

CHAPTER 50
PARK REGULATIONS

SCOPE

5000. Scope.

The provisions of this chapter govern the use and management of the Jackson County Park System. (Ord. 1447, Eff. 07/11/86)

DEFINITIONS

5002. Definitions.

When used in this chapter, the following words and phrases shall have the following meanings. If any words and phrases are not defined by this chapter but are defined in the state laws regulating the use of parks, the state law definition shall apply. (Ord. 1692, 10/25/88)

5002.1 Waterway.

Any body of water, lake, pond, stream, or waterway owned or controlled by Jackson County. Jackson County waterways include, but are not limited to, Longview Lake, Prairie Lee Lake, Blue Springs Lake and Lake Jacomo. (Ord. 1692, 10/25/88)

SEVERABILITY

5003. Severability.

If any section or other provision of this chapter is invalid, or incapable of being enforced, by reasons of any rule of law or public policy, all other sections and provisions of this chapter shall nevertheless remain in full force and effect and no section shall be deemed dependent upon any other section or provision unless so expressed herein. (Ord. 1692, 10/25/88)

PARK RANGERS:

The following section shall apply to the duties of the Jackson County park rangers. (Ord. 1447, Eff. 07/11/86; Ord. 2194, Eff. 4/29/93)

5005. Park Rangers.

The Jackson County park rangers shall assist the director of parks and recreation in the control, management and protection of all Jackson County parks, park property, and all wildlife, natural, and cultural resources of the parks. (Ord. 1447, Eff. 07/11/86)

5005.1 General Duties.

Jackson County park rangers shall strive to assure the convenience and safety of all persons using county parks as permitted by this chapter. (Ord. 1447, Eff. 07/11/86)

5005.2 Enforcement of Park Regulations.

Jackson County park ranger shall have concurrent jurisdiction with the officers of the Sheriff's Patrol to enforce all park regulations set out in chapter 50, Jackson County Code. (See 64.335 & 590.105 RSMo) (Ord. 1447, Eff. 07/11/86)

5005.3 Enforcement of Nonmoving Traffic Violations.

Jackson County park rangers shall have the jurisdiction to enforce the following provisions of chapter 52, Traffic Code and chapter 55, Petty Offenses:

- 5270. Obstruction of Traffic Prohibited;
 - 5271. Blocking Driveway Prohibited;
 - 5272. Standing in Curb Loading Zone;
 - 5273. Maximum Time at Curb Loading Zone;
 - 5274. Buses;
 - 5275. Taxicabs;
 - 5276. Bus and Taxicab Stands, Use Restrictions;
 - 5277. Parking Restricted on Certain Streets;
 - 5284. Illegally Parked Vehicles;
 - 5286. Vehicle Abandonment Prohibited;
 - 5531. Disorderly Conduct;
 - 5539. Obedience to Sheriff, Deputy, or Park Ranger;
 - 5540. Littering;
 - 5547. Possession of Controlled Substances;
 - 5549. False Report or Information;
 - 5551. Fleeing or Attempting to Elude an Officer;
 - 5552. Hindering an Officer/Resisting Arrest;
 - 5554. Resisting Arrest; and
 - 5556. Public Indecent Exposure.
- (Ord. 1692, Eff. 10/25/88; Ord. 2194, Eff. 4/20/93; Ord. 2648, Eff. 04/01/97)

5005.4 Violation of Law other than Park Regulation.

On observing any violation of any county ordinance, or the laws of the United States or the state of Missouri, the Jackson County park rangers may notify the

sheriff, the Highway Patrol, or any appropriate law enforcement authority of the United States, the state, or the county, or of the city in which the park is located. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88)

5005.5 Emergencies.

In the event of emergencies involving illness or injury, or danger to life, the Jackson County park rangers shall take reasonable steps to obtain needed medical, rescue or other emergency assistance. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88)

5005.6 Oath of Office.

Upon successful completion of required law enforcement training, each park ranger shall take an oath of office before the clerk of the county legislature. (Ord. 2194, Eff. 4/20/93)

5006. Parking.

Jackson County Park rangers shall have jurisdiction to issue citations for violations of the following parking ordinances occurring within county parks: (Ord. 1947, Eff. 04/08/91)

5006.1 Where Prohibited - Motor Vehicles.

No person shall park or leave unattended a motor vehicle except in places clearly marked for vehicle parking. (Ord. 1947, Eff. 04/08/91; Ord. 2194, Eff. 4/20/93)

