1 ORDINANCE NO. AN ORDINANCE AMENDING CITY CODE SECTION 8-1-72 RELATING 2 TO BOATING CONCESSIONS; AND AMENDING CITY CODE CHAPTER 3 4 8-5 TO PROHIBIT SWIMMING AND THE USE OF INFLATABLE DEVICES ALONG A PORTION OF THE COLORADO RIVER. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN: 6 7 PART 1. Subsections (B), (C), (D), (E), and (F) of City Code Section 8-1-72 (Boating Concessions) are amended as follows: 8 9 (B) On Town Lake, between Tom Miller Dam and Lamar Boulevard, a person 10 must [may] obtain a concession: 11 (1) to rent to the public a boat designed for recreational rowing, including 12 a canoe, kayak, racing shell, or rowboat: 13 (2) to operate an excursion boat; or (3) to maintain a landing for an excursion boat that is not a permanent 14 mooring. 15 On Town Lake, between Lamar Boulevard and Congress Avenue, a person 16 (C) must [may] obtain a concession: 17 (1) to rent to the public a boat that requires little or no skill to operate, 18 including a paddleboat; 19 to operate an excursion boat; or (2)20 to maintain a permanent mooring for an excursion boat. 21 (3) On Town Lake, between Congress Avenue and Longhorn Dam, a person 22 (D)must [may] obtain a concession: 23 to rent to the public a boat designed for recreational rowing, including 24 (1) a canoe, kayak, racing shell, or rowboat; 25 26 (2) to operate an excursion boat; or 27 (3) to maintain a permanent mooring for an excursion boat. 28 (E) In the river basin immediately upstream from Longhorn Dam, a person must

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- (F) On the Colorado River, between Longhorn Dam and U.S. Highway 183, a person <u>must</u> [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 <u>kayak</u>, <u>canoe</u>, rowboat, <u>or</u> fishing boat, [or johnboat] to the public. A person may not obtain a concession to rent inflatable flotation devices.
- **PART 2.** City Code Section 8-5-1 (*Definitions*) is amended to add the following new definitions, and to renumber the remaining definitions accordingly:
 - (3) INFLATABLE FLOTATION DEVICE means an inner tube or other water recreational form or apparatus that is inflated with air or foam and is non-navigable. This term includes inflatable chaise loungers, air mattresses, and other inflatable devices.
 - (6) NAVIGABLE RECREATIONAL APPARATUS means an apparatus that is capable of being guided or steered against swiftly flowing and fluctuating water levels.
- **PART 3.** City Code Chapter 8-5 (*Waterways Access and Use*) Article 3 (*Recreational Activities*) is amended to add new Sections 8-5-50 and 8-5-51 to read:

§ 8-5-50 SWIMMING IN THE COLORADO RIVER.

A person may not swim in the Colorado River between Longhorn Dam and U.S. Highway 183, unless the person is:

- (A) performing an official duty as an officer or employee of the city;
- (B) attempting to rescue or recover another person;
- (C) performing dredging or construction work authorized by Council; or
- (D) participating in a public event or exhibition authorized by Council.

§ 8-5-51 INFLATABLE FLOTATION DEVICES.

A person may not operate, use, or otherwise ride in an inflatable flotation device on the Colorado River, between Longhorn Dam and U.S. Highway 183. This prohibition does not apply to a person:

- (A) performing an official duty as an officer or employee of the city;
- (B) attempting to rescue or recover another person;
- (C) performing dredging or construction work authorized by Council; or Page 2 of 3

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PASSED AND	APPROVED		
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	, 2013	9	Lee Leffingwell Mayor
APPROVED: _		ATTEST:	λ
	Karen M. Kennard City Attorney		Jannette S. Goodall City Clerk