

557.17 WATER SKIING AFTER DARK PROHIBITED.

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557.17 WATER SKIING AFTER DARK PROHIBITED.

CHAPTER 557 Watercraft

557.12 INCAPACITATED OPERATORS PROHIBITED.

(a) No person shall operate any vessel if the person is so mentally or physically incapacitated as to be unable to operate the vessel in a safe and competent manner.

(b) No person shall permit any vessel to be operated on the waters in this Municipality in violation of this section.

(c) Whoever violates this section without causing injury to persons or damage to property is guilty of a misdemeanor of the fourth degree.

(d) Whoever violates this section causing injury to persons or damage to property is guilty of a misdemeanor of the third degree.

(Ord. 79-07. Passed 11-13-07.)

557.13 FAILURE TO COMPLY WITH ORDER OF LAW ENFORCEMENT OFFICER; FLEEING AND

ELUDING.

(a) No person shall fail to comply with any lawful order or direction of any law enforcement officer having authority to direct, control, or regulate the operation or use of vessels.

(b) No person shall operate any vessel so as to purposely elude or flee from a law enforcement officer after receiving a visible or audible signal from a law enforcement officer to bring the vessel to a stop.

(c) No person shall operate or permit to be operated any vessel on the waters in this state in violation of this section.

(d) Whoever violates any provision of this section is guilty of a misdemeanor of the first degree. (Ord. 79-07. Passed 11-13-07.)

557.14 DUTY TO STOP OR GIVE WAY UPON APPROACH OF LAW ENFORCEMENT VESSEL.

(a) Upon the approach of a law enforcement vessel with at least one flashing, rotating, or oscillating light of color conforming with the requirements of federal law, the operator of any vessel shall stop if followed or give way in any crossing, head-on, or overtaking situation and shall remain in that position until the law enforcement vessel has passed, except when otherwise directed by a law enforcement officer. If traffic conditions warrant, a siren or other sound producing device may also be operated as an additional signaling device. This section does not relieve the operator of any law enforcement vessel from the duty to operate with due regard for the safety of all persons and property on the waters in this state.

(b) No person shall operate or permit to be operated any vessel on the waters of this state in violation of this section.

(c) Whoever violates this section causing injury to persons or damage to property is guilty of a misdemeanor of the fourth degree.

(Ord. 79-07. Passed 11-13-07.)

557.15 WATER SKIING CONFINED TO SKI ZONES.

(a) Except on the waters of Lake Erie, the Ohio River, and immediately connected harbors and anchorage facilities, any person who rides or attempts to ride upon one or more water skis, surfboard, or similar device, or who engages or attempts to engage in barefoot skiing, and any person who operates a vessel towing a person riding or attempting to ride on one or more water skis, surfboard, or similar device, or engaging or attempting to engage in barefoot skiing, shall confine that activity to the water area within a designated ski zone on all bodies of water on which a ski zone has been established.

(b) On all bodies of water designated as "open zone", that is, having a combined speed and ski zone, the activities described in division (a) of this section shall be confined to the open zone.

(c) No person shall operate or permit to be operated any vessel on the waters of this Municipality in violation of this section.

(d) Whoever violates any of the provisions of this section is guilty of a minor misdemeanor. (Ord. 79-07. Passed 11-13-07.)

557.16 OBSERVER REQUIRED WHEN TOWING SKIER.

(a) Any person who operates a vessel towing any person riding or attempting to ride upon one or more water skis or upon a surfboard or similar device, or engaging or attempting to engage in barefoot skiing, on the waters in this Municipality shall have present in the vessel a person or persons other than the operator, 10 years of age or older, who shall at all times observe the progress of the person being towed. The operator of the towing vessel shall at all times observe the traffic pattern toward which the vessel is approaching.

(b) No person shall operate or permit to be operated any vessel on the waters of the

Municipality in violation of this section.

(c) Whoever violates this section is guilty of a minor misdemeanor.

(Ord. 79-07. Passed 11-13-07.)

557.17 WATER SKIING AFTER DARK PROHIBITED.

(a) No person shall ride or attempt to ride upon water skis, surfboard, or similar device, or engage or attempt to engage in barefoot skiing, or use or operate any vessel to tow any person thereon on the waters in this Municipality during that period of the day between sunset and sunrise, except upon special permit issued by the State department, conservancy district, or political subdivision having jurisdiction and control of such water.

(b) Whoever violates this section is guilty of a minor misdemeanor.

(Ord. 79-07. Passed 11-13-07.)

557.18 PERSONAL FLOTATION DEVICE REQUIRED FOR TOWED PERSON.

(a) No person shall ride or attempt to ride on one or more water skis, surfboard, inflatable device, or similar device being towed by a vessel without wearing an adequate and effective Coast Guard approved type one, two, or three personal flotation device or type five personal flotation device specifically designed for water skiing, in good and serviceable condition and of appropriate size, except upon special permit issued by the State department, conservancy district, or political subdivision having jurisdiction and control of the water.

(b) No person shall engage or attempt to engage in barefoot skiing without wearing an adequate and effective Coast Guard approved type one, two, or three personal flotation device or type five personal flotation device specifically designed for water skiing, in good and serviceable condition and of appropriate size, or a wet suit specifically designed for barefoot skiing.

(c) No operator of a vessel shall tow any person who fails to comply with division (a) or (b) of this section.

(d) Whoever violates any of the provisions of this section is guilty of a minor misdemeanor.

(Ord. 79-07. Passed 11-13-07.)

557.19 SKI JUMPS PROHIBITED.

(a) No person shall install or maintain any structure or inclined platform known as a water ski jump on the waters in this Municipality. No person shall use any such platform or structure for the purpose of water ski jumping, except upon special permit issued by the State department, conservancy district, or political subdivision having jurisdiction and control over such water.

