

1 BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

2 ORDINANCE NO. \_\_\_\_\_

3 AN ORDINANCE AMENDING CHAPTER 15 OF THE LAKE COUNTY CODE TO  
4 ESTABLISH IDLE SPEED REQUIREMENTS DURING PERIODS OF HIGH WATER LEVELS  
ON CLEAR LAKE

5 WHEREAS, the County of Lake, pursuant to its police power granted by Article XI, section 7  
6 of the California Constitution, may adopt regulations to protect the health, safety, and welfare of the  
7 public; and

8 WHEREAS, Chapter 15 of the Lake County Code has established certain speed limits for  
9 vessels, motorboats, water skis, aquaplanes, or similar devices operating on Clear Lake, Blue Lakes,  
10 and/or the navigable waters of Cache Creek; and

11 WHEREAS, as a result of heavy rains and flooding, a high water situation may occur Clear  
12 Lake; and

13 WHEREAS, such a high water situation may result not only in high lake levels, but in swollen  
14 streams carrying significant debris into Clear Lake and both wind and boat-generated waves occurring  
15 during such an event may create damage to docks, piers, pilings, and retaining walls; and

16 WHEREAS, given the above, such high lake levels will pose a significant threat to public public  
17 health, safety, and welfare and, therefore, it is prudent to establish a specified speed maximum speed  
18 limit near the shoreline of Clear Lake when such high lake levels occur.

19 NOW THEREFORE, the Board of Supervisors of the County of Lake hereby ordains as  
20 follows:

21 **Section One:** Lake County Code Section 15-13 is hereby added to read as follows:

22 “Sec. 15-13. Idle Speed Required During Period of High Lake Levels on Clear Lake

23 13.1 It shall be unlawful for anyone operating a motor boat on the waters of Clear Lake to  
24 exceed idle speed when operating said motor boat one-quarter mile or less from the  
25 shore of Clear Lake if the lake is at a level of 8.0 Rumsey or higher for a 24-hour  
26 period.

1           13.2   The above-described idle speed requirements shall remain in full force and effect until  
2                   such time as Clear Lake reaches a level of 7.9 Rumsey or lower for a 24-hour period.

3           13.3   On-duty boats of the Lake County Sheriff's Office and on-duty boats of the State  
4                   Department of Fish and Wildlife are exempt from these idle speed requirements.

5           13.4   Penalty. Any violation of subsection 13.1 of this section shall constitute a misdemeanor  
6                   and shall be punishable by a fine not to exceed five hundred dollars (\$500.00), or by  
7                   imprisonment in the County Jail for a period not to exceed six (6) months."

8   **Section Two:** The Board of Supervisors finds this ordinance is not a project for purposes  
9   of the California Environmental Quality Act because it has no potential for resulting in a significant  
10   environmental effect.

11   **Section Three:** All ordinances or parts of ordinances in conflict herewith are hereby  
12   repealed to the extent of such conflict and no further.

13   **Section Four:** This ordinance shall take effect on the \_\_\_\_ day of \_\_\_\_, 2017 and before the  
14   expiration of fifteen days after its passage, it shall be published at least once in a newspaper of general  
15   circulation printed and published in the County of Lake.

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