

## Chapter 70

### WATERWAYS

**Sec. 70-1. Scope.**

**Sec. 70-2. Definitions.**

**Sec. 70-3. Method of operation.**

**Sec. 70-4. No wake zone.**

**Sec. 70-5. Restricted use of public waters.**

**Sec. 70-6. No wake zones specified.**

**Sec. 70-7. Additional no wake zones.**

**Sec. 70-8. Penalty.**

#### **Sec. 70-1. Scope.**

It is not the intent of the board of commissioners in enacting this chapter to abrogate or in any way impair or interfere with the existing provisions of the Georgia Boat Safety Act, O.C.G.A. § 52-7-1 et seq.; and this chapter shall not become effective until approved by the department of natural resources of the state. Where this chapter imposes a greater restriction on the use of water vessels than imposed or required by the provisions of the boat safety act, as subsequently amended, such requirements shall only become effective upon their approval by the department of natural resources.

(Ord. of 12-3-1991, § 1-2)

#### **Sec. 70-2. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Department* means the department of natural resources of the state.

*Idle speed* means a slow speed maintained by the operator of a mechanically propelled vessel reached by engaging the engine of the vessel into an idle speed by reducing the throttle to the minimum. This is the slowest possible speed at which a vessel can be operated and adequate steerage maintained.

*Operate* means to navigate or otherwise use a vessel that is not at anchor or moored.

*Operator* means the person who operates or has charge of navigation or use of a vessel.

*Owner* means any person, other than a lienholder, having the property in or title to a vessel.

*Power boat* means any boat, vessel or water-going craft propelled by mechanical rather than manual means, whether or not such propulsion device forms an integral part of the structure.

*Slow speed* means a slow speed maintained by the operator of a mechanically propelled vessel, whereby the vessel is not on a plane and must be level in the water.

*Vessel* means every description of watercraft, other than a seaplane, used or capable of being used as a

means of transportation on water.

*Wake* means wake or waters created by the movement of the vessel through the water other than at a minimal speed.

(Ord. of 12-3-1991, § 1-3)

**Cross References:** Definitions generally, § 1-2.

### **Sec. 70-3. Method of operation.**

No person shall operate any vessel or manipulate any water skis, aquaplane, surfboard, or similar device in a reckless, negligent manner so as to endanger the life, limb or property of any person.

(Ord. of 12-3-1991, § 2-1)

### **Sec. 70-4. No wake zone.**

(a) *Operation.* Within the boundary of a no wake zone, it shall be unlawful, at any time, to operate any power boat or water vessel at any other speed than an idle speed. The speed of all power boats and vessels shall at all times be regulated so as to avoid danger, injury or damage either directly or by the effect of the wash or waves raised by such power boat or vessel while in a no wake zone, or in the vicinity of a swimming area, docks, floating boathouses, moored boats, or boats engaged in fishing activities.

(b) *Manatee area idle speed zone.* Within the boundary of a manatee area idle speed zone, it shall be unlawful to operate a power boat or water vessel at any other speed than idle speed during the period of November 1 through April 30 each year.

(c) *Manatee area slow speed zone.* Within the boundary of a manatee area slow speed zone, it shall be unlawful to operate a power boat or water vessel at any other speed than idle speed during the period of November 1 through April 30 each year.

(d) *Manatee refuge no entry zone.* Within the boundary of a manatee refuge no entry zone, it shall be unlawful to operate a power boat or water vessel during the period of November 1 through April 30 each year.  
(Ord. of 12-3-1991, § 2-2)

### **Sec. 70-5. Restricted use of public waters.**

It shall be unlawful to operate a power boat, except at a safe speed, or to create a wake in the vicinity of a regulatory marker establishing a speed zone or no wake zone.

(Ord. of 12-3-1991, § 2-3)

### **Sec. 70-6. No wake zones specified.**

The following areas are declared to be no wake zones in the waters located in the county:

- (1) Harrietts Bluff.
- (2) Mush Bluff.

- (3) 3-R Fish Camp.
- (4) Scrubby Bluff.
- (5) Elliotts Bluff.
- (6) Germantown Landing.
- (7) Dover Bluff.
- (8) West end of Sheffield Island.
- (9) Hickory Bluff.
- (10) John's Fish Camp area.
- (11) Maiden Creek.
- (12) North River.
- (13) Point Peter.

(14) St. Marys River (from the shoreline outward 300 feet).  
(Ord. of 12-3-1991, § 2-4; Ord. of 3-15-2005)

**Sec. 70-7. Additional no wake zones.**

The board of commissioners, by resolution, after approval by the state department of natural resources, may establish additional no wake zones in the unincorporated area of the county. Such no wake zone shall become effective upon approval by the board of commissioners and the department of natural resources and the posting of regulatory signs.  
(Ord. of 12-3-1991, § 2-5)

**Sec. 70-8. Penalty.**

Any violation of this article may be punished as provided in section 1-19. Jurisdiction over violations of this article shall be in the magistrate court of the county, and procedure for enforcement of this article shall be as provided in O.C.G.A. § 15-10-1 et seq.  
(Ord. of 12-3-1991, § 2-5)