

ORDINANCE NO. 369A

Introduced by Commissioner Quincy Robinson

AN ORDINANCE REGULATING SMALL WATERCRAFT TRAFFIC.

THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

Section 1. Definitions.

(1) "Boat" means any vessel (including but not limited to rafts, canoes, skiffs, dinghies, row boats, sailing vessels or motor boats) less than 26 feet in overall length.

(2) "Motorboat" means any boat propelled in whole or in part by machinery, including boats temporarily equipped with detachable motors.

(3) This act applies to all boats less than 26 feet in overall length navigating the water within the jurisdiction of this City, except where inconsistent with any laws or regulations of any higher governing authority, including the State of Oregon and the United States, in which case such laws or regulations shall prevail. This act does not apply to vessels 26 feet in overall length or longer.

Section 2. (1) Every operator of a motorboat shall at all times navigate the motorboat in a careful and prudent manner and at such rate of speed as not to endanger the life, limb or property of any person.

(2) Reckless navigation of a motorboat includes operating the motorboat in a manner which unnecessarily interferes with the free and proper use of the navigable waters of the state or unnecessarily endangers other boats therein, or the life and limb of any person.

(3) No person shall operate any motorboat at a rate of speed greater than will permit him in the exercise of reasonable care to bring the motorboat to a stop within the assured clear distance ahead.

(4) Nothing in this Act is intended to prevent the operator of a motorboat actually competing in a race or regatta which is sanctioned by an appropriate government from attempting to attain high speeds on a marked racing course.

Section 3. (1) When two boats are approaching each other "head on" or nearly so (so as to involve risk of collision), each boat shall bear to the right and pass the other boat on its left side.

(2) When boats approach each other obliquely or at right angles, the boat approaching on the right side has the right of way.

(3) One boat may overtake another on either side but shall grant right of way to the overtaken boat.

Section 4. (1) No person shall so anchor a boat for fishing or other purposes on any body of water over which the city has jurisdiction in such a position as to obstruct a passageway ordinarily used by other boats.

(2) No person shall operate a boat within a water area which is clearly marked by buoys or some other distinguishing device as a bathing or swimming area.

Section 5. No boat shall be loaded with passengers or cargo beyond its safe carrying capacity, taking into consideration weather and other normal operating conditions.

Section 6. (1) No person operating a motorboat shall allow any person to ride or sit on either the starboard or port gunwales thereof or on the decking over the bow of the boat while under way.

(2) Nothing in this section is intended to prevent passengers or other persons aboard a boat from standing on the decking over the bow of the boat in order to moor the boat to a mooring buoy or to cast off from such a buoy or for any other necessary purpose.

Section 7. No person shall moor a boat to any of the buoys or beacons placed in any waterway by the authority of the United States or by the authority of a commission or subdivision thereof, nor in any manner hang on with a boat to such buoy or beacon.

Section 8. (1) No person under the influence of intoxicating liquor or narcotic drugs or barbitol, or who is a habitual user of narcotic drugs or barbitol, shall operate, propel or be in actual physical control of any boat.

(2) No owner of a boat or person in charge or in control of a boat shall authorize or knowingly permit the boat to be propelled or operated by any person who is under the influence of intoxicating liquor, narcotic drugs or barbitol or any person who is a habitual user of narcotic drugs or barbitol.

Section 9. The operator of any boat involved in an accident resulting in injury or death to any person or in damage to property shall immediately stop such boat at the scene of such accident and shall give his name, address, full identification of his boat and the name and address of the owner, to the person struck or the operator or occupants of the boat collided with, and shall render to any person injured in such an accident reasonable assistance and shall report such accident to the nearest or most convenient law enforcement agency or office.

Section 10. Penalties. (1) Violation of Section 2 of this act is a misdemeanor and violation of any provision of Section 2 shall be punished upon conviction by imprisonment in the city jail for not more than 30 days or by fine of not more than \$100.00 or both.

(2) Except as provided in Subsection (1) of this Section, violation of any provision of this act is punishable upon conviction by a sum not exceeding \$100.00.

Passed by the City Commission of the City of Warrenton this 17 day of March, 1958.

Approved by the Mayor of the City of Warrenton this 17 Day of March, 1958.

J. G. Gramson  
Mayor

ATTEST:

J. R. Baldwin  
Auditor and Police Judge.