

ORDINANCE NO. 2951

ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIN ESTABLISHING FIVE MILE PER HOUR SPEED ZONES UPON THE LAGOONS AND WATERWAYS LOCATED WITHIN BEL MARIN KEYS COMMUNITY SERVICES DISTRICT AND UPON NOVATO CREEK BY ADDING TO TITLE 11, HARBORS AND WATERWAYS, CHAPTER 11.36 SPEED ZONES, NOVATO CREEK AND BEL MARIN KEYS LAGOONS AND WATERWAYS

THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIN DOES ORDAIN AS FOLLOWS:

SECTION I

CHAPTER 11.36 IS HEREBY ADDED TO THE MARIN COUNTY CODE TO READ AND PROVIDE AS FOLLOWS:

CHAPTER 11.36

SPEED ZONES BEL MARIN KEYS

Section 11.36.010 Purposes.

The provisions of this Chapter are enacted to protect and promote the public health, safety, and general welfare, to preserve the environment, and to protect the value, worth and enjoyment of the lagoons and waterways within Bel Marin Keys Community Services District and upon Novato Creek from damage due to ~~excessive noise~~ and wave actions, and injury to person and property caused by excessive speed.

Section 11.36.020 Definitions.

"Vessel" means for the purposes of this Chapter, every description of watercraft used or capable of being used as a means of transportation on water whether motorized or not, including but not limited to, jet skis, boats and rafts.

Section 11.36.030 Speed Limit

No person shall operate any vessel upon the following areas of the lagoons and waterways within Bel Marin Keys Community Services District or upon Novato Creek in excess of five (5) miles per hour:

1. Novato Creek from the triple box culvert at the entrance of the Bel Marin Keys Community to 100 yards downstream from the most easterly of the two locks.

2. The waters surrounding Cavalla Key within Unit 4 Lagoon.
3. The waters bordered by Caribe Isle Key, Bel Marin Keys Boulevard and Del Oro Lagoon Key within Unit 4 Lagoon.
4. The channel around Dolphin Key and Del Oro Lagoon Key connecting Unit 4 Lagoon with Sunset Lagoon.
5. The channel around Bahama Reef connecting Sunset Lagoon with Sunrise Lagoon.

The Board of Directors of Bel Marin Keys Community Services District is hereby directed to post Novato Creek and the lagoons and waterways within the District boundaries with a five (5) mile per hour speed limit in accordance with this Chapter.

Section 11.36.040 Penalty

The violation of this Chapter shall be deemed an infraction punishable upon a first conviction by a fine of not more than one Hundred Dollars (\$100.00) and for a second conviction within a period of one year by a fine not exceeding two hundred dollars (\$200.00), and for a third or any subsequent conviction within a period of one year by a fine not exceeding five hundred dollars (\$500.00).

SECTION II

The Clerk is directed to submit the herein ordinance following its first reading and at least thirty (30) days prior to its adoption to the Department of Boating & Waterways pursuant to Harbors and Navigation Code Section 660.

SECTION III SEVERABILITY CLAUSE

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board hereby declares that it would have adopted the Ordinance, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION IV EFFECTIVE DATE

This ordinance shall take effect thirty (30) days after passage, and shall, within fifteen (15) after passage be published in the Novato Advance, a newspaper of general circulation published in Marin County.

Passed and Adopted at a regular meeting of the Board of Supervisors of the County of Marin held on August 18, 1987, by the following vote:

AYES: SUPERVISORS Al Aramburu, Bob Stockwell, Gary Giacomini,
Harold Brown, Jr.

NOES: -

ABSENT: SUPERVISOR Bob Roumiguere



Chairman,
Board of Supervisors

ATTEST:



Clerk,
Board of Supervisors