

CHAPTER 557 Watercraft — Chapter Overview

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OH

Sheffield Lake

Codified Ordinances of Sheffield Lake, OH

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Watercraft

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557.01 DEFINITIONS.

(a) As used in this chapter:

- (1) "Canoe" means a narrow vessel of shallow draft, pointed at both ends and propelled by human muscular effort, and includes kayaks, racing shells, and rowing sculls.
- (2) "Coast Guard approved" means bearing an approval number assigned by the United States Coast Guard.

(3) "Diver's flag" means a red flag not less than one foot square having a diagonal white stripe extending from the masthead to the opposite lower corner that when displayed indicates that divers are in the water.

(4) "Drug of abuse" has the same meaning as in Ohio R.C. 4506.01.

(5) "Electronic" includes electrical, digital, magnetic, optical, electromagnetic, or any other form of technology that entails capabilities similar to these technologies.

(6) "Electronic record" means a record generated, communicated, received, or stored by electronic means for use in an information system or for transmission from one information system to another.

(7) "Electronic signature" means a signature in electronic form attached to or logically associated with an electronic record.

(8) "Idle speed" means the slowest possible speed needed to maintain steerage or maneuverability.

(9) "In operation" in reference to a vessel means that the vessel is being navigated or otherwise used on the waters in this Municipality.

(10) "Inflatable watercraft" means any vessel constructed of rubber, canvas or other material which is designed to be inflated with any gaseous substance, constructed with two or more air cells and operated as a vessel. Inflatable watercraft propelled by a motor shall be classified as powercraft and shall be registered by length. Inflatable watercraft propelled by a sail shall be classified as a sailboat and shall be registered by length.

(11) "Law enforcement vessel" means any vessel used in law enforcement and under the command of a law enforcement officer.

(12) "Muffler" means an acoustical suppression device or system that is designed and installed to abate the sound of exhaust gases emitted from an internal combustion engine and that prevents excessive or unusual noise.

(13) "Navigable waters" means waters which come under the jurisdiction of the Department of the Army of the United States and any waterways within or adjacent to this Municipality, except inland lakes having neither a navigable inlet nor outlet.

(14) "No wake" has the same meaning as "idle speed."

(15) "Operator" includes any person who navigates or has under the person's control a vessel, or vessel and detachable motor, on the waters in this Municipality.

(16) "Owner" includes any person who claims lawful possession of a vessel by virtue of legal title or equitable interest therein that entitled the person to that possession.

(17) "Person" includes any legal entity defined as a person in Ohio R.C. 1.59 and any body politic, except the United States and this State, and includes any agent, trustee, executor, receiver, assignee or other representative thereof.

(18) "Personal watercraft" means a vessel, less than 16 feet in length, that is propelled by machinery and designed to be operated by an individual sitting, standing or kneeling on the vessel rather than by an individual sitting or standing inside the vessel.

(19) "Powercraft" means any vessel propelled by machinery, fuel, rockets or similar devices.

(20) "Rowboat" means any vessel, except a canoe, that is designed to be rowed and which is propelled by human muscular effort by oars or paddles and upon which no mechanical propulsion device, electric motor, internal combustion engine or sail has been affixed or is used for the operation of such vessel.

(21) "Sailboat" means any vessel, equipped with mast and sails, dependent upon the wind to propel it in the normal course of operation.

- A. Any sailboat equipped with an inboard engine is deemed a powercraft with auxiliary sail.
- B. Any sailboat equipped with a detachable motor is deemed a sailboat with auxiliary power.
- C. Any sailboat being propelled by mechanical power, whether under sail or not, is deemed a powercraft and subject to all laws and rules governing powercraft operation.

(22) "Sewage" means human body wastes and wastes from toilets and other receptacles intended to receive or retain body waste.

(23) "Type 1 personal flotation device" means a device which is designed to turn an unconscious person floating in water from face downward position to a vertical or slightly face upward position and that has at least 9 kilograms, approximately 20 pounds, of buoyancy.

(24) "Type 2 personal flotation device" means a device which is designed to turn an unconscious person in the water from a face downward position to a vertical or slightly face upward position and that has at least 7 kilograms, approximately 15-2/5 pounds, of buoyancy.

(25) "Type 3 personal flotation device" means a device which is designed to keep a conscious person in a vertical or slightly face upward position and that has at least 7 kilograms approximately 15-2/5 pounds, of buoyancy.

(26) "Type 4 personal flotation device" means a device which is designed to be thrown to a person in the water and not worn and that has at least 7-1/2 kilograms, approximately 16-1/2 pounds, of buoyancy.

(27) "Type 5 personal flotation device" means a device that, unlike other personal flotation devices, has limitations on its approval by the United States Coast Guard, including, without limitation, all of the following:

- A. The approval label on the type five personal flotation device indicates that the device is approved for the activity in which the vessel is being used or as a substitute for a personal flotation device of the type required on the vessel in use;

- B. The personal flotation device is used in accordance with any requirements on the approval label;

- C. The personal flotation device is used in accordance with requirements in its owner's manual if the approval label refers to such a manual.

(28) "Vessel" includes every description of craft, including nondisplacement craft and sea planes, designed to be used as a means of transportation on water.

(29) "Visible" means visible on a dark night with clear atmosphere.

(30) "Watercraft."

- A. "Watercraft" means any of the following when used or capable of being used for transportation on the water:

- 1. A vessel operated by machinery either permanently or temporarily affixed;

- 2. A sailboat other than a sailboard;

- 3. An inflatable or manually propelled boat that is required by Federal law to have a hull identification number meeting the requirements of the United States Coast Guard; or

- 4. A canoe or rowboat.

- B. "Watercraft" does not include ferries as referred to in Ohio R.C. Chapter 4583.

- C. Watercraft subject to Ohio R.C. 1547.54 shall be divided into five classes as follows:

- 1. Class A: Less than 16 feet in length;

- 2. Class 1: At least 16 feet but less than 26 feet in length;

- 3. Class 2: At least 26 feet but less than 40 in length;

- 4. Class 3: At least 40 feet but less than 65 feet in length; and

5. Class 4: At least 65 feet in length.

(31) "Watercraft dealer" means any person who is regularly engaged in the business of manufacturing, selling, displaying, offering for sale or dealing in vessels at an established place of business. "Watercraft dealer" does not include a person who is a marine salvage dealer or any other person who dismantles, salvages or rebuilds vessels using used parts.

(32) "Waters in this Municipality" means all streams, rivers, lakes, ponds, marshes, watercourses, waterways and all other bodies of water, natural or human-made, which are situated wholly or partially within this Municipality or within its jurisdiction and are used for recreational boating.

(b) Unless otherwise provided, this chapter applies to all vessels operating on the waters in this Municipality. Nothing in this chapter shall be construed in contravention of any valid Federal or State act or regulation, but is in addition to the act or regulation where not inconsistent. (Ord. 79-07. Passed 11-13-07.)

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