

## RESOLUTION NO. 2011.39

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING FEES FOR TEMPE TOWN LAKE BOAT PERMIT AND STORAGE ADMINISTERED THROUGH THE COMMUNITY SERVICES DEPARTMENT.

WHEREAS, the City Council of the City of Tempe has established community services programs for its citizens, and

WHEREAS, as a part of this program certain fees must be changed in order to recover costs and provide the service and

WHEREAS, the City Council has adopted a policy for charging fees based on the type of service and

WHEREAS, this resolution would include Tempe Town Lake in the boating regulations section of this fee policy and

WHEREAS, the City Council has previously approved a fee policy for the Community Services Department filed with the City Clerk which may be amended by Council resolution

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA as follows:

#### **4.10 Public Boating Regulations**

Boating shall be permitted upon the waters of Town Lake and Kiwanis Lake. The regulations listed below have been established for public safety.

1. All applicable city ordinances and statutes of the state and all boating regulations of the state game and fish department shall be observed while boating upon the waters of any city park or area. In the event of a conflict between a city ordinance and a state statute or regulation, the more restrictive provision shall prevail and be obeyed.
2. A City of Tempe Boating Permit is required. Permits should be affixed to the stern of the boat. Permits are available from the Tempe Community Services Department.
  - a. Recreation Administration Office (2<sup>nd</sup> floor Tempe Public Library), 3500 S. Rural Rd. / Tempe. Monday – Friday 8 am – 5 pm
  - b. Pyle Adult Recreation Center, 655 E. Southern Ave. / Tempe. Monday – Thursday 8 am – 9pm / Friday – 8 am – 5 pm / Saturday 9 am – 4 pm.

3. Applications for boating permits shall include the following:
  - a. The owner's name and address
  - b. A description of the boat covered by the permit
  - c. The state boat registration number of such boat
  - d. Any additional information as the director of the Community Services Department or designee determines to be necessary
4. Each application for a boating permit shall be accompanied by a permit fee established annually by the City.

**Permit Fees**

**Kiwanis Lake Boat Permit Fees**

Annual Resident	\$5	\$5
Annual Non-resident	\$10	\$10

**Tempe Town Lake Boat Permit Fees**

Annual Resident	<del>\$5</del>	\$25
Annual Non-resident	<del>\$30</del>	\$50
Daily	<del>\$5</del>	\$10
Non Profit	\$15	\$15
Intercollegiate Athletic Daily	\$15	\$15
Education Program (per student)	\$10	\$10
Education Program under 6 classes (per student)	\$5	\$5

**Boat Storage Fees**

**Tempe Town Lake Boat Storage Fees - Annual**

Marina Rack Space	<del>\$276</del>	\$311
Marina Trailered – Short	<del>\$576</del>	\$648
Marina Trailered – Long	<del>\$768</del>	\$864
Additional Boat (per boat)	\$0	\$100
Ops Single Rack Space	<del>\$348</del>	\$392
Ops Double Rack Space	<del>\$480</del>	\$540
Ops Quad Rack Space	<del>\$600</del>	\$675
Ops Eight Rack Space	<del>\$732</del>	\$824

5. Notwithstanding any boating permit, the City may close any lake to public boating at any time, if such closure is necessary for the operation and maintenance of the lake, or if there is a potential threat to public health, safety or welfare.
6. No boat shall be placed in or sailed, operated or floated upon the waters of Kiwanis Lake between the times of sunset and sunrise.
7. Tempe Town Lake is open daily for public boating between 5 am and 10 pm with approved lighting when on the lake after dark or at dusk and dawn.

8. Kiwanis Boat Types
  - a. Boat must not exceed fourteen (14) feet in length; except inflatable rubber boats must be six (6) feet in length and not exceed fourteen (14) feet and canoes must not exceed seventeen (17) feet in length
  - b. No rafts, inner tubes, inflatable mattresses, catamarans, sail boards or paddle boards
  - c. Inflatable boats constructed with durable, reinforced fabric with two (2) air chambers of six (6) feet or greater; must be able to float with only one air chamber
  - d. No boat may be driven by or equipped with an electric motor or gasoline engine
  
9. Tempe Town Lake Boat Types
  - a. Rowing shell up to sixty (60) feet in length
  - b. Inflatable boats constructed with durable, reinforced fabric with two (2) air chambers of six (6) feet or greater; must be able to float with only one air chamber
  - c. Pontoon boats and utility boats with electric motors only, no gas engine shall be attached to the boat
  - d. Kayaks, canoes dragon boats, stand up paddle boards and outriggers of any length
  - e. Peddle boats
  - f. Catamarans and sailboats, subject to mast height not exceeding thirty (30) feet from the water surface level
  - g. Motorized boats used and operated for safety, emergency, lake maintenance, special events and operation of Tempe Town Lake.
  - h. Watercraft rented or leased from an authorized City boat concessionaire
  
10. Each boat shall be equipped with at least one serviceable personal flotation device, approved by the United States Coast Guard, for each person aboard; except in the operation of a racing shell or rowing scull during competitive racing or training.
  
11. Each child twelve (12) years of age or under shall wear a serviceable Type I, II or III personal flotation device, approved by the United States Coast Guard, at all times while boating upon the waters of any city park ore area.
  
12. While stand up paddle boarding, each person thirteen (13) years of age and over shall wear a personal flotation device or ankle leash on Tempe Town Lake.
  
13. No boat shall be loaded or operated with passengers or cargo in excess of its safe carrying capacity or the limitations on the manufacturer's load capacity plate.
  
14. No person shall navigate, direct or handle any boat in a careless, reckless or negligent manner, or so as to interfere with the authorized use of the lake by others, or in an area not designated for that boating use.
  
15. All boats that arrive by trailer shall be launched and removed from the water only at designated boat ramps or launch areas provided for such purpose.

16. No person shall park or place any motor vehicle so as to block or obstruct the launching area or the driveways leading thereto.

17. No swimming or wading is permitted

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

CITY OF TEMPE

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney