

557.40 REGISTRATION.

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OH

Sheffield Lake

Codified Ordinances of Sheffield Lake, OH

557.40 REGISTRATION.

CHAPTER 557 Watercraft

557.38 LITTERING PROHIBITED.

(a) As used in this section, "litter" means garbage, trash, waste, rubbish, ashes, cans, bottles, wire, paper, cartons, vessel parts, vehicle parts, furniture glass, or anything else of an unsightly or sanitary nature.

(b) No operator or occupant of a vessel shall, regardless of intent, throw, drop, discard, or deposit litter from any vessel in operation or control upon or in any waters in this state, except into a litter receptacle in a manner that prevents its being carried away or deposited by the elements.

(c) No operator of a vessel in operation upon any waters in this state shall allow litter to be thrown, dropped, discarded, or deposited from the vessel, except into a litter receptacle in a manner that prevents its being carried away or deposited by the elements.

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

557.39 NUMBERING.

(a) Every watercraft operated on the waters in this Municipality shall be numbered by this State in accordance with Federal law or a federally approved numbering system of another state. A watercraft numbered by this State shall display the number on the watercraft as provided Ohio R.C. 1547.57. Watercraft exempt from numbering by the State are:

(1) Those currently documented by the United States Coast Guard or its successor;

(2) Those whose principal use is not on the waters in this State and that have not been used within this State for more than 60 days and have a valid number assigned under a federally approved numbering system by another state if the number is displayed in accordance with the requirements of that system and the certificate of number is available for inspection whenever the watercraft is on waters in this State;

(3) Those from a country other than the United States, temporarily using the waters in this State;

(4) Those whose owner is the United States, a state, or a political subdivision of a state that fit either of the following descriptions, and that are clearly identifiable as such:

A. A powercraft that principally is used for governmental purposes other than recreational purposes;

B. A watercraft other than a powercraft.

(5) A ship's lifeboat. As used in this division, "lifeboat" means a watercraft that is held aboard another vessel and used exclusively for emergency purposes.

(6) Those that have been exempted from numbering by the Chief of the Division of Watercraft after the Chief of the Division of Watercraft has found that the numbering of the watercraft will not materially aid in their identification and, if an agency of the United States has a numbering system applicable to the watercraft, after the Chief of the Division of Watercraft has further found that they also would be exempt from numbering by the United States government if they were subject to the Federal law;

(7) Those temporarily using the waters in this State under a waiver issued by the Chief of the Division of Watercraft to an organization sponsoring a race, regatta, or special event. The Chief of the Division of Watercraft may issue a waiver upon application by the sponsoring organization at least 15 days before the date of the proposed race, regatta, or special event. The waiver shall be effective for 10 days including the day or days of the proposed race, regatta, or special event. Such a waiver does not obviate the need for compliance with Section 557.20 or Ohio R.C. 1547.20.

(8) Canoes, rowboats, and inflatable watercraft that are registered under Ohio R.C. 1547.54 and that an owner, in accordance with this division, chooses not to have numbered under this section. An owner of a canoe, rowboat, or inflatable watercraft may choose to do either of the following:

A. Have it numbered under this section, pay a lesser registration fee under Ohio R.C. 1547.54(A)(2)(a), and obtain square tags under Ohio R.C. 1547.57(A);

B. Not have it numbered under this section, pay a higher registration fee under Ohio R.C. 1547.54(A)(2)(b), and obtain a rectangular tag under Ohio R.C. 1547.57(C).

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

557.40 REGISTRATION.

(a) (1) Except as provided in division (a)(2) or (b) of this section, no person shall operate or give permission for the operation of any watercraft on the waters in this Municipality unless the watercraft is registered in the name of the current owner in accordance with Ohio R.C. 1547.54, and the registration is valid and in effect.