5006.2 Where Prohibited - Trailers.

No person shall park or leave unattended a motor vehicle with attached trailer, or a trailer alone, except in places clearly marked for trailer parking. (Ord. 1947, Eff. 04/08/91)

5006.3 Handicapped Reserved.

Whenever authorized signs are erected or other marking exists designating an area for handicapped parking, no person shall stop, park, or leave attended or unattended a vehicle or trailer within that marked area unless that vehicle bears and properly displays a valid distinguishing license plate or placard issued pursuant to § 307.071 or 301.142, RSMo, as amended, or, if the owner of said vehicle or trailer is a non-resident of the State of Missouri, a valid duly registered equivalent license plate or placard issued by the state, county or other place of which the owner is a resident. (Ord. 1947, Eff. 04/08/91)

5006.4 Director Authorized to Designate.

The director of parks and recreation shall have the authority to post signs, paint lines, or otherwise clearly designate parking area for vehicles with validly issued and displayed handicapped distinguishing license plates or placards. (Ord. 1947, Eff. 04/08/91)

5006.5 Rangers Authorized to Issue GOS.

Whenever any motor vehicle or trailer without driver is found parked or stopped in violation of any of the restrictions of this chapter, the park ranger finding such vehicle may issue a ticket by taking the vehicle's registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a general ordinance summons for the owner to answer to the charge against him. (Ord. 1947, Eff. 04/08/91)

5006.6 Rangers Authorized to Remove Vehicles.

Whenever a park ranger finds a motor vehicle or trailer parked in violation of any of the provisions of this chapter or chapter 52 of this code, such ranger is authorized to remove such vehicle, or require the driver or other person in charge of the vehicle to do so. (Ord. 1947, Eff. 04/08/91; Ord. 2194, Eff. 4/20/93)

5007. Director Authorized to Designate - Employee Occupied Property.

The director of parks and recreation shall have the authority to designate specific Parks and Recreation employees to occupy county-owned residential property within the parks system for the purpose of providing security and protection of county assets. The director is authorized to execute all documents, approved by the County Counselor, detailing the terms and conditions of the occupancy. The director shall present a list of designated employees and the assigned county-owned residential property to the County Executive and the County Legislature on an annual basis. (Ord. 4215, Eff. 7/22/10)

GENERAL PROVISIONS:

The following section shall apply to park hours and other provisions for park usage. (Ord. 1447, Eff. 07/11/86)

5010. Quiet Hours.

Quiet shall be maintained between the hours of 10:00 p.m. and 6:00 a.m. in all park areas. (Ord. 1447, Eff. 07/11/86)

5010.1 Park Closings.

Any county park, or portion of any county park, may be closed to the public entirely or closed for certain uses for a period of time as determined by the director of parks and recreation, simply by the posting of signs to that effect or by other means which make it obvious that any county park or portion thereof is closed to the public entirely or closed for certain uses. During the periods of time when any county parks are closed, no person shall enter or occupy any such park or portion of such park contrary to the posted regulations. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88)

5011. Sales and Concessions.

Sales or advertisement of merchandise or other goods for sale or hire, in any Jackson County park, facilities, land or water is prohibited, except by written permission of the Jackson County director of parks and recreation or under licenses otherwise provided for by this chapter. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88)

5011.1 Display of Written Permits.

Written permits issued by the director of parks and recreation pursuant to this section for the sale or advertisement of merchandise or other goods for sale or hire in any Jackson County park or, facilities, land or water, must be conspicuously displayed at all times. (Ord. 1692, Eff. 10/25/88)

5011.2 Advertisement.

No person, group, or organization shall display or distribute literature, posters, fliers, or any other materials in any Jackson County park except by written permission of the Director. (Ord. 2357, Eff. 12/22/94)

5012. Schedules of Fees and Charges.

The director of parks and recreation shall submit to the County Legislature, for its approval, a schedule establishing charges for concession items, souvenirs, rental fees and related charges for the use of county recreational equipment, and for the use of park facilities in all Jackson County parks. The schedule of fees shall be submitted by December 15 of each year. Fees and charges will remain in effect until superseded. The provisions of this section do not apply to fees set by concession contract. (Ord. 1447, Eff. 07/11/86; Ord. 1831, Eff. 06/21/90)

5013. Motor Vehicles.

Motor vehicles shall include but will not be limited to automobiles, trucks, motorcycles, minibikes, trailbikes, snowmobiles, dune buggies, all-terrain vehicles, trailers, campers, or other such equipment. (Ord. 1447, Eff. 07/11/86)

