

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

ORDINANCE NO 2011-002

ORDINANCE AMENDING BOATING CHAPTERS 9.10, 9.16, 9.17, 9.18 AND REPEALING
CHAPTER 9.12 OF THE KITTITAS COUNTY CODE.

WHEREAS, Kittitas County Sheriff's Office (KCSO) recently conducted a review of the Kittitas County Code (KCC) Chapters that involve boating regulations within the County; and

WHEREAS, The County would like to update certain portions of the KCC; and

WHEREAS, KCSO wanted to incorporate standards and definitions from Chapter 79A.60 "Regulation of Recreational Vessels" of the Revised Code of Washington to establish more uniformity between state and local law; and

WHEREAS, The Kittitas County Board of County Commissioners held a public hearing on April 19, 2011, to hear public comment on the proposed ordinance; and

WHEREAS, The Kittitas County Board of County Commissioners supports the proposed revisions to Chapters 9.10, 9.16, 9.17, and 9.18 KCC and the repealing of Chapter 9.12 KCC.

NOW, THEREFORE, BE IT RESOLVED that after holding a public hearing on April 19, 2011, and receiving public comment on the proposed ordinance, the Kittitas County Board of County Commissioners believes it is in the best interest of the public to repeal Chapter 9.12 of the Kittitas County Code and to amend Chapters 9.10, 9.16, 9.17, and 9.18 of the Kittitas County Code as follows:

**Chapter 9.10
BOATING SAFETY**

Sections

9.10.010 Legislative findings - Purpose.

9.10.020 Definitions.

9.10.025 Public Access Area Signs and Buoys.

9.10.030 Prohibition.

9.10.035 Unlawful Wake Zone.

9.10.040 Violation - Penalty.

9.10.010 Legislative findings - Purpose.

Recreational use of waters in Kittitas County has grown rapidly. Residents and visitors of Kittitas County use the waters of Kittitas County for swimming, boating, floating, wading, fishing and other recreational purposes. It is expressly the purpose of this Chapter to provide for and promote the health, safety and welfare of the general public. This Chapter is not intended to create or otherwise

establish or designate any particular class or group of persons who will or should be especially protected or benefited by its terms. (Ord. 99-09, 1999; Ord. 93-5 § 1, 1993).

9.10.020 Definitions.

Terms in this chapter shall mean as follows:

Motor Driven Vessels

All boats and vessels which are self-propelled by a motor. This does not include boats or vessels that are driven by wind energy or human effort. "Motor Driven Vessels" mentioned throughout the Chapter shall also include "personal watercraft" as defined herein.

Official motorized vessel

Any motor driven vessel which is operated by a person who is under the control, supervision or administrative authority of any local, state, or federal agency. "Official motorized vessel" includes private and governmental vessels which are engaged in search and rescue activities under the direction of the Sheriff of Kittitas County.

Operator

An individual who steers, directs, or otherwise has physical control of a vessel that is underway or exercises actual authority to control the person at the helm.

Personal watercraft

A vessel of less than sixteen feet that uses a motor powering a water jet pump as its primary source of motive power and that is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind the vessel, rather than in the conventional manner of sitting or standing inside the vessel.

Vessel

Every description of watercraft on the water, other than a seaplane, used or capable of being used as a means of transportation on the water. However, it does not include inner tubes, air mattresses, sailboards, small rafts, flotation devices or toys customarily used by swimmers.

Yakima River

The flowing portion of the Yakima River and any waters which result from the flow of the Yakima River and are connected to the Yakima River by water except for irrigation canals. The "Yakima River" includes its sloughs, backwaters and dammed portions. (Ord. 99-09, 1999; Ord. 93-5 § 2, 1993).

9.10.025 Public Access Area Signs and Buoys.

Upon all waters in the County at public access areas where the waters are used extensively for swimming, launching and removing boats, and water skiing, there shall be designated by proper signs and markers locations of boat launching ramps, skiing areas, and swimming areas, as well as appropriately marked safety buoys as required to separate and define the said boat ramp approaches, skiing areas, and swimming areas for the safety of the public. The county road engineer may have such markers installed. It is unlawful for any unauthorized person to move or tamper with such buoys. (Ord. 99-09, 1999; Ord. 63-4 § 2, Vol. M, p. 615, 1963).