A. On and after January 1, 1999, if a watercraft that is required to be issued a certificate of title under Ohio R.C. Chapter 1548 is transferred to a new owner, it need not be registered under Ohio R.C. 1547.54 for 45 days following the date of the transfer, provided that the new owner purchases a temporary watercraft registration under division (a) of this section or holds a bill of sale from a watercraft dealer.

B. For the purposes of division (a)(2) of this section, a temporary watercraft registration or a bill of sale from a watercraft dealer shall contain at least all of the following information:

1. The hull identification number or serial number of the watercraft;
2. The make of the watercraft;
3. The length of the watercraft;
4. The type of propulsion, if any;
5. The state in which the watercraft principally is operated;
6. The name of the owner;
7. The address of the owner, including the zip code;
8. The signature of the owner;
9. The date of purchase;

10. A notice to the owner that the temporary watercraft registration expires 45 days after the date of purchase of the watercraft or that the watercraft cannot be operated on the waters in this State solely under the bill of sale beginning 45 days after the date of purchase of the watercraft, as applicable.

(3) A person may purchase a temporary watercraft registration from the Chief of the Division of Watercraft or from an authorized agent designated under Ohio R.C. 1547.54. The Chief of the Division of Watercraft shall furnish forms for temporary watercraft registrations to authorized agents. In addition to completing the registration form with the information specified in divisions (a)(2) of this section, the person shall pay one of the applicable fees required under Ohio R.C. 1547.54(A)(2)(a) to (g) as provided in that section. Moneys received for the payment of temporary watercraft registrations shall be deposited to the credit of the Waterways Safety Fund created in Ohio R.C. 1547.75.

(4) In addition to the applicable fee required under division (a)(3) of this section, the Chief of the Division of Watercraft or an authorized agent shall charge an additional fee of three dollars (\$3.00) for a temporary watercraft registration that the Chief of the Division of Watercraft or the authorized agent issues. When the temporary watercraft registration is issued by an authorized agent, the agent may retain the additional fee. When the temporary watercraft registration is issued by the Chief of the Division of Watercraft, the additional fee shall be deposited to the credit of the Waterways Safety Fund.

(5) A person who purchases a temporary watercraft registration for a watercraft and who subsequently applies for a registration certificate under Ohio R.C. 1547.54 need not pay the fee required under Ohio R.C. 1547.54(A)(2) for the initial registration certificate issued for that watercraft, provided that at the time of application for the registration certificate, the person furnishes proof of payment for the temporary watercraft registration.

(6) A person who purchases a temporary watercraft registration, who subsequently applies for a registration certificate under Ohio R.C. 1547.54, and who is exempt from payment for the registration certificate under Ohio R.C. 1547.54(O), may apply to the Chief of the Division of Watercraft for a refund of the amount paid for the temporary watercraft registration at the time that the person applies for a registration certificate. The Chief of the Division of Watercraft shall refund that amount upon issuance to the person of a registration certificate.

(7) All records of the Division of Watercraft made or maintained for the purposes of divisions (a)(2) to (8) of this section are public records. The records shall be available for inspection at reasonable hours and in a manner that is compatible with normal operations of the division.

(8) Pursuant to Ohio R.C. 1547.52(A)(1), the Chief of the Division of Watercraft may adopt rules establishing all of the following:

A. Record-keeping requirements governing the issuance of temporary watercraft registrations and the use of bills of sale from watercraft dealers for the purposes of division (a)(2) of this section;

B. Procedures and requirements for the refund of fees under division (a)(6) of this section;

C. Any other procedures and requirements necessary for the administration and enforcement of divisions (a)(2) to (8) of this section.

(b) All of the following watercraft are exempt from registration:

(1) Those that are exempt from numbering by the State under Ohio R.C. 1547.53(B) to (G);

(2) Those that have been issued a commercial documentation by the United States Coast Guard or its successor and are used exclusively for commercial purposes;

(3) Those that have been documented by the United States Coast Guard or its successor as temporarily transiting, whose principal use is not on the waters in this State, and that have not been used within this State for more than 60 days.