5013.1 Motor Vehicle Operation.

Motor vehicles may only be operated on roadways and parking areas designated by the director. No person shall operate any motor vehicle through, around or beyond a restrictive sign, recognizable barricade, fenced gate or other traffic control barrier or device. No person shall operate any motor vehicle in any area other than on paved roadways and parking areas designated by the director. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88; Ord. 2357, Eff. 12/22/94)

5013.2 All Terrain Vehicles.

No person shall operate an all-terrain vehicle in any Jackson County park. (Ord. 1692, Eff. 10/25/88)

5013.3 Truck Sizes.

The operator of a truck rated over one and a half tons is prohibited from operating said truck in all Jackson County parks. Woods Chapel Road, Longview Road, Raytown Road and 109th Street are excluded from this prohibition. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88)

5013.4 Horse Trailer Parking.

No person shall park a trailer or other conveyance designed to transport horses in a designated trail head parking area without a permit issued by the director of the Jackson County parks and recreation department. Permits will be issued for a definite time and duration and will not be transferable. Permits must be clearly displayed on the rear of the trailer or transport. Participation in a reserved event as designated by the director of parks and recreation will not require a permit. (Ord. 1692, Eff. 10/25/88)

5014. Hot Air Balloons.

Hot Air Balloons may be launched from launching sites designated by the director of parks and recreation and are subject to permits and regulations promulgated by the director. No person shall launch a Hot Air Balloon on any park land, lakes, or waterway, except from a designated launching site or when authorized by the director as a Special Events. (Ord. 1447, Eff. 07/11/86; Ord. 1831, Eff. 06/21/90; Ord. 2020, Eff. 09/03/91)

5014.1 Ultralight Aircraft.

No person shall operate any ultralight aircraft on any Jackson County park land, lake or waterway except when authorized by the director of Special Events. (Ord. 1692, Eff. 10/25/88).

5014.2 Para-Sailing Equipment & Operation.

No person shall operate any para-sailing equipment or device on any Jackson County lake or waterway except when authorized by the director. (Ord. 1947, Eff. 04/08/91)

5014.3 Bicycles/Mountain Bikes/All-Terrain Bikes.

No person shall operate any bicycle, mountain bike, all terrain bike, wide-tired bike or other non-motorized, pedal-operated vehicle in any Jackson County park except at areas designated by the Director of Parks and Recreation or on marked roads within any park. (Ord. 1947, Eff. 04/08/91; Ord. 2274, Eff. 02/17/94)

5015. Firearms and Other Weapons.

No person other than police officers or others authorized by law shall use, carry or possess any long bow, cross bow or sling shot, pistol, revolver, rifle, shotgun, air gun, spring gun or any other weapon in which the force used to propel projectiles is gun powder, air, compressed air or springs, or any instrument that can be loaded with and fire blank cartridges, on any Jackson County Park System property except at shooting ranges authorized by the director of parks and recreation or as otherwise permitted by this chapter. (Ord. 1447, Eff. 07/11/86)

5015.1 Shooting Into Park.

No person shall discharge a firearm or other weapon into park areas from beyond the park boundaries. (Ord. 1447, Eff. 07/11/86)

5016. Swimming

No person shall swim, bathe, wade, or float in or on any non-licensed device, in Prairie Lee Lake, Lake Jacomo, Longview Lake, Blue Springs Lake, or any other Jackson County lake, waterway, pond, creek, or spillway, except as specifically set forth in this section. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88; Ord. 2194, Eff. 4/20/93)

5016.1 Prairie Lee Lake.

Persons owning lakeside property at Prairie Lee Lake, and their families and guest, may swim from their own property shoreline at Prairie Lee Lake. (Ord. 1692, Eff. 10/25/88; Ord. 2194, Eff. 4/20/93)

5016.2 Designated Beaches.

Upon payment of the appropriate fee therefor, persons may swim at designated Jackson County beach areas, during the hours established by the director of

parcs and recreation and subject to the rules promulgated by the director and posted at beach areas. (Ord. 1692, Eff. 10/25/88; Ord. 2194, Eff. 4/20/93)

5016.3 Boats Moored in Designated Swimming Areas.

Persons wearing Type I, II, or III personal flotation devices approved by the United States Coast Guard may swim from privately-owned boats and from pontoon boats rented by the county, so long as said boat is moored. (Ord. 1692, Eff. 10/25/88; Ord. 2194, Eff. 4/20/93)

5017. Ice Skating and Other Activities.

No person shall ice skate, fish, sled, dive or walk on or in the ice of any Jackson County lake or waterway except at areas designated by the Director and signed for that purpose. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88; Ord. 1831, Eff. 6/21/90)