9.10.030 Prohibition.

1. There is established in the immediate vicinity of the Bureau of Land Management Roza Access Area a "zone" in which boat speed limit is five miles per hour and in which no wakes shall be created by motor driven vessels which are not official motorized vessels. The boundaries of this "zone" shall be determined and designated and signed jointly by the area manager of the Bureau of Land Management and the Kittitas County Sheriff's Office.
2. The operation of motor driven vessels which are not official motorized vessels is prohibited on the Yakima River from the upstream boundary of the boat speed "zone" established in subsection (1) of this section, to a line drawn by the downstream edge of the railroad trestle owned by Central Washington Railroad, which is southwest of SR 821 and visible from SR 821 at Mile Post 23.

3. A restrictive permit to allow short term operation of motor driven vessels on the Yakima River in areas previously unauthorized may be requested through the Sheriff or his designee. Such permit system will be operated in such a manner as to allow only persons with demonstrable needs for access to the restricted zone. Such persons would be allowed one yearly permit that could be activated upon appropriate notification to the Sheriff of activated dates. Permits would allow motor driven vessel operation only during the hours of daylight. Permits would be issued through the Sheriff's Office only after a written request is submitted and authorized. Any request for a permit must state specifically the reason for the request. Approval or denial of the permit request would rest solely with the Sheriff or his designee. Once authorized, motor driven vessels operating under this permit shall be limited to 20MPH. Any substantiated allegations of negligent or reckless vessel operation by any permit holder shall result in the immediate revocation and suspension of the permit and any related privileges. (Ord. 9909, 1999; Ord. 93-5 § 3, 1993; Ord. 2003-08, 2003).

9.10.035 Unlawful Wake Zone.

It is unlawful for any person to operate a motor driven vessel at a speed of more than five miles per hour and create any wakes when said motor driven vessel is within 150 feet of any swimmer, shoreline, dock, float, launching ramp, or non-motorized vessel. Exceptions to this subsection are the Yakima and Cle Elum Rivers and their tributaries. (Ord. 99-09, 1999; Ord. 63-4 § 3, Vol. M, pp. 615, 616, 1963).

9.10.040 Violation - Penalty.

Any person, firm, or corporation who violates any of the sections of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than one thousand dollars per violation, or both such imprisonment and fine. (Ord. 99-09, 1999; Ord. 93-5 § 4, 1993).

Chapter 9.12

MOTOR BOAT LICENSING - REGULATION OF OPERATION

REPEALED BY ORD. 2011-002

Chapter 9.16

MOTOR BOATS PROHIBITED ON COOPER LAKE

Sections

9.16.010 Violation.

9.16.020 Motor Driven Boats and Vessels Defined.

9.16.030 Penalty
9.16.040 Purpose.

9.16.010 Violation.

It is unlawful and a violation of this chapter to operate any motor driven boat, vessel or aircraft of any type on Cooper Lake located in Township 22 North, Range 13 East, Kittitas County, Washington. (Ord. 99-09, 1999; Ord. 63-1 § 1, Vol. M, p. 517, 1963).

9.16.020 Motor Driven Boats and Vessels Defined.

For the purpose of this chapter "Motor driven boats and vessels" are defined as all boats and vessels which are self-propelled by a motor. This does not include boats or vessels that are driven by wind energy or human effort. "Vessel" includes every description of watercraft on the water, other than a seaplane, used or capable of being used as a means of transportation on the water. However, it does not include inner tubes, air mattresses, sailboards, small rafts, flotation devices or toys customarily used by swimmers.
(Ord. 99-09, 1999; Ord. 63-1 § 2, Vol. M, p. 517, 1963).

9.16.030 Penalty.

Any person, firm, or corporation who violates any of the sections of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than one thousand dollars per violation, or both such imprisonment and fine.

9.16.040 Purpose.

It is expressly the purpose of this Chapter to provide for and promote the health, safety and welfare of the general public. This Chapter is not intended to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by its terms.

Chapter 9.17
BOATING ON LAVENDER LAKE

Sections

- 9.17.010 Repealed
- 9.17.015 Gasoline-powered Motor Driven Boats and Vessels- Prohibited.
- 9.17.017 Gasoline-Powered Motor Driven Boats and Vessels Defined.
- 9.17.020 Gasoline-powered motor boats - Penalty for violation.
- 9.17.030 Purpose.

