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02-05-87

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3798

AN ORDINANCE regarding the Harbor Code; prohibiting the operation of motor propelled boats and other motor propelled watercraft on Phantom Lake; amending the penalty provision of the Harbor Code; and amending Bellevue City Code 12.04.200 and 12.04.440.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Council hereby finds as follows:

A. Because of inadequate flow and other factors making discharge of internal combustion motors polluting, the use of motor propelled boats or other motor propelled watercraft on Phantom Lake presents a hazard to the water quality of the lake.

B. Because of the small size of Phantom Lake, the use of motor propelled boats or other motor propelled watercraft is hazardous and presents a danger to the public safety.

C. Phantom Lake is surrounded by residential development. The use of internal combustion motors to propel boats and other watercraft on the lake would produce excessive and undesirable noise adversely affecting the residents of the lakefront.

It is therefore appropriate to prohibit the use of motor propelled boats and other motor propelled watercraft on Phantom Lake.

Section 2. Bellevue City Code 12.04.200 is hereby amended to read as follows:

12.04.200 Motor Propelled Watercraft-Restricted Waterways.

It is unlawful to operate a motor propelled boat or other motor propelled watercraft within the following waterways of the City:

A. That area known as Mercer Slough, lying north of the Sweylocken boat launching ramp.

B. Phantom Lake, located in Sections 1 and 2, Township 24.N, Range 5.E., W.M.

Provided that this provision shall not apply to:

A. Authorized law enforcement watercraft;

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B. Emergency vessels or watercraft;

C. Authorized vessels or watercraft which are actually engaged in, or being prepared for work for the maintenance, scientific study, or protection of waterways or wetlands.

Section 3. Bellevue City Code 12.04.440 is hereby amended to read as follows:

12.04.440 Penalty for Violation.

Any person who violates or fails to comply with any provision of this chapter, or any lawful order or direction of the Chief of Police or any person or officer charged with the enforcement hereof, shall be guilty of a misdemeanor.

Section 4. This ordinance shall take effect and be in force thirty days after final passage by the City Council.

PASSED by the City Council this 1<sup>st</sup> day of June, 1987, and signed in authentication of its passage this 1<sup>st</sup> day of June, 1987.

(SEAL)



Cary E. Bozeman, Mayor

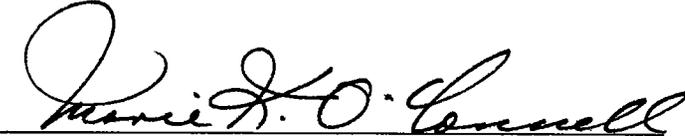
Approved as to form:

Richard L. Andrews, City Attorney



Richard L. Andrews, City Attorney

Attest:



Marie K. O'Connell, City Clerk

Published June 5, 1987