

TOWN OF BEAUX ARTS VILLAGE

ORDINANCE NO. 294

AN ORDINANCE OF THE TOWN OF BEAUX ARTS VILLAGE ESTABLISHING A “NO WAKE” ZONE IN THE NAVIGABLE WATERS SUBJECT TO ITS JURISDICTION AND ADOPTING CERTAIN SECTIONS OF THE KING COUNTY HARBOR CODE, AND CERTAIN SECTIONS OF RCW 88.12

WHEREAS, the Town of Beaux Arts Village has a portion of its boundary fronting on Lake Washington; and

WHEREAS, pursuant to RCW 35.21.160 the Town of Beaux Arts Village has jurisdiction to the middle of the lake fronting its boundary; and

WHEREAS, the Town of Beaux Arts Village has entered into a contract with King County for the patrol and enforcement of laws within its jurisdiction; **NOW THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BEAUX ARTS VILLAGE, WASHINGTON, AS FOLLOWS:

Section 1. Definitions: Wake

Wake means any visible trail of turbulence which produces left in the water by a watercraft or vessel.

Section 2. Unlawful Action: Penalty

It shall be unlawful to cause and or create a wake within the jurisdiction of the Town of Beaux Arts Village. The violation of this section shall be a civil infraction punishable by a fine of \$150.00.

Section 3. Adoption by Reference: King County Harbor Code

The following Sections of the King County Harbor Code are adopted by reference:

12.44.010	Authorization
12.44.020	Definitions.
12.44.030	Interpretation and Application of Regulations
12.44.035	Operation of Personal Watercraft.
12.44.100	Interference with Navigation.
12.44.110	Sunken Vessels.
12.44.120	Floating Objects.
12.44.140	Incapacity of Operator.
12.44.150	Accidents.
12.44.160	Accident Reports.

12.44.170	Accident Reports Confidential, Inadmissible as Evidence.
12.44.180	Overloading.
12.44.190	Testing Courses.
12.44.200	Restricted Courses.
12.44.210	Swimming
12.44.350	Whistles and Lights.
12.44.360	Equipment and Numbering
12.44.370	Life Preservers and Running Lights.
12.44.390	Aircraft on the Water.
12.44.400	Rules of the Road.
12.44.410	Propellers.
12.44.470	Oil.
12.44.480	Nuisances.
12.44.490	Public Health.
12.44.570	Penalty.
12.44.600	Lake Washington Restrictions.
12.44.710	Authority of Officers to Board Boats.
12.44.730	Enforcement.

Section 4. The following Sections of RCW 88.12 are adopted by reference:

88.12.015	Violations of Chapter Punishable As Misdemeanor—Circumstances—Violations Designated as Civil Infractions.
88.12.020	Operation of Vessel in a Negligent Manner—Penalty.
88.12.025	Operation of Vessel in a Reckless Manner—Operation of a Vessel under the Influence of Intoxicating Liquor—Penalty.
88.12.035	Failure to Stop for Law enforcement Officer.
88.12.045	Eluding a Law Enforcement Vessel.
88.12.055	Enforcement—Chapter to Supplement Federal Law.
88.12.075	Tampering with Vessel Lights or Signals—Exhibiting False Lights or Signals—Penalty.
88.12.085	Muffler or Underwater Exhaust System Required—Exemptions—Enforcement—Penalty.
88.12.105	Failure of Vessel to Contain Required Equipment—Liability of Operator or Owner. Penalty.
88.12.115	Personal Flotation Devices Required—Penalty.
88.12.145	Operation of Personal Watercraft—

Section 5. Validity.

If any section, paragraph, clause or phrase of this ordinance is for any reason found to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Town Council hereby declares that they would have passed this Ordinance and each section, paragraph, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, paragraphs, clauses or phrases may subsequently be found by a competent authority to be unconstitutional or invalid.

Section 6. Effective Date:

This Ordinance shall take effect and be in force five (5) days after its date of passage.

**PASSED BY THE COUNCIL OF THE TOWN OF BEAUX ARTS VILLAGE,
WASHINGTON, THIS 20TH DAY OF APRIL, 1999.**

**APPROVED BY THE MAYOR OF THE TOWN OF BEAUX ARTS VILLAGE,
WASHINGTON, THIS 20TH DAY OF APRIL, 1999.**

Charles R. Lowry, Mayor

ATTEST:

Gail D'Alessio, Clerk/Treasurer

APPROVED AS TO FORM:

Wayne Stewart, Town Attorney