(c) No person shall operate a watercraft documented by the United States Coast Guard or its successor unless the certificate of documentation is valid, is on the watercraft for which it has been issued, and is available for inspection whenever the watercraft is in operation. In accordance with 46 C.F.R. 67, as amended, the watercraft shall display the official number, the vessel name, and the home port listed on the certificate of documentation.

(d) (1) For the purposes of this section and Ohio R.C. 1547.53, a watercraft is principally using the waters in this State if any of the following applies:

A. The owner resides in this State and declares that the watercraft principally is using the waters in this State;

B. The owner resides in another state but declares that the watercraft principally is using the waters in this State;

C. The watercraft is registered in another state or documented by the United States Coast Guard and is used within this State for more than 60 days regardless of whether it has been assigned a seasonal or permanent mooring at any public or private docking facility in this State.

(2) Notwithstanding division (d)(1)C. of this section, a person on active duty in the armed forces of the United States may register a watercraft in the person's state of permanent residence in lieu of registering it in this State regardless of the number of days that the watercraft is used in this State.

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

557.41 ALTERING OF SERIAL NUMBERS; FALSE INFORMATION PROHIBITED.

(a) No person shall deface or alter any serial number, model designation, or other identifying mark on any watercraft or motor as placed thereon by the manufacturer thereof, or remove, deface, or alter the registration number of any watercraft as the registration number appears on the bow thereof except by specific order of the Chief of the Division of Watercraft.

(b) No person shall give purposely false information concerning any watercraft or motor when applying for registration of the watercraft. Any certificate issued which is found to be based on such false information is void.

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

557.42 ACCIDENT REPORTS.

(a) Operator to Stop and Furnish Information upon Accident or Collision.

(1) In case of accident to or collision with persons or property on the waters of this

Municipality, due to the operation of any vessel, the operator having knowledge of the accident or collision shall immediately stop the vessel at the scene of the accident or collision, to the extent that it is safe and practical, and shall remain at the scene of the accident or collision until he or she has given his or her name and address and, if he or she is not the owner, the name and address of the owner of the vessel, together with the registration number of the vessel, if any, to any person injured in the accident or collision or to the operator, occupant, owner, or attendant of any vessel damaged in the accident or collision, or to any law enforcement officer at the scene of the accident or collision.

(2) If the injured person is unable to comprehend and record the information required to be given by this section, the other operator involved in the accident or collision shall forthwith notify the nearest law enforcement agency having authority concerning the location of the accident or collision, and his or her name, address, and the registration number, if any, of the vessel he or she was operating, and then remain at the scene of the accident or collision or at the nearest location from which notification is possible until a law enforcement officer arrives, unless removed from the scene by an emergency vehicle operated by the State or a political subdivision or by an ambulance.

(3) If the accident or collision is with an unoccupied or unattended vessel, the operator so colliding with the vessel shall securely attach the information required to be given in this section, in writing, to a conspicuous place in or on the unoccupied or unattended vessel.

(b) Duties After Collision or Accident; Accident Reports.

(1) The operator of a vessel involved in a collision, accident, or other casualty, so far as the operator can do so without serious danger to the operator's own vessel, crew, and passengers, shall render to other persons affected by the collision, accident, or other casualty such assistance as may be practicable and as may be necessary in order to save them from or minimize any danger caused by the collision, accident, or other casualty. The operator also shall give the operator's name, address, and identification of the operator's vessel in writing to any person injured and to the owner of any property damaged in the collision, accident, or other casualty.

(2) Any person who renders assistance at the scene of a collision, accident, or other casualty involving a vessel is not liable in a civil action for damages or injury to persons or property resulting from any act or omission in rendering assistance or in providing or arranging salvage, towage, medical treatment, or other assistance, except that the person is liable for willful or wanton misconduct in rendering assistance. Nothing in this section precludes recovery from any tortfeasor causing a collision, accident, or other casualty of damages caused or aggravated by the rendering of assistance.

