

ORDINANCE NO. 18, 1956

An Ordinance authorizing and establishing regulations for the care, sanitary control, protection from contamination, and other injury of Griffey Creek Lake constructed for water supply purposes by the City of Bloomington, Indiana, and providing for the licensing of boats, setting forth rules and regulations governing the use of boats on Griffey Creek Lake; and providing penalties for the violation of this Ordinance and for the enforcement thereof.

WHEREAS, the primary purpose of Griffey Creek Lake is to provide a pure, and adequate water supply for the City of Bloomington, and

WHEREAS, it is the duty of the Common Council of the City of Bloomington, Indiana, to protect this property so owned by it in order that the primary purposes of Griffey Creek Lake may be served;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON:

Section 1. Definition of Terms.

When used in this ordinance,

(a) "City" means the City of Bloomington, Indiana.

(b) "Griffey Creek Lake" means the artificial lake and water known as Griffey Creek Lake impounded therein by means of the dam and spillway constructed across Griffey Creek in Bloomington Township, Monroe County, Indiana.

(c) "Intake" means the place where the water supply of the city is taken from Griffey Creek Lake.

(d) "Person" means the feminine as well as the masculine when applicable, and the plural as well as the singular, when applicable; it also includes a firm, corporation, association, club, organization, or other entity.

(e) "Spillway" is defined as the opening for the release of the water from the dam.

(f) "Dam" as defined herein is that part of the obstruction which impounds the water in the Griffey Creek Lake.

Section 2. Sanitary Regulations.

It shall be unlawful for any person to place, deposit, or permit to be deposited, in any insanitary manner, upon the waters or the lands owned by the City surrounding Griffey Creek Lake, any sewage, garbage, waste or waste water.

The City shall provide containers at the boat launching site.

Section 3. The City owns the land upon which Griffey Creek Lake is located, and it is hereby declared to be the policy of the City that any entrance upon the waters owned by the City, without the permission and consent of the City, as hereinafter defined, is hereby declared to be a trespass upon City land, and as such a violation of the laws of the State of Indiana.

Section 4. No boat or canoe may be used on Griffey Creek Lake until the owner thereof shall register such boat or canoe and secure a written license and registration number from the City based upon a written application setting forth the type of such boat or canoe, name and address of the owner thereof, the number of passengers which such boath or canoe accommodates, and such further

information as the City may from time to time require.

Before such license shall be issued, the boat or canoe for which such application for license is requested shall be inspected by the Superintendent of the Waterworks or such person designated by him, which inspection shall include such safety precautions as the Superintendent of the Water Department shall, from time to time, designate and determine for such boats or canoes. Such boats or canoes shall be provided with one life preserver for each occupant up to the capacity of the boat.

The fee for each boat so licensed shall be the sum of Five Dollars (\$5.00) and shall be for the calendar year in which the license is issued.

Only boats or canoes licensed for Griffey Creek Lake shall be permitted thereon.

Licenses shall be issued only to persons over twenty-one years of age and who are bona fide residents of Monroe County.

Only boats manually propelled shall be licensed for use on Griffey Creek Lake.

Each license issued by the City of Bloomington shall bear a number and the number of the license issued shall be painted on each side of the bow of the boat for which such license is issued, and such painted number shall be not less than six (6) inches in height and of contrasting color to the painting of the boat itself.

Section 5. Use of boats on Griffey Creek Lake.

A. It shall be a violation of this Ordinance for any person to operate a boat or canoe on Griffey Creek Lake in excess of the capacity as authorized by the license issued for such boat.

B. There shall be a life preserver in each boat for each person occupying the boat on the water and any person occupying a boat or canoe under the age of twenty-one years shall wear the life preserver at all times. Adults may use an improved type of seat or cushion life preserver.

C. Any boat operated on the waters of Griffey Creek Lake between the hours of sunset and sunrise, shall display a white light to show all around the horizon.

D. No boats or canoes shall be permitted within Two Hundred (200) feet of the pumping station intake, the dam and spillway.

E. No intoxicating beverages or liquors of any type shall be permitted on Griffey Creek Lake or the lands surrounding Griffey Creek Lake.

F. No boat shall remain unattended in the water at any time. No boat shall be allowed to be drawn up to the bank and moored or stationed at any time except at places designated for that purpose. No boat shall be permitted on the bank and out of the water for more than two hours at any time.

G. No minor shall operate a boat on Griffey Creek Lake unless accompanied by an adult.

H. A license of a boat or canoe shall accompany the same at any time it is being operated on Griffey Creek Lake.

I. A license may be issued to no more than two co-owners of a single boat or canoe.

Section 6. Launching. The City shall establish one parking area and launching site. No other area shall be used as a parking or launching area. The same shall be designated by suitable signs erected by the City.

Section 7. Enforcement. This Ordinance may be enforced by any police officer of the City of Bloomington duly deputized by the Sheriff of Monroe County, the Sheriff or Deputy Sheriffs of Monroe County, and the State Conservation officers, and such Deputy Conservation officer as may be approved by the Mayor of the City of Bloomington.

The violation of any provision of this Ordinance whereby any insanitary condition is created is hereby declared to be a public nuisance.

Section 8. Civil Liability. Any person violating any provision of this Ordinance shall become liable for all damage and expense thereby caused to the City or any other person or persons by reason of such violation in addition to the criminal penalties herein provided.

Section 9. Penalty. Any person violating any of the provisions of this Ordinance, unless otherwise indicated, shall be deemed guilty of a misdemeanor. Each day that the condition or act in violation of this Ordinance shall remain or continue shall be deemed on the part of the person or persons guilty of such violation, to be a separate and distinct offense. Each offense shall be punished by a fine of not less than Five Dollars (\$5.00) nor more than Two Hundred Dollars (\$200.00), to which shall be added the revocation of the license for the boat from which such violation occurs.

Section 10. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

The invalidity of any portion, section, sub-section, sentence, clause or provision of this ordinance shall not affect the validity of any other portion of this ordinance, which can be given effect without such invalid part or parts.

This ordinance shall be in full force and effect from and after the date of its passage and legal publication in accordance with the law.

Passed and adopted by the Common Council of the City of Bloomington, on the 7 day of August, 1956.

S/ Thos. L. Lemon
Thos. L. Lemon, Presiding Officer

ATTEST:

S/ Mary Alice Dunlap
Mary Alice Dunlap, Clerk-Treasurer

Presented by me to the Mayor of the City of Bloomington, Indiana, on this 7 day of August, 1956, at the hour of 7:45 o'clock P.M.

S/ Mary Alice Dunlap
Mary Alice Dunlap, Clerk-Treasurer

This Ordinance approved and signed by me this 7 day of August, 1956, at the hour of 7:45 o'clock P.M.

S/ Thos. L. Lemon
Thos. L. Lemon, Mayor