

**ORDINANCE NO. \_\_\_\_\_ - 17**

**AMENDING CITY OF DUBUQUE CODE OF ORDINANCES TITLE 10 PUBLIC WAYS AND PROPERTY, CHAPTER 7 BOATS, BOATING AND WATERFRONT STRUCTURES, SECTION 10-7-13 ACTIVITIES PROHIBITED**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DUBUQUE, IOWA:**

Section 1. Section 10-7-13 of the City of Dubuque Code of Ordinances is amended to read as follows:

**10-7-13: PLACES AND HOURS OF RESTRICTION:**

A. Watersports Prohibition: No person shall ice skate or operate a vessel towing a person or persons on water skis, surfboard or similar device, nor shall any person engage in waterskiing, motorized personal watercraft operation, surfboarding (excluding paddle boarding) or similar activity at any time in the following areas:

1. Bissell Harbor.
2. Dove Harbor, Seventh Street area.
3. Dubuque Marina Harbor.
4. Heron Pond, located within Miller Riverview Park.
5. Ice Harbor including Port Of Dubuque Marina.
6. John G. Bergfeld Recreation Area.
7. Maus Park.
8. Northwest Arterial Detention Basin.
9. Schmitt Harbor.
10. 16<sup>th</sup> Street Detention Basin.
11. 32<sup>nd</sup> Street Detention Basin Pond(s).

B. Swimming and Wading: No person shall swim or wade at any time in the following areas:

1. Bee Branch Creek Greenway.

2. Bissell Harbor.
3. Dove Harbor, Seventh Street Area.
4. Dubuque Marina Harbor.
5. Heron Pond, located within Miller Riverview Park.
6. Ice Harbor including Port of Dubuque Marina.
7. John G. Bergfeld Recreation Area.
8. Maus Park.
9. Miller Riverview Park.
10. Northwest Arterial Detention Basin.
11. Port of Dubuque Riverwalk Trail.
12. Rivers Edge Plaza.
13. Schmitt Harbor.
14. 16<sup>th</sup> Street Detention Basin.
15. 32<sup>nd</sup> Street Detention Basin pond(s).

C. Schmitt Harbor and Hawthorne Street Boat Ramps: No person shall swim or ice skate within five hundred feet (500') of the Schmitt Harbor Boat Ramp and the Hawthorne Street Boat Ramp.

D. In all other areas under the jurisdiction of the city, no person shall swim, ice skate or operate a vessel towing a person or persons on water skis, surfboard or similar device, nor shall any person engage in waterskiing, surfboarding (excluding paddle boarding) or similar activity at any time between the hours of one-half ( $\frac{1}{2}$ ) hour after sunset to sunrise.

E. Nothing herein shall prohibit access to the Ice Harbor including the Port of Dubuque Marina for commercial use of the facility.

Section 2. This Ordinance takes effect upon publication.

Passed, approved, and adopted the \_\_\_\_ day of \_\_\_\_\_, 2017.

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Roy D. Buol, Mayor

Attest:

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Kevin Firstahl, City Clerk

## EFFECT OF AMENDMENT

10-7-13: PLACES AND HOURS OF RESTRICTION~~ACTIVITIES PROHIBITED~~:

A. ~~Places And Hours Of Restriction~~1. Watersports Prohibition: No person shall swim, ice skate or operate a vessel towing a person or persons on water skis, surfboard or similar device, nor shall any person engage in waterskiing, motorized personal watercraft operation, surfboarding (excluding paddle boarding) or similar activity at any time in the following areas:

1. Bissell Harbor.

2. Dove Harbor, Seventh Street area.

3a. Dubuque Marina Harbor.

~~b. Bissell Harbor.~~

~~c. Schmitt Harbor.~~

~~d. Dove Harbor, Seventh Street area.~~

4. Heron Pond, located within Miller Riverview Park.

5e. Ice Harbor including Port Of Dubuque Marina.

6. John G. Bergfeld Recreation Area.

7f. Maus Park.

~~g. 16th Street detention basin.~~

~~h. Bee Branch Creek, from the 16th Street detention basin to north of 16th Street.~~

8. Northwest Arterial Detention Basin.

9. Schmitt Harbor.

10. 16<sup>th</sup> Street Detention Basin.

11i. West 32<sup>nd</sup> Street Ddetention Bbasin Ppond(s).

~~j. NW arterial detention basin.~~

~~k. Bergfeld Pond.~~

I. ~~\_\_\_\_\_~~ Heron Pond.

B. Swimming and Wading: No person shall swim or wade at any time in the following areas:

1. Bee Branch Creek Greenway.
2. Bissell Harbor.
3. Dove Harbor, Seventh Street Area.
4. Dubuque Marina Harbor.
5. Heron Pond, located within Miller Riverview Park.
6. Ice Harbor including Port of Dubuque Marina.
7. John G. Bergfeld Recreation Area.
8. Maus Park.
9. Miller Riverview Park.
10. Northwest Arterial Detention Basin.
11. Port of Dubuque Riverwalk Trail.
12. Rivers Edge Plaza.
13. Schmitt Harbor.
14. 16<sup>th</sup> Street Detention Basin.
15. 32<sup>nd</sup> Street Detention Basin pond(s).

C. Schmitt Harbor and Hawthorne Street Boat Ramps: No person shall swim or ice skate within five hundred feet (500') of the Schmitt Harbor Boat Ramp and the Hawthorne Street Boat Ramp.

D2. In all other areas under the jurisdiction of the city, no person shall swim, ice skate or operate a vessel towing a person or persons on water skis, surfboard or similar device, nor shall any person engage in waterskiing, surfboarding (excluding paddle boarding) or similar activity at any time between the hours of one-half (1/2) hour after sunset to sunrise.

~~E3.~~ Nothing herein shall prohibit access to the Ice Harbor including the Port of Dubuque Marina for commercial use of the facility.

~~B. Schmitt Harbor And Hawthorne Street Boat Ramps: No person shall swim or ice skate within five hundred feet (500') of the Schmitt Harbor boat ramp and the Hawthorne Street boat ramp.~~

~~C. Riverview Park: No person shall swim or wade in the waters adjacent to Riverview Park.~~

~~D. Rivers Edge Plaza Or Riverwalk: No person shall swim or wade in the waters adjacent to the Rivers Edge Plaza or the riverwalk.~~

~~E. Use Or Consumption Of Liquor, Wine Or Beer: It shall be unlawful for any person to use or consume alcoholic liquors, wines or beer in the Hawthorne Street area described as being that section of land bordered on the east by the Mississippi River, on the south by the Peosta Channel, on the west by the mooring slips of the Dubuque Marina, and on the north by Volunteer Drive; provided, however, the dispensing of beer for consumption in the Hawthorne Street area shall be permitted by a licensed beer permit holder who has obtained written approval from the city manager authorizing the use of the Hawthorne Street area for such purpose.~~