

ORDINANCE NO. 17-11()

AN ORDINANCE TO AMEND CHAPTER 11, PARKS AND RECREATION, ARTICLE I, IN GENERAL, DIVISION 3, CONDUCT WITHIN AND USE OF PARKS, ARTICLE II, WATERS OWNED OR CONTROLLED BY COUNTY, AND ARTICLE III, WATER SUPPLIES UTILIZED BY THE RIVANNA WATER AND SEWER AUTHORITY, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 11, Parks and Recreation, Article I, In General, Division 3, Conduct Within and Use of Parks, Article II, Waters Owned or Controlled by County, and Article III, Water Supplies Utilized by the Rivanna Water and Sewer Authority, are hereby amended and reordained as follows:

By Amending:

Sec. 11-202 Boating

By Amending and Renaming:

	<u>Old Name</u>	<u>New Name</u>
Sec. 11-112	Swimming, wading or bathing	Water-related activities

By Adding:

Sec. 11-204 Pets

By Repealing:

Sec. 11-302 Chris Greene Lake.

Chapter 11. Parks and Recreation

Article I. In General

Division 3. Conduct Within and Use of Parks

Sec. 11-112 ~~Swimming, wading or bathing~~ Water-related activities.

~~No person shall swim, wade or bathe in waters in any park other than at such places as are designated for such activities.~~ All water-related activities in any park that is not a public water supply reservoir identified in Article III are subject to Article II of this Chapter. All water-related activities in any park that is a public water supply reservoir identified in Article III of this Chapter are subject to the regulations in that Article.

(9-12-79; Code 1988, § 14-6.6; Ord. 98-A(1), 8-5-98)

Article II. Waters Owned or Controlled by the County

Sec. 11-202 Boating.

~~Sail, row, and paddle boats, canoes, and boats powered by electric motors, are authorized on county waters. Boats powered by gasoline or fuel oil or combinations thereof are prohibited on county waters, except for those boats operated under the direction of the county executive for public safety or other permitted purposes.~~ Any boat or other watercraft that is human powered or powered by an electric motor

is authorized on county waters. Any boat or other watercraft powered by a motor using a petroleum product as a fuel source is prohibited; provided that any boat or other watercraft equipped with a motor using a petroleum product as a fuel source whose use is prohibited shall have the engine tilted in a nonoperating position when within the boundaries of the county waters and if those boats or other watercraft are equipped with or use removable gas tanks, the gas tanks shall be removed prior to entering county waters. Any boat or other watercraft powered by a motor using a petroleum product as a fuel source, operated under the direction of the county executive for public safety or other permitted purposes, is authorized.

(Code 1967, § 14-10; 4-21-76; Code 1988, § 14-9; Ord. 98-A(1), 8-5-98)

State law reference – Va. Code § 15.2-1800.

Sec. 11-204 Pets.

Pets are prohibited in county waters except in those areas designated by the county as a dog park.

State law reference – Va. Code § 15.2-1800.

Article III. Water Supply Reservoirs Utilized by the Rivanna Water and Sewer Authority

Sec. 11-302 Chris Greene Lake.

Uses and activities within the boundaries of Chris Green Lake shall be regulated as provided herein:

- ~~A. *Boundaries of lake.* The boundaries of the lake are shown on maps on file in the office of the clerk of the board of supervisors, entitled “Chris Greene Lake, Tax Map 32, parcels 1A, 3A and 4I.”~~
- ~~B. *Authorized activities.* Lake bank fishing which is conducted in compliance with all applicable state statutes and regulations, canoeing, boating with boats not operated by internal combustion engines, hiking, picnicking and swimming within a designated swimming area while a lifeguard is on duty shall be authorized within the boundaries of the lake.~~
- ~~C. *Prohibited activities.* Any activity not expressly authorized, including but not limited to, hunting, trapping or discharging of firearms, and camping shall be prohibited within the boundaries of the lake.~~
- ~~D. *Boats.* All boats operated with internal combustion engines shall be prohibited within the boundaries of the lake, except for those boats operated by the Rivanna Water and Sewer Authority, the Albemarle County Department of Parks and Recreation and the Virginia Department of Game and Inland Fisheries for official purposes. Boats equipped with internal combustion engines whose use is prohibited shall have the engine tilted in a nonoperating position when within the boundaries of the upper and lower reservoir. If such boats are equipped with or utilize removable gas tanks, the gas tanks shall be removed prior to entering reservoir waters.~~
- ~~E. *Motor vehicles.* Motor vehicles shall be prohibited from all but designated paved or improved roads and designated parking areas.~~
- ~~F. *Fires.* Fires shall be prohibited, except for those within a picnic grill or those required and approved by the Rivanna Water and Sewer Authority as part of the watershed management program.~~

(Ord. 98-A(1), 8-5-98; Ord. 11-11(1), 7-6-11)

State law reference – Va. Code § 15.2-2109.

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of _____ to _____, as recorded below, at a regular meeting held on _____.

Clerk, Board of County Supervisors

	Aye	Nay
Mr. Dill	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Mr. Randolph	_____	_____
Mr. Sheffield	_____	_____