

CITY OF AUSTIN



**Proposed Code Amendment**  
**Inflatable Flotation Device Prohibition**  
*Parks and Recreation Board*

*August 27, 2013*



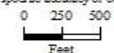
# LOCATION



## Legend

 City of Austin Parks

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**Colorado River Regulated by Section 8-1-72**

16 August 2013 KBS

# BACKGROUND

- A business located within the City of Austin limits recently expanded its operations to include tubing rentals as an added recreational experience on the Colorado River for the public.
- The tubing business is located on privately-owned land allowing tubers to access the Colorado River waterway between Longhorn Dam and U.S. Highway 183. The business offers two excursions (a short route to 183 and a longer excursion down 973).
- Because of unpredictable and varying water flow conditions and fluctuating water levels in this segment of the Colorado River triggered by dam operations, the use of these flotation devices presents a public safety concern.
- There are multiple alternative access points to the Colorado River for business use.

# PUBLIC SAFETY CONCERNS

## Colorado River between Longhorn Dam and U.S. Highway 183

- This segment of Colorado River has swift water and fluctuating water levels triggered by dam operations.
- As a public safety measure, the Code currently lists the types of boats that can be used for a concession— a rowboat, fishing boat, or johnboat.
- LCRA does not provide the public advance notification of dam water releases.
  - Unanticipated water releases could pose hazardous conditions for floatation devices, which do not meet Coast Guard safety guidelines, due to their inability to withstand swiftly flowing water and fluctuating water levels.

# JURISDICTION

## ***What entity regulates this section of the Colorado River?***

- The City is authorized to regulate the waters as an exercise of its police powers.
- The City may regulate use on that portion of the Colorado River.
- The City owns and operates the Longhorn Dam.

## ***What is LCRA's role in the regulation of this section of the Colorado River?***

- LCRA confirms that it does not own Longhorn Dam.
- LCRA legal counsel agrees that the City has the authority to regulate activities and businesses on and along this segment of the Colorado River.
- LCRA did not sanction inner tube rentals below Longhorn Dam.

# CURRENT CODE

## **8-1-72 BOATING CONCESSIONS.**

*(F) On the Colorado River, between Longhorn Dam and U.S. Highway 183, a person may obtain a concession to rent to the public a boat designed for recreational rowing that can withstand swiftly flowing water and fluctuating water levels, including a rowboat, fishing boat, or johnboat*

### **Two Key Points:**

- Code is silent regarding use of inner tubes.
- Code does not permit nor require a concession with the City for a commercial operation renting any type of boat on the Colorado River within the Austin's city limits.

# STAFF RECOMMENDATION

## **Parks and Recreation Board make a recommendation to Council to:**

AMEND CITY CODE CHAPTER 8-1 TO ADD THE DEFINITION OF INFLATABLE FLOTATION DEVICE, TO ADD A PROHIBITION ON THE USE OF INFLATABLE DEVICES ALONG A PORTION OF THE COLORADO RIVER, TO AMEND CITY CODE SECTION 8-1-72 RELATED TO BOATING CONCESSIONS, AND TO CREATE AN OFFENSE.

## **Proposed Code Amendment Adds/Amends:**

- Definition of “Inflatable Flotation Device”
- Penalty for persons who violate a provision of Chapter 8
- A section prohibiting the use of inflatable flotation devices in Town Lake Park and the section of the Colorado River between Longhorn Dam and U.S. Highway 183
- Section 8-1-72 requires that a person obtain a concession on Lady Bird Lake and on the Colorado River between Longhorn Dam and U.S. Highway 183

**Next Steps: Council Action September 26, 2013**