

ORDINANCE NO. 541

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUSA APPROVING REGULATIONS OF ACTIVITIES AT THE CITY BOAT LAUNCH FACILITY

The City Council of the City of Colusa does ordain as follows:

Section 1. Recitals

WHEREAS, with the assistance of significant grant funding from the Department of Boating and Waterways, the City of Colusa constructed the Colusa Boat Launch Facility; and

WHEREAS, the Boat Launch Facility provides a tremendous and positive service to the community. Not only does it allow people to recreate in the Sacramento River, it draws people to the City who in turn enhance the local economy; and

WHEREAS, since the opening of the Boat Launch Facility on December 28, 2018, the City has come to learn that the Facility needs to be reasonably regulated so that it is used in a safe and healthy manner. Accordingly, this Ordinance provides for those reasonable protections.

Section 2. Findings and Determination

On the basis of (a) the foregoing Recitals, which are incorporated herein, City Council has considered public comment and finds and hereby ordains as follows:

Section 3.70. – “Regulation of the Boat Launch Facility,” of the Colusa Municipal Code is hereby added to the Colusa Municipal Code as follows:

A. Facilities covered by this chapter include the boat ramp and fishing area, which facilities occupy a strip of land between the city-operated State Park and the Sacramento River, and located along Main Street in Colusa from 10th to 8th street. As used in this chapter, the "fishing area " shall refer to the fishing area and boat ramp and as described above.

Permitted uses at the City of Colusa Boat launch area.

- A. Access to the Boat Launch area shall not be allowed other than by boat. No fishing or jumping from the launch ramp or the Dock. City Council may establish by resolution a fee for a permit to access the Boat Launch area.
- B. The only uses permitted at the Boat Launch Facility are the following:
 - 1. Launching of boats and personal watercrafts, including parking of vehicles and boat or personal watercraft trailers.
- C. It shall be a violation of this chapter for any person to use the Boat Launch Facility:
 - 1. For any uses not described above;

2. For any purpose inconsistent with the terms and conditions of any permit which the city issues for use of the boat launch area.

D. Prohibited uses at the Boat Launch Facility: It shall be a violation of this chapter for any person to conduct or participate in any of the following uses or activities at the Boat Launch Facility:

1. To start or maintain an open fire.
2. To swim within fifty (50) feet of the boat launch area.
3. To engage in any camping activities (which for the purposes of this chapter includes erection of tents or any other temporary living structure).
4. To litter or otherwise dump refuse in any area other than designated city receptacles.
5. To fish from or within (15) feet of the dock.
6. To launch a watercraft or park at the facility without displaying proof of payment, proof of payment must be displayed in the front windshield of the vehicle even if parked on the public street.

Section 3. CEQA Compliance

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA guidelines, and the City's environmental procedures, and has been found to be exempt pursuant to Section 15061 (b) (3) (general rule) of the CEQA Guidelines, in that the City Council hereby finds that it can be seen with certainty that there is no possibility that the passage of this ordinance amending the Municipal Code will have a significant effect on the environment.

Section 4. Severability

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. This City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the Ordinance be enforced.

Section 5. Effective Date

This Ordinance shall be in full force and effective thirty (30) days after its adoption and shall be published and/or posted as required by law.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Colusa, California, held on May 19, 2020, and was passed and adopted at a regular meeting of the City Council held on June 2, 2020, by the following vote:

AYES: Ponciano, Reische, Markss, Nobles and Hill.

NOES: None.

ABSENT: None.

ABSTAIN: None.

JOSHUA HILL, MAYOR

ATTEST:

Shelly Kittle, City Clerk