9.17.015 Gasoline-powered motor boats - Prohibited.

It is unlawful and a violation of this chapter to operate any gasoline-powered motor driven boat or vessel on Lavender Lake, an inland body of water located within the borders of Kittitas County Township 20 North, Range 14 East. (Ord. 2006-42, 2006).

9.17.017 Gasoline-Powered Motor Driven Boats and Vessels Defined.

For the purpose of this chapter "Gasoline-Powered Motor driven boats and vessels" are defined as boats and vessels which are self propelled by gasoline motors. "Vessel" includes every description of watercraft on the water, other than a seaplane, used or capable of being used as a means of

transportation on the water. However, it does not include inner tubes, air mattresses, sailboards, small rafts, flotation devices or toys customarily used by swimmers.

9.17.020 Gasoline-powered motor boats - Penalty for violation.

Any person, firm, or corporation who violates any of the sections of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than one thousand dollars per violation, or both such imprisonment and fine.

9.17.030 Purpose.

It is expressly the purpose of this Chapter to provide for and promote the health, safety and welfare of the general public. This Chapter is not intended to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by its terms.

**Chapter 9.18
BOATING ON LITTLE KACHESS LAKE**

Sections

9.18.010 Speed of motor boats - Limited.

9.18.015 Motor Driven Boats and Vessels Defined

9.18.020 Speed of motor boats - Penalty for violation.

9.18.030 Purpose.

9.18.010 Speed of motor boats - Limited.

It is unlawful and a violation of this chapter to operate any motor driven boat or vessel in excess of 10 miles per hour on Little Kachess lake, said lake being located in the northeast quarter and the northeast quarter of the southeast quarter of the southeast quarter of Section 32 and in Sections 17, 20 and 29, all in Township 22, Range 13 EWM, Kittitas County, Washington. (Ord. 99-09, 1999; Ord. 82-5 § 1, 1982).

9.18.015 Motor Driven Boats and Vessels Defined.

For the purpose of this chapter "Motor driven boats and vessels" are defined as all boats and vessels which are self-propelled by a motor. This does not include boats or vessels that are driven by wind energy or human effort. "Vessel" includes every description of watercraft on the water, other than a seaplane, used or capable of being used as a means of transportation on the water. However, it does not include inner tubes, air mattresses, sailboards, small rafts, flotation devices or toys customarily used by swimmers.

9.18.020 Speed of motor boats - Penalty for violation.

Any person, firm, or corporation who violates any of the sections of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than one thousand dollars per violation, or both such imprisonment and fine. (Ord. 9909, 1999; Ord. 82-5 § 2, 1982).

9.18.030 Purpose.

It is expressly the purpose of this Chapter to provide for and promote the health, safety and welfare of the general public. This Chapter is not intended to create or otherwise establish or designate any

particular class or group of persons who will or should be especially protected or benefited by its terms.

CODE WITH TRACKED CHANGES:

Chapter 9.10 BOATING SAFETY

Sections

9.10.010 Legislative findings - Purpose.

9.10.020 Definitions.

9.10.025 Public Access Area Signs and Buoys

9.10.030 Prohibition.

9.10.035 Unlawful Wake Zone

9.10.040 Violation - Penalty.

9.10.010 Legislative findings - Purpose.

Recreational use of waters in Kittitas County has grown rapidly. Residents and visitors of Kittitas County use the waters of Kittitas County for swimming, boating, floating, wading, fishing and other recreational purposes. The use of motorized vessels for recreational purposes has grown. In certain waters the use of motorized vessels is in conflict with other recreational activities in the waters of Kittitas County inasmuch as the speed and power of such vessels endanger other recreationalists who are swimming, floating, wading or who are in non-motorized vessels. To protect the safety of all persons and to maximize the qualities of recreational experiences of the majority of persons using the waters of Kittitas County, it is necessary to restrict the use of motorized vessels on certain waters. It is expressly the purpose of this Chapter to provide for and promote the health, safety and welfare of the general public. This Chapter is not intended to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by its terms (Ord. 99-09, 1999; Ord. 93-5 § 1, 1993).

