



## Legislation Details (With Text)

**File #:** 1961-2013      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 8/2/2013      **In control:** Rules & Reference Committee

**On agenda:** 9/16/2013      **Final action:** 9/19/2013

**Title:** To amend Chapter 921 of the Columbus City Codes, 1959, to allow for portaging around low head dams.; and to declare an emergency.

**Sponsors:** Zach M. Klein

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
9/19/2013	2	ACTING CITY CLERK	Attest	
9/18/2013	2	MAYOR	Signed	
9/16/2013	2	COUNCIL PRESIDENT	Signed	
9/16/2013	2	Columbus City Council	Approved as Amended	Pass
9/9/2013	1	Columbus City Council	Amended to 30 day	Pass

The Current Code does not allow for portaging around low head dams, however portaging around low head dams are a safety necessity and is in integral part of the Olentangy Water Trail. (adopted by City Council in 2007 and funded by City Council in 2013). Many community members have expressed the need for portaging around the low head dams and for associated improvements.

To amend Chapter 921 of the Columbus City Codes, 1959, to allow for portaging around low head dams; ~~and to declare an emergency.~~

**WHEREAS**, current City Code does not allow for portaging around low head dams; and

**WHEREAS**, the Recreation and Parks Department has advised this Council that portaging around low head dams are a safety necessity and is an integral part of the Olentangy Water Trail; ~~and~~ **now therefore**

~~WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department because it is immediately necessary to amend Chapter 921 of the Columbus City Codes, 1959, to allow for portaging around low head dams; NOW, THEREFORE~~

### BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

**Section 1.** That section 921.01-1 of the Columbus City Codes, 1959, is hereby amended to read as follows:

921.01-1 - Vessel and operations on waterways. ~~permanent link to this piece of content~~

(A)

In all waterways of the city except Griggs, O'Shaughnessy and Hoover Reservoirs and the downtown Scioto River Pool

or as otherwise authorized by this chapter, no person shall operate any vessel of:

(1)

Less than eight (8) feet or more than twenty-two (22) feet in length or;

(2)

Less than thirty-six (36) inches in beam or;

(3)

Less than fifty (50) pounds in weight;

(4)

More than ten (10) horsepower.

(B)

Canoes, kayaks, rowing shells, pedal boats and inflatable watercraft bearing a Hull Identification Number (HIN) recognized by the United States Coast Guard as vessels and watercraft are permitted and specifically exempted from the length, beam and weight requirements.

(C)

No watercraft shall operate beyond the safety cable at those dams where safety cables have been installed. **Except as otherwise provided in this chapter**, in those areas where there are no safety cables, no vessel shall operate within one hundred (100) feet of **the upriver or downriver side of** any dam. **This section shall not prohibit the launching or loading of a vessel in designated areas as provided for in Section 921.01-15.** ~~No vessel shall be operated within one hundred (100) feet of the downriver side of any dam.~~

(D)

Except as otherwise provided in this chapter, no person shall operate any motorized vessel on any waterways of the city at a speed exceeding idle speed within a distance of one hundred (100) feet of the shorelines.

(E)

No person shall swim or wade in any waterways of the city, except as a means of rescue, nor allow a minor, who is in custodial care, to swim or wade. This section shall not prohibit wading for the purpose of fishing.

(F)

Personal watercraft, which are classified by the Coast Guard as small Class A-1 or A-2 vessels and which use, as their primary source of mechanical power, an inboard or outboard motor powering a jet pump, and which are designed to be operated by a person in a sitting, standing, or kneeling position rather than that of the conventional manner of either sitting or standing inside the vessel, are prohibited on all city controlled waterways.

(G)

No person shall operate any motorized vessel on waterways of the city at a speed exceeding ten (10) miles per hour between sunset and sunrise.

(H)

Between the dates of November 30 of each year to April 1 of the following year, all vessels must be removed from all stakes, boat docks, sailboat moorings and waterways. Any vessel found unattended in any waterways of the city or park controlled by the city of Columbus between the dates as specified in this paragraph will be considered abandoned by the owner and will be impounded by a law enforcement officer and will be subject to provisions as set forth elsewhere in this chapter.

(I)

Sailboarding for the purpose of this chapter shall be limited to those sailboats without a rigidly affixed mast and which

meet all the other requirements of this chapter.

(J)

No person shall engage or attempt to engage in any sailboard activity without wearing an adequate and effective Coast Guard approved type one, two or three personal floatation device in good and serviceable condition and of appropriate size, or a jacket or harness specifically manufactured for sailboarding, and which provides for positive buoyancy in the water.

(K)

This section shall not be construed or interpreted so as to prevent or prohibit boating on waterways of the city between the dates of November 30 of each year and April 1 of the following year, except in restricted areas, provided that the vessel is not stored on city property and is immediately removed from the waterway after use.

(Ord. 805-05 § 1 (part).)

921.01-2 - Vessels and operations on the downtown Scioto River Pool.[permanent link to this piece of content](#)

(A)

Unless otherwise authorized by this chapter no person shall operate in the downtown Scioto River Pool from one hundred (100) feet south of the intake dam opposite the Dublin Road Pumping Station, south to the safety cable at the Main Street Dam and from one hundred (100) feet south of the Main Street Dam to the safety cable at the Scioto River Park Dam (Greenlawn Dam), and north on the Olentangy River to the Goodale Avenue Bridge, any vessel of:

(1)

Less than eight (8) feet or more than twenty-two (22) feet.

(2)

Less than thirty-six (36) inches in beam or;

(3)

Less than fifty (50) pounds in weight.

(B)

Canoes, kayaks, rowing shells, pedal boats and inflatable watercraft bearing a Hull Identification Number (HIN) and recognized by the United States Coast Guard as vessels and watercraft are permitted and specifically exempted from the length, beam and weight requirements.

(C)

No person shall operate any motorized vessel in this area at a speed greater than ten (10) miles per hour.

(D)

No person shall operate any motorized vessel at a speed exceeding idle speed within a distance of one hundred (100) feet of the shorelines.

(Ord. 805-05 § 1 (part).)

**Section 2.** That section 921.01-15 of the Columbus City Codes, 1959, is hereby amended to read as follows:

921.01-15 - Designated launch facilities. ~~permanent link to this piece of content~~

Launching and/or loading of a vessel in any water **of the city** ~~ways to the city~~ will only be permitted in areas and times designated by the director of recreation and parks and specifically marked for that purpose.

(Ord. 805-05 § 1 (part).)

**Section 3.** That prior existing sections 921.01-01 and 921.01-15 of the Columbus City Codes, 1959, are hereby repealed.

**Section 4.** ~~That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or 10 days after passage if the Mayor neither approves nor vetoes the same..~~ **That this ordinance shall take effect and be in force from and after the earliest period allowed by law.**