

**POULSBO DISTRIBUTION SCHEDULE**

**ORDINANCE NO. 2007-41**

**SUBJECT: Amend PMC Chapter 12, Marine Regulations**

CONFORM AS TO DATES & SIGNATURES

- (X) Filed with the City Clerk: 9/24/2007
- (X) Passed by the City Council: 10/3/2007
- (X) Signature of Mayor
- (X) Signature of City Clerk
- (X) Publication: 10/~~17~~<sup>20</sup>/2007
- (X) Effective: 10/~~22~~<sup>25</sup>/2007

DISTRIBUTED COPIES AS FOLLOWS: email all departments

- (K) NK Herald: Emailed by kj 10/5/2007
- (1) Ordinance or Resolution Book
- (K) Code Publishing - via email if in electronic format
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- (K) Clerk's Department: Original
- ( ) City Council
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- ( ) Fire District #18
- ( ) Mayor
- ( ) Municipal Court
- ( ) MRSC from website:
- ( ) Parks/Recreation:
- ( ) Planning/Building:
- ( ) Police
- ( ) Public Works:
- ( ) Public Works/Engr Section:
- ( ) Bookshelf Contracts Copy
- ( ) Kitsap Humane Society

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<sup>Kj</sup>  
City Clerk

10-5-2007  
Date

ORDINANCE NO. 2007-41

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, RELATING TO CHAPTER 12.28 MARINE REGULATIONS; ADOPTING BY REFERENCE VARIOUS SECTIONS OF TITLES 79A AND 88 OF THE REVISED CODE OF WASHINGTON AND ADDING A NEW CHAPTER 12.01 TO TITLE 12; AND ADDING NEW SECTIONS 12.01.005 PRELIMINARY ARTICLE, 12.01.010 CLASSIFICATION OF CRIMES OF THE WASHINGTON ADMINISTRATIVE CODE OF WASHINGTON IN ORDER TO ESTABLISH CRIMES DESIGNATED BY THE STATE AS MISDEMEANORS AND GROSS MISDEMEANORS AS CRIMINAL OFFENSES AND CIVIL INFRACTIONS UNDER THE CITY'S MUNICIPAL CODE; AND ADDING NEW SECTIONS 12.28.001 AUTHORIZATION AND JURISDICTION, AMENDING SECTION 12.28.010 DEFINITIONS; AND SECTION 12.28.040 IS HEREBY REPEALED; AND AMENDING SECTIONS 12.28.060 TO RECREATIONAL VESSEL EQUIPMENT AND OPERATION – STATUTES ADOPTED BY REFERENCE, 12.28.120 RECKLESS OPERATION, 12.28.130 DISCHARGING POLLUTANTS AND LITTERING, 12.28.190 TO IMPOUNDMENT; AND ADDING NEW SECTIONS 12.28.200 CREATION AND FORECLOSURE OF LIEN, 12.28.210 IMPOUND HEARING, 12.28.300 VIOLATIONS – PENALTIES; AND PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Poulsbo is concerned about the safety and welfare of its citizens and waterways; Now, Therefore,

THE CITY COUNCIL OF THE CITY OF POULSBO DO ORDAIN AS FOLLOWS:

**Section 1.** A new section is added to Chapter 12.28 of the Poulsbo Municipal Code to read as follows:

12.28.005 Authorization and jurisdiction

The city, in the exercise of its police power, assumes power and jurisdiction over all waters within its limits, as authorized by statute, including but not limited to RCW 35A.21.090 and 35.21.160. Pursuant to RCW 35.21.160, the power and jurisdiction of the city is extended into and over the waters of Liberty Bay, part of the Puget Sound and specifically to the middle of Liberty Bay, where the City's jurisdiction ends and that of Kitsap County begins, in every manner and for every purpose that such power and jurisdiction could be exercised if the waters were within the city limits. For the purpose of this chapter, "waters of the city" means the waters over which the city assumes power and jurisdiction.

**Section 2.** A new Chapter 12.01 is added to Title 12 of the Poulsbo Municipal Code to read as: 12.01 Preliminary Article.