9.10.020 Definitions.

Terms in this chapter shall mean as follows:

Buoy line

A straight line that would exist if drawn between the closest safety buoys;

Motorized vessels-Motor Driven Vessels

~~Any apparatus~~ All boats and vessels which are self-propelled by a motor. This does not include boats or vessels that are driven by wind energy or human effort, which floats and is propelled in whole or in part by machinery, unless such machinery is powered by an electrical battery of 12-volt or smaller capacity. "Motorized-Motor Driven Vessels" mentioned throughout the Chapter shall also include "personal watercraft" as defined herein.

Official motorized vessel

Any motor driven vessel which is operated by a person who is under the control, supervision or administrative authority of any local, state, or federal agency. "Official motorized vessel" includes private and governmental vessels which are engaged in search and rescue activities under the direction of the Sheriff of Kittitas County.

Operator

An individual who steers, directs, or otherwise has physical control of a vessel that is underway or exercises actual authority to control the person at the helm, person who is in actual physical control or in charge of any apparatus which floats, including personal watercraft.

Personal watercraft

A vessel of less than sixteen feet that uses a motor powering a water jet pump as its primary source of motive power and that is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind the vessel, rather than in the conventional manner of sitting or standing inside the vessel.

Vessel

Every description of watercraft on the water, other than a seaplane, used or capable of being used as a means of transportation on the water. However, it does not include inner tubes, air mattresses, sailboards, small rafts, flotation devices or toys customarily used by swimmers.

Yakima River

The flowing portion of the Yakima River and any waters which result from the flow of the Yakima River and are connected to the Yakima River by water except for irrigation canals. The "Yakima River" includes its sloughs, backwaters and dammed portions.

(Ord. 99-09, 1999; Ord. 93-5 § 2, 1993).

9.10.025 Public Access Area Signs and Buoys.

Upon all waters in the County at public access areas where the waters are used extensively for swimming, launching and removing boats, and water skiing, there shall be designated by proper signs and markers locations of boat launching ramps, skiing areas, and swimming areas, as well as appropriately marked safety buoys as required to separate and define the said boat ramp approaches, skiing areas, and swimming areas for the safety of the public. The county road engineer may have such markers installed. It is unlawful for any unauthorized person to move or tamper with such buoys. (Ord. 99-09, 1999; Ord. 63-4 § 2, Vol. M, p. 615, 1963).

9.10.030 Prohibition.

4. There is established in the immediate vicinity of the Bureau of Land Management Roza Access Area a "zone" in which boat speed limit is five miles per hour and in which no wakes shall be created by ~~motorized~~ motor driven vessels which are not official motorized vessels. The boundaries of this "zone" shall be determined and designated and signed jointly by the area manager of the Bureau of Land Management and the Kittitas County ~~sheriffs~~ Sheriff's officeOffice.
5. The operation of ~~motorized~~ motor driven vessels which are not official motorized vessels is prohibited on the Yakima River from the upstream boundary of the boat speed "zone" established in subsection (1) of this section, to a line drawn by the downstream edge of the railroad trestle owned by Central Washington Railroad, which is southwest of SR 821 and visible from SR 821 at Mile Post 23.
6. A restrictive permit to allow short term operation of ~~motorized~~ motor driven vessels on the Yakima River in areas previously unauthorized may be requested through the Sheriff or his designee. Such permit system will be operated in such a manner as to allow only persons with demonstrable needs for access to the restricted zone. Such persons would be allowed one yearly permit that could be activated upon appropriate notification to the Sheriff of activated dates. Permits would allow ~~motorized~~ motor driven vessel operation only during the hours of daylight. Permits would be issued through the Sheriff's Office only after a written request is submitted and authorized. Any request for a permit must state specifically the reason for the request. Approval or denial of the permit request would rest solely with the Sheriff or his designee. Once authorized, ~~motorized~~ motor driven vessels operating under this permit shall be limited to 20MPH. Any substantiated allegations of negligent or reckless vessel operation by any

permit holder shall result in the immediate revocation and suspension of the permit and any related privileges.

(Ord. 9909, 1999; Ord. 93-5 § 3, 1993; Ord. 2003-08, 2003).