(b) Whoever violates this section is guilty of a minor misdemeanor.

(Ord. 79-07. Passed 11-13-07.)

557.20 PERMIT FOR SPECIAL WATER EVENTS.

(a) No person or organization shall conduct any race, regatta, or other special event upon the waters in this Municipality without first obtaining written permission, upon application not less than 30 days prior to the time of the proposed race, regatta, or event, of the Federal agency, State department, conservancy district, or political subdivision having jurisdiction and control over such waters. Any State department, conservancy district, or political subdivision may suspend its respective rules during a race, regatta, or special event. Nothing in this section shall be construed to mean that the operator of a vessel competing in a specially authorized race, regatta, or special event shall not attempt to attain high speeds on a marked racing course.

(b) On any waters in this Municipality over which no Federal agency, State department, conservancy district, or political subdivision has jurisdiction and control, no person or organization shall conduct any race, regatta, or other special event without first obtaining written permission, upon application not less than 30 days prior to the time of the proposed race, regatta, or event, of

the Chief of the Division of Watercraft. The Chief of the Division of Watercraft may, if he or she determines that the public safety will be adequately protected, grant written permission for holding such race, regatta, or special event. This section does not apply to privately owned lakes or ponds nor to canoes or rowboats.

(c) Whoever violates this section is guilty of a minor misdemeanor.
(Ord. 79-07. Passed 11-13-07.)

557.21 SALE OF SINGLE CELLED INFLATABLE VESSELS PROHIBITED.

(a) No person shall use or offer for use on the waters in this Municipality any inflatable vessel made of canvas, rubber, synthetic rubber, or vinyl plastic unless the inflatable vessel is of multiple air cell or compartment construction and is capable of remaining afloat if one air cell or compartment is punctured or collapsed.

(b) Whoever violates this section is guilty of a minor misdemeanor.
(Ord. 79-07. Passed 11-13-07.)

557.22 SITTING, STANDING, WALKING ON MOVING VESSELS RESTRICTED.

(a) No occupant of any vessel underway on the waters in this Municipality shall sit, stand, or walk upon any portion of the vessel not specifically designed for that movement, except when immediately necessary for the safe and reasonable navigation or operation of the vessel. No operator of a vessel underway on the waters in this Municipality shall allow any occupant of the vessel to sit, stand, or walk on any portion of the vessel underway not specifically designed for that use, except when immediately necessary for the safe and reasonable navigation or operation of the vessel.

(b) No person shall operate or permit to be operated any vessel on the waters in this Municipality in violation of this section.

(c) Whoever violates this section is guilty of a minor misdemeanor.
(Ord. 79-07. Passed 11-13-07.)

557.23 ENGINE WARM-UP REQUIRED.

(a) The pilot or engineer of any powercraft for hire to carry passengers shall not permit passengers to come aboard before the engine of such powercraft has been permitted to run for a minimum of two minutes.

(b) Whoever violates this section is guilty of a minor misdemeanor.
(Ord. 79-07. Passed 11-13-07.)

557.24 PERSONAL FLOTATION DEVICES FOR CHILDREN UNDER TEN.

(a) No person shall operate or permit to be operated any vessel under 18 feet in length while there is present in the vessel any person under 10 years of age, not wearing a Coast Guard approved type one, two, or three personal flotation device in good and serviceable condition of appropriate size securely attached to the person under 10 years of age.

(b) Whoever violates this section is guilty of a minor misdemeanor.
(Ord. 79-07. Passed 11-13-07.)

557.25 OPERATION WITHOUT PERSONAL FLOTATION DEVICES PROHIBITED.

(a) No person shall operate or permit to be operated any vessel, other than a commercial vessel or other vessel exempted by rules adopted under Ohio R.C. 1547.52, on the waters in this Municipality:

(1) That is 16 feet or greater in length without carrying aboard one type one, two, or three personal flotation device for each person aboard and one type four personal flotation device;

(2) That is less than 16 feet in length, including canoes and kayaks of any length, without carrying aboard one type one, two, or three personal flotation device for each person aboard.

(b) A type five personal flotation device may be carried in lieu of a type one, two, or three personal flotation device required under division (a) of this section.

(c) No person shall operate or permit to be operated any commercial vessel on the waters in this Municipality:

(1) That is less than 40 feet in length and is not carrying persons for hire without carrying aboard at least one type one, two, or three personal flotation device for each person aboard;

(2) That is carrying persons for hire or is 40 feet in length or longer and is not carrying persons for hire without carrying aboard at least one type one personal flotation device for each person aboard;

(3) That is 26 feet in length or longer without carrying aboard at least one type four ring life buoy in addition to the applicable requirements of divisions (c)(1) and (2) of this section.

(d) Each personal flotation device carried aboard a vessel, including a commercial vessel, pursuant to this section shall be Coast Guard approved and in good and serviceable condition, of appropriate size for the wearer, and readily accessible to each person aboard the vessel at all times.

(e) As used in this section, "commercial vessel" means any vessel used in the carriage of any person or property for a valuable consideration whether flowing directly or indirectly from the owner, partner, or agent or any other person interested in the vessel. "Commercial vessel" does not include any vessel that is manufactured or used primarily for noncommercial use or that is leased, rented, or chartered to another for noncommercial use.

(f) Whoever violates this section is guilty of a misdemeanor of the fourth degree.
(Ord. 79-07. Passed 11-13-07.)

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 - order or direction of any law enforcement officer having authority to direct, control, or regulate the operation or use of vessels
 - effective Coast Guard approved type one, two, or three personal flotation device or type five personal flotation device specifically designed for water skiing, in good and serviceable condi
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