**Section 3.** A new section is added to Chapter 12.01 of the Poulsbo Municipal Code to read as follows:

12.01.010 Preliminary article

A. The sections of adopted RCW's and WAC's as set forth as in this Title, as now enacted or hereinafter amended, are hereby adopted by reference as if fully set forth herein, including penalties; except that conduct constituting a felony, as determined by the prosecutor is excluded. In opting to adopt state statutes by reference in this Title, only those crimes and offenses within the jurisdiction of the city are intended to be adopted and in those sections adopted which deal with both misdemeanors and felonies, only the language applicable to misdemeanors is to be applied.

B. If any section, subsection, sentence, or provision of this chapter, or its application to any person or circumstance is held invalid, the remainder of this chapter, or the application of the section, subsection, sentence, or provision to other persons or circumstances is not affected, and to this end, the sections, subsections, sentence, and provisions of this chapter are declared to be severable.

C. By adopting state statutes, the city intends to assume jurisdiction over and become the jurisdictional authority for the enforcement and prosecution of misdemeanor and gross misdemeanor crimes. Whenever the word *state* shall appear in any statute adopted by reference in this chapter, the word *city* shall be substituted therefore; provided, however, the term *city* shall not be substituted for the term *state* in those circumstances that set forth administrative or licensing duties of the state and its subdivisions.

D. Whenever a state statute or WAC specifically adopted in this chapter refers to another state statute or WAC not specifically adopted in this chapter, the statute referred to shall be given the force and effect necessary to enforce the statute specifically adopted in this chapter.

E. Any section of this chapter that is repealed or amended by ordinance shall remain in full force and effect until the effective date of the ordinance repealing or amending the section. Any state statute that is adopted by reference which is later amended, repealed, or recodified shall remain in full force and effect until the effective date of the legislative act that repeals, recodifies, or amends the state statute. The amendment or recodification of any state statute adopted in this chapter shall be given its full force and effect upon the effective date of its amendment or recodification.

F. Except as otherwise specifically provided herein, any person violating this Title, shall be guilty of a misdemeanor.

G. Each separate day during which any violation occurs or continues shall be deemed to constitute a separate violation thereof and a separate offense thereunder.

**Section 4.** A new section is added to Chapter 12.01 of the Poulsbo Municipal Code to read as follows:

12.01.020 Classification of crimes

A. For the purpose of this Title, RCW 9A.04.040 Classes of Crime and RCW 9A.20.010 Classification and Designation of Crimes as now enacted or hereinafter amended, is hereby adopted by reference as if fully set forth herein.

B. For the purpose of this Title 9A.20.021 Maximum Sentences for Crimes Committed After July 1, 1984, as now enacted or hereinafter amended, is hereby adopted by reference as if fully set forth herein.

1.) Gross Misdemeanor – maximum penalty is 365 days in jail and/or fine of \$5,000, or by both such imprisonment and fine.

2.) Misdemeanor – maximum penalty is 90 days in jail and/or a fine of \$1,000, or by both such imprisonment and fine.

C. For the purpose of this Title RCW 9A.20.303 Alternative to a Fine – Restitution as now enacted or hereinafter amended, is hereby adopted by reference as if fully set forth herein.

D. For the purpose of this Title, “infraction” means a civil infraction pursuant to Infraction Rules for Courts of Limited Jurisdiction (“IRLJ”) and any local rule adopted thereto by the Poulsbo Municipal Court.

E. For the purpose of this Title, RCW 7.80.120 Monetary penalties – restitution for Civil Infractions as now enacted or hereinafter amended, is hereby adopted by reference as if fully set forth herein.

1.) Class 1, 2 and 3 civil infraction maximum penalties as set in RCW 7.80.

**Section 5.** PMC 12.28.010 and Ordinance 90-14 Section 1 are hereby amended to read as follows:

12.28.010 Definitions

Except where otherwise defined in a statute or regulation adopted by this chapter, the following terms have the meanings set forth below:

“Boat,” “vessel” or “watercraft” means any conveyance used or capable of being used as a means of transportation on the water.

“Abandoned or derelict vessel” means any boat, vessel or watercraft which appears to be disabled, discharging pollutants or waste materials, drifting, sinking or otherwise unfit to be in city waters.

“Waters of the city” or “city waters” means every lake, bay, pond, sound, stream, river or other body of water within the city limits or over which the city has jurisdiction.

“RCW” means Revised Code of Washington.

“Statute” means a statute of the Revised Code of Washington.