9.10.035 Unlawful Wake Zone.

It is unlawful for any person to operate a motor driven vessel at a speed of more than five miles per hour and create any wakes when said motor driven vessel is within 150 feet of any swimmer, shoreline, dock, float, launching ramp, or row boat non-motorized vessel. Exceptions to this subsection are the Yakima and Cle Elum Rivers and their tributaries. (Ord. 99-09, 1999; Ord. 63-4 § 3, Vol. M, pp. 615, 616, 1963).

9.10.040 Violation - Penalty.

Any person, firm, or corporation who violates any of the sections of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than one thousand dollars per violation, or both such imprisonment and fine. Any person, firm, or corporation who violates the prohibition of this chapter, or who disobeys, neglects, refuses to comply with or who resists enforcement of any of the provisions of this chapter shall be guilty of a misdemeanor and shall be fined in a sum not to exceed \$1,000 or imprisoned in the county jail for a term of not to exceed 90 days or by both fine and imprisonment for each offense. (Ord. 99-09, 1999; Ord. 93-5 § 4, 1993).

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Chapter 9.12

MOTOR BOAT LICENSING - REGULATION OF OPERATION

REPEALED BY ORD. 2011-002

Sections

9.12.010 Definitions.

9.12.020 Public access area signs, buoys.

9.12.030 Unlawful operation.

9.12.040 Life preservers.

9.12.050 Registration required.

9.12.060 Registration certificate, decals issuance.

9.12.070 Registration certificate fees.

9.12.010 Definitions.

Terms used in this chapter are defined as follows:

Motor boat

Any waterborne craft propelled in whole or in part by machinery, including those temporarily equipped with detachable motors;

Operator

Every person who is in actual physical control of a motor-powered craft;

Those established as herein provided and are distinguished from mooring buoys;

Buoy line

A straight line that would exist if drawn between the closest safety buoys;

Auditor

The county auditor;

Bona fide dealer

One who buys and sells boats in the normal course of his business, but does not include the private sale of motor boats between two individuals;

Boat livery

One who operates a business of renting or leasing boats.

(Ord. 9909, 1999; Ord. 63-4 § 1, Vol. M, p. 615, 1963).

9.12.020 Public access area signs, buoys.

Upon all waters in the county at public access areas where the waters are used extensively for swimming, launching and removing boats, and water skiing, there shall be designated by proper signs and markers locations of boat launching ramps, skiing areas, and swimming areas as well as appropriately marked safety buoys as required to separate and define the said boat ramp approaches, skiing areas, and swimming areas for the safety of the public. The county road engineer may have such markers installed. It is unlawful for any unauthorized person to move or tamper with such buoys. (Ord. 99-09, 1999; Ord. 63-4 § 2, Vol. M, p. 615, 1963).

9.12.030 Unlawful operation.

1. It is unlawful for any person under the age of 10 years to operate a motor boat.
2. It is unlawful for any person owning or in charge of a motor boat to authorize the same to be operated by any person under the age of 10 years.
3. It is unlawful for any person under 14 years of age to operate a motor boat unless the power installation in said motor boat is 10 horsepower or less, or unless the operator is accompanied by a person 21 years of age or over.
4. It is unlawful for any person owning or in charge of a motor boat having a power installation of more than 10 horsepower to authorize the same to be operated by any person under 14 years of age unless accompanied by another person who is 21 years of age or over.
5. No person shall operate any vessel, or manipulate any water skis, surfboard or similar device in a disorderly, grossly indifferent, reckless or negligent manner so as to endanger the life, limb or property of any person. No person shall operate a vessel at a rate of speed greater than will permit him in the exercise of reasonable care to bring the vessel to a stop within the assured clear distance ahead.
6. It is unlawful for any person to operate any vessel or manipulate any water skis, surfboard or similar device while under the influence of intoxicating liquor or narcotic or habit-forming drugs.
7. It is unlawful for any person owning or in charge of a vessel to authorize the same to be operated by any person under the influence of intoxicating liquor or narcotic or habit-forming drugs or any person who by reason of a physical or mental disability or limitation would be incapable of safely operating such vessel.
8. It is unlawful for any person to operate a motor boat at a speed of more than five miles per hour and create any wakes when said motor boat is within 100 feet of any swimmer, shoreline, dock, float, launching ramp, or row boat. Exceptions to this subsection are the Yakima and Cle Elum Rivers and their tributaries.
9. It is unlawful for any person to operate a motor boat between one half hour after sunset and one half hour before sunrise unless said motor boat is equipped with running lights which shall in all respects conform to the requirements of the United States Code, Title 46, as amended, and the rules and regulations promulgated thereunder insofar as all lighting equipment therein

