

ORDINANCE NO. 2003-2

AN ORDINANCE OF THE COUNTY OF ELMORE, STATE OF IDAHO REGULATING WATERWAYS AND DOCKS WITHIN THE COUNTY OF ELMORE; PROVIDING FOR CONTROLLING ACCESS TO BOAT DOCKS, RESTRICTED WATER USE FOR NO WAKE ZONES AND CONTROLLING THE USE OF MOTORIZED WATERCRAFT AND VESSELS IN CERTAIN AREAS;

STATEMENT OF PURPOSE:

WHEREAS, the Idaho Legislature under Idaho Code Section 67-7031 has provided local governments to enact ordinances with reference to the operation of vessels on any waters within its territorial limits or with reference to swimming within areas of intense or hazardous vessel traffic so long as the ordinances are intended to promote or protect the health, safety and general welfare of its citizens; and

WHEREAS, the Idaho Legislature under Idaho Code Section 67-7031 has provided local governments to enact ordinances with reference to the operation of personal watercraft on any waters within its territorial limits with the limitations that the ordinances apply to no wake or less than 5 mph zones,

WHEREAS, the Elmore County Board of County Commissioners does find after due consideration of the issues presented that it is necessary and proper to adopt this ordinance to provide for the safety, promote health and comfort of Elmore County and inhabitants therein, and for the protection of persons and property therein;

WHEREAS, the Elmore County Board of County Commissioners finds that there is a threat to the peace and safety of the residents of Elmore County from the unauthorized use of boat docks and restricted zones within the County;

PURSUANT to the authority under Article 12, Section 2 of the Constitution of the State of Idaho and the provisions of Idaho Code Chapters 18 and 67;

IT IS HEREBY ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ELMORE COUNTY, IDAHO, THAT THE FOLLOWING ORDINANCE BE IN EFFECT:

SHORT TITLE: This ordinance shall be known as the "ELMORE COUNTY BOAT, PERSONAL WATERCRAFT, AND RESTRICTED AREAS ORDINANCE."

Section 1: DOCKS

- (a) The Elmore County Waterways Commission and the Elmore County Sheriff's Department has the authority to place signs and enforce this ordinance regarding the

use of motorized and non-motorized vehicles and persons on boat docks by requiring that the boat docks be used for launching and mooring vessels and personal watercraft only.

Section 2: MARKING RESTRICTED ZONES

- (a) The Elmore County Waterways Commission and the Elmore County Sheriff's Office may mark restricted "No Wake Zones" and "No Motorized Vessels or Personal Watercraft" zones with buoys identifying the same and enforce these restrictions.

Section 3: FINES AND PENALTIES

- (a) A violation of this ordinance will be an infraction punishable as provided in I.C. Section 18-111 and 18-113A.

This Ordinance shall be in full force and effect after its passage, approval and publication.

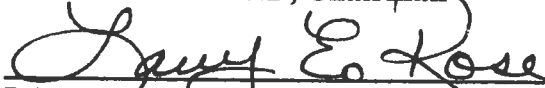
PASSED by the Board of County Commissioners of Elmore County, State of Idaho.

ADOPTED this 28th day of July, 2003.

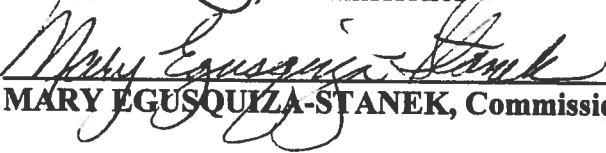
ELMORE COUNTY BOARD OF COMMISSIONERS



CALVIN IRELAND, Chairman

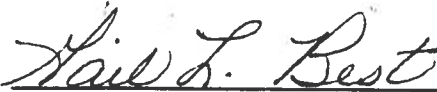


LARRY E. ROSE, Commissioner



MARY EGUSQUIZA-STANEK, Commissioner

ATTEST:



GAIL L. BEST, Clerk