“WAC” means Washington Administrative Code

**Section 6.** A new section is added to Chapter 12.28 of the Poulsbo Municipal Code to read as follows:

12.28.015 Regulation of recreational vessels – statutes adopted by reference

Pursuant to the authority contained in RCW 35A.12.140 the following sections of Chapter 79A.60 RCW as enacted or hereinafter amended are hereby adopted by reference as if fully set forth herein including penalties.

RCW

- 79A.60.010 Definitions
- 79A.60.010 Violations of chapter punishable as misdemeanor – Violations designated as civil infractions
- 79A.60.030 Operation of vessel in negligent manner – Penalty
- 79A.60.040 Operation of vessel in a reckless manner – Operation of a vessel under the influence of intoxicating liquor – Penalty
- 79A.60.080 Failure to stop for law enforcement officer
- 79A.60.100 Enforcement – Chapter to supplement federal law
- 79A.60.100 Equipment standards – Rules – Penalty
- 79A.60.120 Tampering with vessel lights or signals – Exhibiting false lights or signals – Penalty
- 79A.60.130 Muffler or underwater exhaust system required – Exemptions – Enforcement – Penalty
- 79A.60.140 Personal flotation devices – Inspection and approval – Rules
- 79A.60.150 Failure of vessel to contain required equipment – Liability of operator or owner – Penalty
- 79A.60.160 Personal flotation devices required – Penalty
- 79A.60.170 Water skiing safety – Requirements
- 79A.60.180 Loading or powering vessel beyond safe operating ability – Penalties
- 79A.60.190 Operation of personal watercraft – Prohibited activities – Penalties
- 79A.60.200 Duty of operator involved in collision, accident, or other casualty – Immunity from liability of persons rendering assistance – Penalties
- 79A.60.640 Requirements to operate motor driven boats/vessels – Exemptions – Penalty
- 79A.60.660 Operating motor driven boat or vessel for teak surfing, platform dragging, bodysurfing – Prohibition – Exceptions – Penalty

**Section 7.** PMC 12.28.020 and Ordinance 86-41 Section 1 are hereby amended to read as follows:

12.28.020 Vessel Registration – statutes adopted by reference

Pursuant to the authority contained in RCW 35A.12.140 the following sections of Chapter 88.02 RCW as enacted or hereinafter amended are hereby adopted by reference as if fully set forth herein including penalties.

RCW

- 88.02.010 Definitions
- 88.02.020 Registration and display of registration number and decal prerequisite to ownership or operation of vessel – Exceptions - Penalty
- 88.02.023 Vessel dealer display decals – Use
- 88.02.025 Registration of vessels numbered under the federal boat safety act

- 88.02.028 Registration of rented vessels – Dealer’s vessels
- 88.02.030 Exceptions from vessel registration
- 88.02.035 Confidential vessel registration, law enforcement purposes
- 88.02.050 Application – Registration – Transfer of Registration
- 88.02.055 Refund, collection of erroneous amounts - Penalty for false statement
- 88.02.060 Registration of dealers
- 88.02.078 Vessel dealer business address – Office – ID of business
- 88.02.090 Inspection of registration – Violation of chapter – Penalty
- 88.02.110 Penalties – Disposition of moneys collected – Enforcement authority
- 88.02.112 Registration certificate required – Penalty
- 88.02.115 Additional penalties for unauthorized or personal use of dealer display decals
- 88.02.118 Evasive registration – Penalty
- 88.02.230 Exemption from vessel dealer requirements
- 88.02.250 Carbon monoxide warning sticker – Display required

**Section 8.** PMC 12.28.030 and Ordinance 86-41 Section 1 are hereby amended to read as follows:

12.28.030 Charter boat safety act – statutes adopted by reference

Pursuant to the authority contained in RCW 35A.12.140 the following sections of Chapter 88.04 RCW as enacted or hereinafter amended are hereby adopted by reference as if fully set forth herein including penalties.

RCW

- 88.04.015 Definitions
- 88.04.025 Operating on state waters – Conditions
- 88.04.035 Inspection of charter boats – Certificate of inspection
- 88.04.075 Exemptions from chapter
- 88.04.320 Operating violations enumerated – Penalties

**Section 9.** PMC 12.28.040 and Ordinance 86-41 Section 1 are hereby repealed.

**Section 10.** PMC 12.28.060 and Ordinance 86-41 Section 1 are hereby amended to read as follows:

12.28.060 Recreational vessel equipment and operation – statutes adopted by reference

Pursuant to the authority contained in RCW 35A.12.140 the following sections of the Washington Administrative Code, Chapter 352-60 WAC as enacted or hereinafter amended are hereby adopted by reference as if fully set forth herein including penalties.