~~specified. It is unlawful to operate any motor boat at a speed in excess of 10 miles per hour between said hours.~~

- ~~10. It is unlawful to operate a motor boat in and around safety buoys in any manner except that motor boats shall operate at right angles to the shore line while going out from shore and coming in toward shore.~~
- ~~11. It is unlawful to operate a motor boat to water ski, freeboard, or aquaplane in designated swimming areas.~~
- ~~12. It is unlawful to operate a motor boat to water ski, freeboard, or aquaplane in designated boat launchways.~~
- ~~13. It is unlawful to swim in designated skiing areas or boat launchways.~~
- ~~14.1. _____ It is unlawful to tow water skiers unless the motor boat is occupied by at least two persons. (Ord. 99-09, 1999; Ord. 63-4 § 3, Vol. M, pp. 615, 616, 1963).~~

~~9.12.040 Life preservers.~~

~~It is unlawful to operate any boat with or without motor in the waters of the county unless the boat is equipped with either a Coast Guard approved life preserver, buoyant vest, buoyant cushion, or ring buoy for each person who is a passenger in the boat. (Ord. 99-09, 1999; Ord. 63-4 § 4, Vol. M, p. 616, 1963).~~

~~9.12.050 Registration required.~~

~~To aid in the enforcement of the provisions of this chapter, to assist in the identification of vessels, and to facilitate the recovery of vessels, all motor boats used upon the waters of this county shall be registered annually with the county auditor of this county or with the county auditor of the owner's residence. Other vessels may be registered if the owner complies with the appropriate provisions of this chapter. Such registration shall be upon forms provided by the county auditor which shall include at least the following information:~~

- ~~1. Name and address of the owner;~~
- ~~2. A description of the vessel or vessels registered, including make (if any), age, approximate length, seating capacity, and material from which constructed;~~
- ~~3. A description of the motor usually used to power such vessel (if any);~~
- ~~4. Coast Guard registration number (if any); and~~
- ~~5. Location of the boat on January 1st of the year registered. Motor boats registered pursuant to a resolution or ordinance of any other county of the state may use the waters of this county without procuring a registration certificate of this county on a reciprocal basis. (Ord. 99-09, 1999; Ord. 63-4 § 5, Vol. M, p. 616, 1963).~~

~~9.12.060 Registration certificate, decals issuance.~~

~~The county auditor shall issue to each person registering a vessel a registration certificate which shall carry the name and address of the owner and a registration number issued either by the Coast Guard or Kittitas County. Registration numbers issued by the county shall run in consecutive sequence and shall be prefixed by the letters SA. Annual registration decals, to be issued by the county auditor to each person registering a vessel, shall be displayed on both sides of the motor boat approximately 12 inches from the stern so as to be visible and legible under ordinary conditions when the motor boat is being operated. Registration decals shall be obtained from the county auditor annually. (Ord. 99-09, 1999; Ord. 63-4 § 6, Vol. M, p. 616, 1963).~~

~~9.12.070 Registration certificate fees.~~

- ~~1. Registration certificates shall be issued in the county of residence of the owner or in the county in which the boat is used, and be valid for a calendar year. The auditor shall collect from each person registering a vessel fee of \$2.00. Persons purchasing motor boats registered~~

for the current year pursuant to this chapter shall, within 30 days following purchase, transfer such registration to their own names. Such transfer of registration shall be accomplished on forms provided by the county auditor, accompanied by a fee of \$0.50. The county auditor may issue a duplicate registration certificate or duplicate validation decal upon the application of any registered owner, accompanied by a fee of \$0.50.

