

THE CITY OF LOG CABIN, TEXAS  
ORDINANCE 127

SPECIAL BOAT LAUNCH PERMIT

STATE OF TEXAS

COUNTY OF HENDERSON

AN ORDINANCE ENACTING A SPECIAL LAUNCH PERMIT AND FEE FOR LAUNCHING AND/OR LOADING OF BOATS EXCEEDING 5000 POUNDS; PROVIDING FOR PROOF OF INSURANCE REQUIREMENT; PROVIDING FOR AFFIDAVIT ACCEPTING RESPONSIBILITY FOR DAMAGE TO THE BOAT LAUNCH RAMP, DOCKS, OR ANY OTHER PART OF THE PARK AREA; AND, PROVIDING FOR PERMIT FEES, FINES, PENALTIES, AND COSTS INVOLVED IN THE REGULATION OF BOATS EXCEEDING 5000 POUNDS LAUNCHING AND/OR LOADING AT THE BOAT RAMP IN THE CITY OF LOG CABIN, TEXAS.

**SECTION I. ADOPTION OF ORDINANCE.**

WHEREAS, in order to protect, promote and defend the health, safety and welfare of the inhabitants of the City of Log Cabin, Texas, and to prevent unnecessary damage to the City Park and Boat Ramp by boats exceeding 5,000 pounds , it is necessary to adopt a Special Boat Launch Permit for the City of Log Cabin, Texas;

WHEREAS, it is further necessary to provide fines, penalties, fees and costs involved in the regulation of boat launching/loading for boats exceeding 5,000 pounds in the City of Log Cabin, Texas;

WHEREAS, it is necessary to immediately adopt Special Launch Permit ordinance to provide for the health, safety and welfare of the inhabitants of the City of Log Cabin, Texas and to prevent unnecessary damage to the City Park and Boat Ramp;

**SECTION II. ENFORCEMENT OF CITY ORDINANCE**

The Chief of Police, and/or his designee, is hereby authorized and directed to implement the enforcement of this ordinance, upon determination that implementation is necessary, to protect the public welfare and safety, and to prevent unnecessary damage to the City Park and Boat Ramp.

**SECTION 3: APPLICATION OF CITY ORDINANCE**

The provisions of this Ordinance shall apply to all persons, firms, groups, organizations, corporations, residence and visitors to the City's park facilities and Boat Ramp.

**SECTION III. SPECIAL PERMIT REQUIRED**

The City declares that every boat launched at the City Park Boat Ramp that exceeds 5,000 pounds gross weight must obtain a permit to launch or load the boat prior to transporting the boat to the boat ramp or pulling the boat from the water onto the boat ramp.

**SECTION IV. WEIGHT DETERMINATION**

Weight of the boat subject to this ordinance will be determined by the gross weight as stated on the boat on manufacturer attached placards; by the registration papers on the boat from the Texas Parks and Wildlife Service; or by information obtained from the Texas Parks and Wildlife database on the Boat Hull Number or the Boat Registration Number; or by any other method the gross weight of the boat can be obtained.

**SECTION V. PERMIT FEE**

A permit fee of \$100 (One-Hundred Dollars and 00/100) must be attached to the Special Launch Permit Application before the application will be considered.

**SECTION VI. PERMIT EXPIRATION**

Permits issued under this Ordinance are valid for one ( 1) boat for one (1) day. Only one (1) boat may be launched from the City Park Boat Ramp and the same boat loaded onto a trailer from the City Boat Ramp, providing that both the launch and the load are completed on the same calendar day. Each day loading or unloading a boat will require a separate special permit fee. In example, a boat requiring the Special Permit that is launched on one day and loaded the following day will require the purchase of two (2) Special Permits.

**SECTION VII. OFFICIAL PRESENT AT LAUNCH/LOAD**

A City Official, Police Officer, Street Department Employee, or other representative of the City of Log Cabin will be present while each boat is launched or loaded unless it is determined that an official presence is not required.

**SECTION VIII. PROOF OF INSURANCE REQUIRED**

Applicants for a Special Boat Launch Permit must provide proof of a valid liability insurance policy covering the boat and tow vehicle subject to this ordinance.

**SECTION IX. AFFIDAVIT OF LIABILITY REQUIRED**

Applicants for a Special Boat Launch Permit must sign a notarized, sworn Affidavit provided by the City, accepting responsibility for any damage to the City Boat Ramp and/or any damage done to the City Park Parking Lot, Docks, etcetera, caused by the launching, loading or reckless/negligent handling of any boat or tow vehicle subject to this ordinance.

**SECTION X. EMERGENCY CASES.**

In cases where it reasonably appears that there is immediate danger to the life or safety of any person unless a boat subject to this Ordinance is immediately launched, the Chief of Police, his designee, or any City Official may suspend the enforcement of this Ordinance for the duration of the emergency. In cases where this occurs, the authority suspending the enforcement of the Ordinance must submit a written description of the event and the reason for the suspension of this ordinance to the City Council in a reasonable amount of time after cessation of the emergency.

**SECTION XV. PENALTY**

A. Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined not to exceed \$500 for each offense. Each day a violation is committed constitutes a separate offense and each vessel launched or loaded constitutes a separate violation.

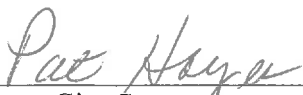
This Ordinance is duly enacted by the City of Log Cabin, Texas pursuant to the general laws and Constitution of the State of Texas and shall take effect after its passage and publication as required by law.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF LOG CABIN, TEXAS ON THIS THE 15<sup>TH</sup> DAY OF NOVEMBER, 2012.**



Lawrence P. Nolan, Mayor

ATTEST:



Pay Hayes, City Secretary