WAC

- 352-60-020 Definitions
- 352-60-030 Personal flotation devices required
- 352-60-040 Visual distress signals
- 352-60-050 Ventilation
- 352-60-060 Navigation lights and shapes

- 352-60-065 Sound producing devices
- 352-60-066 Sound and light signals
- 352-60-070 Steering and sailing
- 352-60-080 Fire extinguisher required
- 352-60-090 Backfire flame control
- 352-60-100 Liquefied petroleum gas
- 352-60-110 Canadian vessels
- 352-60-120 Water ski observer

**Section 11.** PMC 12.28.120 and Ordinance 86-41 Section 1 are hereby amended to read as follows:

12.28.120 Reckless operation

It is unlawful for any person to operate any watercraft or vessel in a reckless manner upon, over or through the waters of the city. For the purposes of this section, to “operate in a reckless manner” means the operation of a watercraft or vessel in such a manner as to indicate a willful or wanton disregard for the safety of persons or property.

**Section 12.** PMC 12.28.130 and Ordinance 86-41 Section 1 are hereby amended to read as follows

12.28.130 Discharging pollutants and littering

It shall be unlawful for any person to dump, throw, discharge, pump, or otherwise deposit junk, oil, gas, trash, debris, garbage, refuse, ballast or other waste of any kind on or into the waters of the city, including, but not limited to, any substance classified as a dangerous or hazardous waste or substance under state or federal law. This section shall also be applicable to persons owning, using or occupying floating homes. For purpose of this section, “floating home” means a building on a float used in whole or in part for human habitation as a dwelling, which is moored, anchored or otherwise secured in the waters of the city. This prohibition shall not apply, however, to any treated sewage discharged into any water of the city by the city of Poulsbo or any other governmental entity having permission of the city and applicable state and federal regulatory agencies to do so.

**Section 13.** PMC 12.28.190 and Ordinance 86-41 Section 1 is are hereby amended to read as follows:

12.28.190 Impoundment

A. The city and its local law enforcement officials may take immediate possession of and impound any vessel or watercraft located in any waters within the city’s jurisdiction when:

1. The operator or owner of the vessel or watercraft is incapable of safely operating the vessel or watercraft or is incapable of directing the disposition of the vessel or watercraft;
2. The operator or owner of the vessel or watercraft refuses or neglects to obey an order of any local law enforcement official to proceed from or to an area following a citation or civil infraction or in an emergency;
3. The operator or owner operates the vessel or watercraft in a negligent, reckless or other manner so as to endanger the safety of others or to unreasonably interfere with the

navigation of other watercraft and vessels, and the local law enforcement official believes such operation of the vessel or watercraft would continue unless the vessel or watercraft is impounded;

4. The vessel or watercraft in operation is unsafe for water transportation;

5. The vessel or watercraft is obstructing a launch area or public dock, or is trespassing or blocking ingress and egress on private property;

6. An unattended vessel or watercraft is a navigational hazard or threat to public safety, or must otherwise be impounded or removed in response to an emergency situation.

B. In lieu of removing or towing a vessel or watercraft pursuant to this section, the city and its local law enforcement officials may impound any vessel or watercraft in place by posting one or more signs or notices in conspicuous places on the vessel or watercraft that read: "POLICE IMPOUND – KEEP OFF." Upon the posting of an impound notice, it shall be unlawful for any person:

1. To move, load, unload, rebuild or enter upon such vessel or watercraft without written permission from the city, other than for necessary maintenance and repair to prevent the deterioration or sinking of the vessel or watercraft; or

2. To remove, mutilate destroy or conceal any notice or sign posted by the city pursuant to this section.

The city and its local law enforcement officials, in their discretion, may appoint the owner or operator of the facility or property at which the vessel or watercraft is moored or anchored as custodian of the impounded vessel or watercraft.

C. At the time of the impound of a vessel or watercraft pursuant to subsections A through B of this section, the city or its local law enforcement officials shall provide the owner or operator of the vessel or watercraft written notice of the impound. If the owner or operator is not present, the notice shall be mailed, via certified mail, return receipt requested, to the registered owner of the vessel or watercraft at the owner's last known address. Such notice shall state the date and time of the impound, the identity of the city official impounding the vessel or watercraft, the nature of the violation for which the vessel or watercraft was impounded, information on how and where to redeem the impounded vessel or watercraft, the owner's right to a hearing on the impound pursuant to Chapter 12.28.210 PMC, a hearing request form, and the address and telephone number where additional information may be obtained.