2. Persons owning seven or more vessels may secure a single registration certificate for all such vessels for a single fee of \$15.00. Where a single registration number is issued covering seven or more vessels, the owner shall display on the vessel the registration number, registered under the certificate, 12 inches from the stern of the boat running toward the bow, and such number shall be followed by a suffix number starting with the number "1" and running consecutively. When seven or more vessels are registered under a single registration number, each vessel shall be described on the application form filed with the auditor.
3. Dealers may be issued an annual registration certificate for a single fee of \$2.00, plus \$1.00 for each dealer's flag furnished. Such certificate authorizes a bona fide dealer to demonstrate or otherwise use any vessel, held by him for sale, upon the waters of the county without further registration. In applying for a dealer's certificate, no listing of vessels shall be required. When a vessel is operated under a dealer's certificate it is not necessary to display a registration number on the vessel; provided, such vessel is being used for demonstration purposes; and, providing further, that such dealer shall carry and publicly display on the vessel a current numbered dealer's flag which shall be supplied annually by the county auditor for the aforementioned fee.
4. In order to simplify the registration process, the auditor shall reissue the same registration number to owners re-registering the same vessel in subsequent years. In order to validate the registration number of motor boats in subsequent years, the auditor shall issue with each registration certificate two validation decals which shall be affixed to the motor boat to the left of the prefix letter of the registration number. All fees collected for the registration of vessels pursuant to this chapter shall be deposited to the county current expense fund. In order to simplify the acquisition of registration certificates, the county auditor may place application forms with agents throughout the county and accept mail applications from owners. Agents issuing application forms may charge an additional fee for their services and may be required to secure a bond running to the county. All certificates of registration shall be issued from the auditor's office and may be mailed directly to the owner. (Ord. 99-09, 1999; Ord. 63-4 § 7, Vol. M, pp. 616, 617, 1963).

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Chapter 9.16 MOTOR BOATS PROHIBITED ON COOPER LAKE

Sections

[9.16.010 Violation.](#)

[9.16.020 Motor Driven Boats and Vessels](#)~~Motor boat defined~~[Defined.](#)

[9.16.030 Penalty.](#)

[9.16.040 Purpose.](#)

9.16.010 Violation.

It is unlawful and a violation of this chapter to operate any ~~motor boat~~[motor driven boat, vessel](#) or aircraft of any type on Cooper Lake located in Township 22 North, Range 13 East, Kittitas County, Washington. (Ord. 99-09, 1999; Ord. 63-1 § 1, Vol. M, p. 517, 1963).

9.16.020 ~~Motor Driven Boats and Vessels~~~~Motor boat defined~~~~Defined.~~

For the purpose of this chapter "Motor driven boats and vessels" are defined as all boats and vessels which are self-propelled by a motor. This does not include boats or vessels that are driven by wind energy or human effort. "Vessel" includes every description of watercraft on the water, other than a seaplane, used or capable of being used as a means of transportation on the water. However, it does not include inner tubes, air mattresses, sailboards, small rafts, flotation devices or toys customarily used by swimmers. For the purpose of this chapter a "motor boat" means a boat equipped with either an inboard motor or an outboard motor or a boat which has in the boat an outboard motor even though it may be temporarily detached from the boat and shall include both gasoline and electrically operated motors. (Ord. 99-09, 1999; Ord. 63-1 § 2, Vol. M, p. 517, 1963).

9.16.030 Penalty.

Any person, firm, or corporation who violates any of the sections of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than one thousand dollars per violation, or both such imprisonment and fine.

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9.16.040 Purpose.

It is expressly the purpose of this Chapter to provide for and promote the health, safety and welfare of the general public. This Chapter is not intended to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefitted by its terms.

Chapter 9.17

~~BOATING ON GLADMAR POND AND LAVENDER LAKE~~

Sections

~~9.17.010 Gasoline-powered motor boats - Prohibited. Repealed~~

~~9.17.015 Gasoline-powered Motor Driven Boats and Vessels~~~~motor boats-~~ Prohibited.