(3) In the case of collision, accident, or other casualty involving a vessel, the operator thereof, if the collision, accident, or other casualty results in loss of life, personal injury requiring medical treatment beyond first aid, or damage to property in excess of five hundred dollars (\$500.00), shall file with the Chief of the Division of Watercraft a full description of the collision, accident, or other casualty on a form prescribed by the Chief of the Division of Watercraft. The report so filed shall be used for statistical purposes only and shall not be admissible for any purpose in any civil, criminal, or administrative action at law.

(4) If the operator of the vessel involved in a collision, accident, or other casualty is incapacitated, the investigating law enforcement officer shall file the required form as prescribed by the Chief of the Division of Watercraft.

(c) Penalty.

(1) Whoever violates division (a) of this section is guilty of a misdemeanor of the first degree.

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

557.43 ENFORCEMENT.

Every sheriff, deputy sheriff, marshal, deputy marshal, member of the organized police department of any municipal corporation, police constable of any township, wildlife officer, park officer, preserve officer, conservancy district police officer, and other law enforcement officer, within the area of his or her authority, may enforce this chapter, Ohio R.C. Chapter 1547 and rules adopted by the Chief of the Division of Watercraft and, in the exercise thereof, may stop and board any vessel subject to this chapter and Ohio R.C. Chapter 1547, and rules adopted under it.

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

557.44 HARBOR MASTER TO ENFORCE REGULATIONS.

The Chief of Police is hereby designated as Harbor Master for the City, and he or any of his duly appointed deputies shall regulate the navigation, operation, mooring and anchoring of all watercraft in or upon the waters of the City, in accordance with this chapter, and he shall be charged with the enforcement of this chapter.

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

557.45 CERTIFICATE OF TITLE; EXCEPTIONS.

(a) No person, except as provided in Section 557.40, shall sell or otherwise dispose of a watercraft or outboard motor without delivering to the purchaser or transferee a physical certificate of title with an assignment on it as is necessary to show title in the purchaser or transferee; nor shall any person purchase or otherwise acquire a watercraft or outboard motor without obtaining a certificate of title for it in the person's name in accordance with Ohio R.C. Chapter 1548; however, a purchaser may take possession of and operate a watercraft or outboard motor on the waters in this State without a certificate of title for a period not exceeding 30 days if the purchaser has been issued and has in the purchaser's possession a dealer's dated bill of sale, or in the case of a casual sale, a notarized bill of sale.

(b) Division (a) of this section and Sections 557.39 and 557.40 do not apply to any of the following:

(1) A watercraft covered by a marine document in effect that has been assigned to it by the United States government pursuant to Federal law;

(2) A watercraft from a country other than the United States temporarily using the waters in this State;

(3) A watercraft whose owner is the United States, a state, or a political subdivision of a state;

(4) A ship's lifeboat. As used in this division (b)(4), "lifeboat" means a watercraft that is held aboard another vessel and used exclusively for emergency purposes.

(5) A canoe;

(6) A watercraft less than 14 feet in length without a permanently affixed mechanical means of propulsion;

(7) A watercraft less than 14 feet in length with a permanently fixed mechanical means of propulsion of less than 10 horsepower as determined by the manufacturer's rating;

(8) Outboard motors of less than 10 horsepower as determined by the manufacturer's rating.

(c) The various certificates, applications, and assignments necessary to provide certificates of title for watercraft and outboard motors shall be made on appropriate forms approved by the Chief of the Division of Watercraft.

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

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- ORDINANCES OF SHEFFIELD LAKE
- orderly Conduct and Peace Disturbance
- ORDER OF LAW ENFORCEMENT OFFICER; FLEEING AND ELUDING
- Ord. 79-07
- ordinance with Federal law or a federally approved numbering system of another state
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- ordinance with 46 C

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