D. The city and its local law enforcement official shall have the authority to remove or tow any vessel or watercraft pursuant to this section by using such methods necessary to prevent unnecessary damage to the vessel or watercraft. Alternatively, the city and its local law enforcement officials may assign the removal and impound of the vessel or watercraft to a private corporation.

E. The city shall not be responsible for damages incurred as a result of the impoundment of a vessel or watercraft.

**Section 14.** A new section is added to Chapter 12.28 of the Poulsbo Municipal Code to read as follows:

12.28.200 Creation and foreclosure of lien

A. The expenses incurred by the city in removing, impounding and mooring any vessel or watercraft pursuant to this chapter shall be borne by the owner of the vessel or watercraft. When a vessel or watercraft is moored or impounded at a city facility, the city shall assess a



reasonable moorage charge established by resolution. The expenses incurred by the city in removing, impounding and mooring the vessel or watercraft, and the city's moorage charge, if applicable, shall constitute a lien against the vessel or watercraft and shall be paid in full by the owner of the vessel or watercraft prior to the city's release of the vessel or watercraft.

B. If an impounded vessel or watercraft is not redeemed within 60 days after the date of impoundment, the lien upon the vessel or watercraft arising under this chapter may be foreclosed by the city pursuant to Chapter 60.10 RCW.

C. Funds received from the sale of a vessel or watercraft pursuant to this section shall be applied towards payment of the costs and fees incurred by the city in removing, impounding and mooring the vessel or watercraft, to the city's moorage charges, if applicable, and to the costs of foreclosure, including reasonable attorney's fees. The city may maintain an action against the owner of the vessel or watercraft to recover the expense of removing, impounding and mooring the vessel or watercraft, the city's moorage charge, and the costs of foreclosure of the lien, if not fully satisfied by the sale of the vessel or watercraft.

D. Any remaining proceeds from the foreclosure sale of a vessel or watercraft shall be remitted to the owner of the vessel or watercraft, if known. If the city is unable to locate the owner of the vessel or watercraft, the remainder of the proceeds from the sale shall be retained by the city for six months, and shall be released to the owner upon sufficient proof of ownership. If the six-month period expires without the owner of the vessel or watercraft claiming the remainder of the proceeds from the sale, the funds shall be deposited into the general fund of the city.

**Section 15.** A new section is added to Chapter 12.28 of the Poulsbo Municipal Code to read as follows:

12.28.210 Impound hearing

A. Any owner of a vessel or watercraft that has been impounded pursuant to this chapter may request an impound hearing in the Poulsbo Municipal Court to contest the propriety of the impound and the amount of the impound and storage fees.

B. Any request for an impound hearing pursuant to this section shall be made in writing on the form provided by the city and must be received by the municipal court within 21 days (including Saturdays, Sundays and holidays) of the date that the notice of the right to a hearing, was provided to the person seeking to challenge the impound or amount of the impound and storage fees. If the impound hearing request is not received by the municipal court within the 21-day period (including Saturdays, Sundays and holidays), the right to a hearing is waived and the owner of the vessel or watercraft is liable for any removal, storage or impound charges permitted by this chapter. Upon receipt of a timely request for an impound hearing, the municipal court shall proceed to hear and determine the propriety of the impound.

C. The municipal court, within five days after it receives a request for an impound hearing, shall notify the person requesting the hearing and the city in writing of the hearing date and time.

D. At the hearing, the person or persons requesting the hearing may produce any relevant evidence to show that the removal, impound, or storage fees charged were not proper. The city has the burden of proving a valid impound and reasonable fees by a preponderance of the evidence.

E. At the conclusion of the hearing, the municipal court shall determine whether the impound was proper, whether the removal, impound or storage fees charged were proper, and who is responsible for the payment of the fees.

F. If the impound is found proper, the removal, impound and storage fees as permitted under this chapter together with court costs may be assessed against the person or persons requesting the hearing

G. If the impound is found to be in violation of this code, then the owner of the impounded vessel or watercraft shall not be responsible for any removal, impound or storage fees, and any security shall be returned or discharged as appropriate, and the person or agency who authorized the impound shall be liable for any removal, storage or other impoundment fees permitted under this chapter.