~~9.17.017 Gasoline-Powered Motor Driven Boats and Vessels Defined.~~

~~9.17.020 Gasoline-powered motor boats - Penalty for violation.~~

~~9.17.030 Purpose.~~

~~9.17.010 Gasoline-powered motor boats - Prohibited.~~

~~It is unlawful and a violation of this chapter to operate any motor boat (as defined in KCC 9.16.020) powered by a gasoline motor on Gladmar Pond located in the northeast quarter of Section 13, Township 18 North, Range 17 EWM in Kittitas County. (Ord. 99-09, 1999; Ord. 82-1 § 1, 1982).~~

~~9.17.015 Gasoline-powered motor boats - Prohibited.~~

~~It is unlawful and a violation of this chapter to operate any gasoline-powered motor driven boat or vessel motor boat (as defined in KCC 9.16.020) powered by a gasoline motor on Lavender Lake, an inland body of water located within the ~~boarders~~borders of Kittitas County Township 20 North, Range 14 East. (Ord. 2006-42, 2006).~~

~~9.17.017 Gasoline-Powered Motor Driven Boats and Vessels Defined.~~

~~For the purpose of this chapter "Gasoline-Powered Motor driven boats and vessels" are defined as boats and vessels which are self propelled by gasoline motors. "Vessel" includes every description of watercraft on the water, other than a seaplane, used or capable of being used as a means of~~

transportation on the water. However, it does not include inner tubes, air mattresses, sailboards, small rafts, flotation devices or toys customarily used by swimmers.

9.17.020 Gasoline-powered motor boats - Penalty for violation.

Any person, firm, or corporation who violates any of the sections of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than one thousand dollars per violation, or both such imprisonment and fine, this chapter. Any person found to be in violation of this chapter shall be punished by a fine of not more than \$250.00. (Ord. 9909, 1999; Ord. 82-1 § 2, 1982).

9.17.030 Purpose.

It is expressly the purpose of this Chapter to provide for and promote the health, safety and welfare of the general public. This Chapter is not intended to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefitted by its terms.

**Chapter 9.18
BOATING ON LITTLE KACHESS LAKE**

Sections

9.18.010 Speed of motor boats - Limited.

9.18.015 Motor Driven Boats and Vessels Defined

9.18.020 Speed of motor boats - Penalty for violation.

9.18.030 Purpose.

9.18.010 Speed of motor boats - Limited.

It is unlawful and a violation of this chapter to operate any motor driven boat or vessel motor-boat (as defined in KCC 9.16.020) in excess of 10 miles per hour on Little Kachess lake, said lake being located in the northeast quarter and the northeast quarter of the southeast quarter of the southeast quarter of Section 32 and in Sections 17, 20 and 29, all in Township 22, Range 13 EWM, Kittitas County, Washington. (Ord. 99-09, 1999; Ord. 82-5 § 1, 1982).

9.18.015 Motor Driven Boats and Vessels Defined.

For the purpose of this chapter "Motor driven boats and vessels" are defined as all boats and vessels which are self-propelled by a motor. This does not include boats or vessels that are driven by wind energy or human effort. "Vessel" includes every description of watercraft on the water, other than a seaplane, used or capable of being used as a means of transportation on the water. However, it does not include inner tubes, air mattresses, sailboards, small rafts, flotation devices or toys customarily used by swimmers.

9.18.020 Speed of motor boats - Penalty for violation.

Any person, firm, or corporation who violates any of the sections of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than one thousand dollars per violation, or both such imprisonment and fine. It is a civil infraction for any person, company, firm or corporation to violate any of the provisions of this chapter. Any person found to be in violation of this chapter shall be punished by a fine of not more than \$250.00. (Ord. 9909, 1999; Ord. 82-5 § 2, 1982).

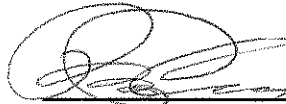
9.18.030 Purpose.

It is expressly the purpose of this Chapter to provide for and promote the health, safety and welfare of the general public. This Chapter is not intended to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefitted by its terms.

ADOPTED this 19th day of April 2011.

BOARD OF COUNTY COMMISSIONERS

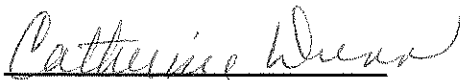
KITTITAS COUNTY, WASHINGTON




Paul Jewell, Chair


Alan Crankovich, Vice-Chair
Obie O'Brien, Commissioner

Dep
ATTEST:
CLERK OF THE BOARD


Julie A. Kjorsvik

APPROVED AS TO FORM:


Stephanie Happold, Deputy Prosecuting Attorney
WSBA#38112