

ORDINANCE NO. 925

AN ORDINANCE PERTAINING TO THE REGULATION OF FISHING, BOATING, HUNTING, AND CAMPING ON REAL ESTATE OWNED BY THE CITY OF SEDAN.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SEDAN, KANSAS:

SECTION 1. DEFINITIONS

- a. Lake premises shall include all land owned by the City of Sedan, Kansas, located in sections 16, 17, 20, 21, 28 and 29 of Township 33 South, Range 11 East of the 6th Principle Meridian in Chautauqua County, Kansas, upon which are located two lakes herein after designated as the Old City Lake and the New City Lake. Old City Lake shall mean the north of said two lakes and New City Lake shall mean the south of said two lakes.
- b. Lake shall include the water area within either or both of said lakes.
- c. Dam shall mean the dam or dams of either or both of said lakes and are described as a barrier constructed to hold back water forming a reservoir.
- d. Spillway shall mean a passageway through which surplus water escapes from a reservoir or lake and shall include any structure within or nearby the lake used for that purpose.
- e. Boat Dock shall mean any structure built near the water's edge to which boats may be fastened.
- f. Boat Ramp shall mean a place at water's edge used for the loading and unloading of watercraft.
- g. Watercraft shall mean any boat or other type vessel that a person may use to travel upon or within water.
- h. Personal Watercraft (i.e. Jetski, Sea-Doo, WaveRunner, etc.) shall mean any vessel which uses an inboard motor powering a water jet pump as its primary source of motive power, and which is designed to be operated by a person sitting, standing, or kneeling on the vessel, rather than within.
- i. Boating shall mean the use of any watercraft upon any waters described herein.
- j. Camping shall mean to use, establish and/or setup an area in which to stay or sleep overnight.

SECTION 2. WATERCRAFT - All watercraft shall operate in accordance with the following rules and regulations.

- a. Human powered watercraft such as any type row or paddle boat shall have the right-of-way at all times while upon any waters.
- b. All watercraft shall keep at a safe distance from any person or other watercraft as to avoid jeopardizing the safety of others.
- c. All watercraft shall be equipped with life preservers for each person within or upon any craft.
- d. All watercraft upon any body of water as described within this ordinance shall not exceed a speed of (7) miles per hour.
- e. Personal watercraft (i.e. Jetski, Sea-Doo, WaveRunner, etc.) are prohibited upon any City lake, except for those operated by any first responder, city employee or

Department of Wildlife, Parks and Tourism official while in the capacity of their official duties.

- f. Water skiing or any other means by which a person or persons are towed behind a watercraft is prohibited. This shall include a person or persons being towed by a watercraft while in or upon any type of floatation device.

SECTION 3. SWIMMING - Swimming shall be permitted. All persons swimming in any waters, on any lake premises described herein, do so at their own risk. There is no lifeguard on duty and the City of Sedan shall not be held liable for any accident, injury or death.

SECTION 4. CAMPING - Camping shall be regulated by City ordinance No. 886. Any vehicle, camper, temporary structure or camp site is subject to a \$10.00 per day camping fee which may be obtained through the Sedan City Hall office during normal business hours or through the Sedan Police Department after hours.

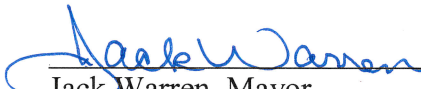
SECTION 5. LITTERING - It shall be unlawful for any person to discard any trash or garbage of any kind into or upon either of said lakes or lake premises, or to do any act to pollute or contaminate the water or the water supply of said lakes or lake premises.

SECTION 6. COMPLIANCE - It shall be the responsibility of all persons visiting any lake or lake premises described within this ordinance to obey and act in accordance with this ordinance and all State of Kansas and Kansas Department of Wildlife, Parks and Tourism statutes, rules and regulations pertaining to wildlife, hunting, fishing, and boating.

SECTION 7. PENALTIES -The violation of any provision contained in this ordinance is a class C misdemeanor punishable by a sentence in the county jail which shall be fixed by the court and shall not exceed one (1) month and/or a fine of not less than \$50.00, nor more than \$500.00, plus court costs.

SECTION 8. SAVING CLAUSE; SEVERABILITY - All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed. This ordinance shall take effect upon its publication in the official City newspaper.

Adopted by the Governing Body of the City of Sedan on the 25th of September, 2019.



Jack Warren, Mayor

Attest:



Sherry L. Miller, City Clerk