**Section 16.** A new section is added to Chapter 12.28 of the Poulsbo Municipal Code to read as follows:

12.28.300 Violations – Penalties

A. Unless otherwise provided in this chapter or in any state statute or regulation adopted by this chapter, every person convicted of a violation of any provision of this chapter, shall be guilty of a civil infraction and shall be subject to a monetary penalty in the amount of \$250.00. Each act in violation of any of the provisions hereof shall be deemed a separate offense.

B. Additional Remedies. In addition to any other remedy provided by this chapter, the city may initiate injunction or abatement proceedings or any other appropriate action in the courts against any person who violates or fails to comply with any provision of this chapter to prevent, enjoin, abate or terminate violations or to restore a condition which existed prior to the violation. The violator shall pay the costs of such action including reasonable attorneys fees.

C. Any person who fails to respond or appear on any violation of any provision of the Poulsbo Municipal Code set forth in this title shall be assessed a failure to respond or appear fee in the amount set forth in RCW 46.63.110(3), as the same now exists or as may be hereafter amended, which statute is incorporated herein by this reference as if fully set forth.

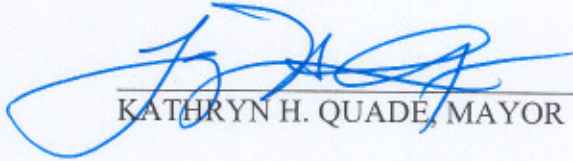
D. If a time pay agreement is requested a fee of not to exceed \$10 per charge or \$25 per payment plan may be imposed.

**Section 17. Severability**

If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

**Section 18.** Effective Date: This ordinance shall take effect and be in full force five (5) days after the publication of the attached summary, which is hereby approved.

APPROVED:

  
KATHRYN H. QUADE, MAYOR

ATTEST/AUTHENTICATED:

Karol Jones  
CITY CLERK KAROL JONES, CMC

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY James E. Haney  
JAMES E. HANEY

FILED WITH THE CITY CLERK: 9/24/2007  
PASSED BY THE CITY COUNCIL: 10/3/2007  
PUBLISHED: 10/20/2007  
EFFECTIVE DATE: 10/25/2007  
ORDINANCE NO. 2007-41

**SUMMARY OF ORDINANCE NO. 2007-41**

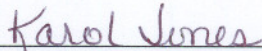
of the City of Poulsbo, Washington

On the 3<sup>rd</sup> day of October, 2007, the City Council of the City of Poulsbo, passed Ordinance No. 2007-41. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, RELATING TO CHAPTER 12.28 MARINE REGULATIONS; ADOPTING BY REFERENCE VARIOUS SECTIONS OF TITLES 79A AND 88 OF THE REVISED CODE OF WASHINGTON AND ADDING A NEW CHAPTER 12.01 TO TITLE 12; AND ADDING NEW SECTIONS 12.01.005 PRELIMINARY ARTICLE, 12.01.010 CLASSIFICATION OF CRIMES OF THE WASHINGTON ADMINISTRATIVE CODE OF WASHINGTON IN ORDER TO ESTABLISH CRIMES DESIGNATED BY THE STATE AS MISDEMEANORS AND GROSS MISDEMEANORS AS CRIMINAL OFFENSES AND CIVIL INFRACTIONS UNDER THE CITY'S MUNICIPAL CODE; AND ADDING NEW SECTIONS 12.28.001 AUTHORIZATION AND JURISDICTION, AMENDING SECTION 12.28.010 DEFINITIONS; AND SECTION 12.28.040 IS HEREBY REPEALED; AND AMENDING SECTIONS 12.28.060 TO RECREATIONAL VESSEL EQUIPMENT AND OPERATION - STATUTES ADOPTED BY REFERENCE, 12.28.120 RECKLESS OPERATION, 12.28.130 DISCHARGING POLLUTANTS AND LITTERING, 12.28.190 TO IMPOUNDMENT; AND ADDING NEW SECTIONS 12.28.200 CREATION AND FORECLOSURE OF LIEN, 12.28.210 IMPOUND HEARING, 12.28.300 VIOLATIONS - PENALTIES; AND PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 4<sup>th</sup> day of October, 2007.

  
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CITY CLERK KAROL JONES, CMC