any city owned and controlled premises or enclosures of any lake, and there tear down, damage, or destroy any fences, trees, or any improvements or fixtures situated upon such premises, including pumping facilities, and any other machinery, apparatus or pipe lines in any way connected with any lakes as defined herein.

ARTICLE II. LAKE FORT PHANTOM HILL

Repeal:

Sec. 15-19. Operation of boats - Speed

Sec. 15-21. Unattended vehicles in public boat ramps.

Sec. 15-23. Erection of slaughterhouses prohibited.

Sec. 15.36. Same - Appeal of decision of building official.

Amend:

Sec. 15-20. Swimming Areas.

(a) Any public swimming areas shall be approved by City Council and clearly designated as such.

(b) It shall be unlawful for any person to operate a water vessel within, or otherwise allow any water vessel to enter, any approved and clearly marked swimming area.

ARTICLE III. LAKE ABILENE AND LAKE KIRBY

Amend:

Sec. 15-73. Prohibited Areas

(a) No person shall operate a water vessel or fish in the waters of Lake Abilene at a distance of less than two hundred (200) feet from the water intake.

(b) Swimming is prohibited in all areas of Lake Kirby and Lake Abilene.

(c) Operation of small recreational water vessels, e.g. jet skis and wind/surf craft, is prohibited at Lake Kirby and Lake Abilene.

EXHIBIT A

ORDINANCE NO. 23-1994

Chapter 15, "Lakes", is hereby amended to read as follows:

ARTICLE I. IN GENERAL

Amend:

Sec. 15-1. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them:

Lake: Any body of water owned or coming under the control of the city.

Sec. 15-2. Water pollution.

It shall be unlawful for any person to pollute in any manner, whether directly or indirectly, any lake under the ownership or control of this city.

Add:

Sec. 15-6. Public Launching Ramps.

(a) No person shall park, place, or leave standing any unattended motor vehicle or trailer, in or on any portion of any publicly owned launching ramp for a period of more than fifteen (15) continuous minutes.

(b) Swimming and wading, except as necessary for launching and retrieving water vessels, are prohibited within fifty (50) feet of a public launching ramp.

Sec. 15-7. Operation of Water Vessels.

(a) The general laws of the state, in accordance with the Texas Water Safety Act, except as specifically provided through proper ordinances and regulations of the city, shall control the operation of water vessels on any lake.

(b) No person shall operate any water vessel on any lake at a speed which produces a white wake within any harbor or within one hundred (100) feet of any shoreline, dock, or other permanent structure, or within one hundred (100) feet of any approved and clearly designated swimming areas, unless a vessel is outbound more than seventy-five (75) feet from the shore or dock.

(c) No person shall operate a water vessel while towing a water skier in such a manner

Sec. 15-75. Hours of operation.

Lake Abilene shall be closed to all recreational uses including but not limited to fishing, boating, or camping, between sunset of one day and sunrise of the following day except by special permission from the Director of Water Utilities.

Repeal:

Sec. 15-76. Destruction of property.