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Title 88 MOTOR BOATS

Chapters:

Chapter 88.02 BOATING SAFETY PROGRAM

Sections:

88.02.010 PROGRAM ESTABLISHED.

Wahkiakum County establishes a boating safety program which will be operated in compliance with the boating safety program requirements promulgated by the Washington State Parks and Recreation Commission. Wahkiakum County adopts by reference the provisions of Section 352-65-040 of the Washington Administrative Code, including any amendments thereto which may hereafter be adopted by the Washington State Parks and Recreation Commission.

(Res. 50-94 § 1)

88.02.020 ADMINISTRATION OF PROGRAM.

The Wahkiakum County boating safety program shall be administered by the Wahkiakum County Sheriff, subject to the program's budget which will be annually adopted by the Board of County Commissioners. In administering the boating safety program, the Sheriff shall fully comply with the requirements of Section 352-65-020 of the Washington Administrative Code, as the same exists or as it may hereafter be amended.

(Res. 50-94 § 2)

88.02.030 FUND ESTABLISHED.

There is created a special fund in Wahkiakum County to be known as the Boating Safety Fund.

(Res. 50-94 § 3)

88.02.040 DEPOSITS TO FUND.

The County Treasurer shall deposit the following monies to the Boating Safety Fund:

- A. All funds allocated to the county by the State Treasurer for boating safety/education and law enforcement programs pursuant to RCW 88.02.040;
- B. All grants from any state or federal agency for boating safety programs;
- C. Any county current expense funds appropriated for the county boating safety program;
- D. All monies received from any governmental agency, local, state or federal, which may contribute to the county boating safety program; and
- E. Any contributions to the county boating safety program received from any charitable or voluntary agency, individual or estate.

(Res. 50-94 § 4(A))

88.02.050 PURPOSE OF FUND.

The purpose of the Boating Safety Fund shall be to make payments necessary to operate and maintain the county boating safety program.

(Res. 50-94 § 4(B))

88.02.060 ADMINISTRATION OF FUND.

Monies accumulated in the Boating Safety Fund shall be retained therein from year to year and shall be used only for supporting the county's boating safety program. The Wahkiakum County Treasurer shall maintain said Fund and may invest said Fund according to law. Said Fund shall be subject to the budgetary regulations contained in Chapter 36.40 of the Revised Code of Washington.

(Res. 50-94 § 5)

88.02.070 PAYMENTS FROM FUND.

The Wahkiakum County Auditor is authorized from time to time to draw warrants upon the Boating Safety Fund based upon vouchers duly approved by the Board of Wahkiakum County Commissioners in payment of bills submitted for payment to the Sheriff.

(Res. 50-94 § 6)

Chapter 88.12 WATERWAY SPEED LIMITS

Sections:

88.12.010 DEFINITIONS.

- (a) The term WATERS shall be construed to mean any lake, pond, stream, slough or other body of water within the boundaries of Wahkiakum County, Washington except the navigable portions of the Columbia River lying within said boundaries.
- (b) The term MOTOR BOAT shall be construed to mean all boats which are self propelled.

88.12.020 MANNER OF OPERATION.

Every person operating or driving a motor boat on any waters in Wahkiakum County, shall drive the same in a careful and prudent manner at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account the amount and character of traffic, size of lake, slough, stream, or body of water, freedom from obstruction to view ahead and so as not to unduly or unreasonably endanger life, limb, property or other rights of any person entitled to the use of such waters.

88.12.030 MAXIMUM SPEED LIMITS.

No person shall operate or drive a motor boat upon the waters of Wahkiakum County in excess of four miles per hour, when signs are erected giving notice thereof.

88.12.040 DAMAGE BY WASH AND WAKE.

In addition to the duties imposed by Sections 2 and 3 of this Ordinance, no person shall operate or drive a motor boat upon the waters of Wahkiakum County in such a manner as could reasonably be expected to create a wash or wake which endangers or is likely to endanger or damage persons, floats, docks, moored boats, dikes, or other property.

88.12.050 ENGINEER TO ERECT SIGNS.

Pursuant to the provisions of Sections 2, 3, and 4 of this Ordinance, the Wahkiakum County Engineer shall erect speed limit signs at the ends of the sloughs and streams of Wahkiakum County, or where appropriate as determined by his study, and where ordered by Resolution of the Board of County Commissioners.

88.12.060 PENALTY.

Any person who shall violate any provision of this Ordinance or who shall counsel, aid or abet such a violation shall be deemed guilty of a misdemeanor and shall upon conviction thereof be fined in the sum of not less than \$50.00 nor more than \$500.00 and/or be imprisoned in the Wahkiakum County jail for not more than ninety (90) days, or both, no part of which fines shall be suspended or deferred.

88.12.070 REPEALER OF CONFLICTING ORDINANCES.

All ordinances or orders and parts of ordinances or orders conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

88.12.080 SEVERABILITY.

If any provision or provisions of this Ordinance, or its application to any person or circumstances is held invalid, the remainder of this Ordinance, or the application of the provision to other persons or circumstances shall not be affected.

(Ord. 82-1974; j.Ref. L-331; 10-28-74)