

**ORDINANCE NO. \_\_\_\_\_**  
**ORDINANCE OF THE MARIN COUNTY BOARD OF SUPERVISORS**  
**AMENDING CHAPTER 11.36 OF TITLE 11 OF THE**  
**MARIN COUNTY CODE ADDRESSING**  
**WATERCRAFT REGULATION**

THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIN HEREBY ORDAINS  
AS FOLLOWS:

**WHEREAS**, local use regulation of watercraft in the waters of this state are authorized by sections 268 and 660 of the California Harbors and Navigation Code in the areas of time-of-day restrictions, speed zones, special-use areas, and sanitation and pollution control; and

**WHEREAS**, certain amendments and additions to Chapter 11.36 of the Marin County Code have been recommended to the Board of Supervisors by the Bel Marin Keys Community Services District; and

**WHEREAS**, the proposed speed limitations will assist in promoting public health, safety, and the preservation of the lagoon environment; and

**WHEREAS**, the Board of Supervisors concurs with the proposed limitations as revised by County Counsel;

**SECTION I.** Section 11.36.030 of the Marin County Code is hereby amended to read as follows:

**11.36.030      Speed limit.**

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

1.    Novato Creek from the Triple Box Culvert at the entrance of the Bel Marin Keys community to one hundred yards downstream from the most easterly of the two locks;
2.    Within a minimum of one hundred twenty-five feet from the shoreline of the lagoon north of Bel Marin Keys Boulevard, or within a minimum of two hundred feet from the shoreline of the lagoons south of Bel Marin Keys Boulevard, and through the narrow channel connecting Sunset and Sunrise Lagoons to the entrance of Sunrise Lagoon.

The board of directors of Bel Marin Keys Community Services District shall post Novato Creek and the lagoons and waterways specified above, with a five mile per hour speed limit notice.

In any area where the speed is not otherwise restricted, no vessel shall operate at a speed greater than 45 (statute) miles per hour in the North or South lagoon. The board of directors of Bel Marin Keys Community Services District shall mark the lagoons and post a map showing the portions of the lagoons governed by this limitation.

**SECTION II.** Section 11.36.065 of the Marin County Code is hereby added to Chapter 11.36 to read as follows:

**11.36.065 Wake Surfing prohibited.**

No vessel operator shall intentionally engage in any water sport in which the sport participant is propelled entirely or substantially by the force of the vessel's wake alone within the Bel Marin Keys Community Services District and its waters, including, but not limited to, the North and South lagoon. No person shall intentionally engage in propelling themselves in any manner entirely or substantially by the force of a vessel's wake alone within the Bel Marin Keys Community Services District and its waters, including, but not limited to, the North and South lagoon.

**SECTION III.** Section 11.36.085 of the Marin County Code is hereby added to Chapter 11.36 to read as follows:

**11.36.085 Restrictions upon the rampways and ramp areas operated by Bel Marin Keys Community Services District.**

It shall be unlawful for persons to perform any of the following acts within the ramp areas maintained by the Bel Marin Keys Community Services District:

1. Fishing from any dock in the ramp area or from the ramp itself.
2. Consuming alcoholic beverages.
3. Impeding the lawful use of the ramp area for the launching or retrieval of vessels.
4. Parking within the ramp area for a period beyond that necessary to either launch or retrieve a vessel.
5. Engaging in activities or events (other than launching or retrieving vessels) at the launch area without a lawful event permit issued by the District manager or the Board of Directors of the Bel Marin Keys Community Services District.

The "ramp areas" are defined as the ramp structure itself and the surrounding area within 25 yards from any point on the ramp structure which is not otherwise a part of a public roadway.

**SECTION IV.** This ordinance shall be liberally construed to achieve its purposes and preserve its validity. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

**SECTION V.** Effective Date. This ordinance shall be and is hereby declared to be in full force and effect as of thirty (30) days from and after the date of its passage and shall be published once before the expiration of fifteen (15) days after its passage, with the names of the supervisors voting for and against the same in the MARIN INDEPENDENT JOURNAL, a newspaper of general circulation published in the County of Marin.

**PASSED AND ADOPTED** at a regular meeting of the Board of Supervisors of the County of Marin held on this \_\_\_\_ day of \_\_\_\_\_ 2006 by the following vote:

AYES: SUPERVISORS

NOES:

ABSENT:

\_\_\_\_\_  
PRESIDENT, BOARD OF SUPERVISORS

ATTEST:

\_\_\_\_\_  
CLERK