5018. Wildlife.

No person shall pursue, catch, kill, molest, possess, illuminate, spotlight, or take in any manner or any quantity any wildlife nor destroy the dens or nests of any wildlife on park land except as otherwise permitted by this chapter, or by the express permission of the director of parks and recreation when necessary to control animal damage. (Ord. 1447, Eff. 07/11/86; Ord. 2194, Eff. 4/20/93; Ord. 2648, Eff. 04/01/97)

5018.1 Domestic Animals.

No person shall bring any domestic animal into any county park unless such animal shall be in the immediate control of such person on a leash not exceeding six feet in length. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88; Ord. 2194, Eff. 4/20/93)

5018.2 Horseback Riding.

No person shall engage in horseback riding in county parks except on bridle paths and in areas designated by the director of parks and recreation. (Ord. 1447, Eff. 07/11/86)

5018.3 Trapping.

No person shall set or possess any steel, plastic or wooden trap for catching, pursuing or killing wildlife in any Jackson County park. (Ord. 1692, Eff. 10/25/88)

5018.4 Livestock.

No person shall graze any livestock in any Jackson County park. (Ord. 1692, Eff. 10/25/88)

5019. Migratory Waterfowl.

5019.1 Definition.

Any species of birds commonly known as swans, geese, brants, river and sea ducks, and any other waterfowl falling under the jurisdiction of the Missouri Conservation Commission or otherwise defined by the Commission as migratory waterfowl. (Ord. 2210, Eff. 7/9/93)

5019.2 Feeding, Prohibition.

No person shall feed any migratory waterfowl, or create any condition, or allow any condition to exist, which results in a congregation or congestion of migratory waterfowl which:

- a) results in an accumulation of waterfowl feces or droppings;
 - b) results in damage to flora, fauna, or private public property;
 - c) results in a threat to the public health, safety, or welfare; or
 - d) results in a threat to the health, safety, or welfare of migratory waterfowl.
- (Ord. 2210, Eff. 7/9/93)

5019.3 Feeding or Baiting Wildlife, Prohibition.

No person shall feed or bait any wildlife, including all mammals, birds (excluding feeding at songbird stations), deer, raccoons, and any other species of wildlife which feeding:

- a) Results in a threat to the public health, safety or welfare of park visitors, patrons, or employees; or
- b) Draws birds or wildlife to an area for any purpose including hunting or poaching. (Ord. 2357, Eff. 12/22/94)

5019.4 Non-Game Fish, Feeding Prohibition.

No person shall feed non-game fish except at designated fish feeding stations. (Ord. 2357, Eff. 12/22/94)

5020. Plants.

All trees, plants and vegetation, on County park land are protected. No person shall collect, destroy, or remove any tree, plant, or other vegetation from park lands or waterways except by permission of the director of parks and recreation. Dead fallen wood may be collected for use as firewood at park campgrounds and picnic areas. No person shall collect standing timber for use as firewood. (Ord. 1447, Eff. 07/11/86, Ord. 2210, Eff. 7/9/93; Ord. 2357, Eff. 12/22/94)

5020.1 Deer Stands, Prohibition.

No person shall use, construct or in any way attach a deer stand, or any other structure, or any portion thereof, including steps to any tree or any other object, unless approved by the director. (Ord. 2357, Eff. 12/22/94)

5021. Artifacts and Items of Antiquity.

All items of antiquity on County park land are protected. No person shall collect any artifacts or item of antiquity from park land except as approved by the director of parks and recreation. (Ord. 1447, Eff. 07/11/86, Ord. 2210, Eff. 7/9/93)

5022. Fires.

No person shall ignite or maintain any fire on park land except in designated ovens, stoves, rings or other fireplaces provided for that purpose by the County. No person shall leave a fire unattended, and all fires must be extinguished after use. (Ord. 1447, Eff. 07/11/86, Ord. 2210, Eff. 7/9/93)

5022.1 Fire Danger.

The director of parks and recreation may prohibit all fires on all county park land by the posting of signs to that effect. Any person igniting a fire in county park land during the time said fires are prohibited is guilty of a county ordinance violation. (Ord. 1447, Eff. 07/11/86, Ord. 2210, Eff. 7/9/93)

5023. Fireworks.

The use or possession of fireworks of any kind on county park land is permitted only when authorized by the director of parks and recreation for special events. (Ord. 1447, Eff. 07/11/86, Ord. 2210, Eff. 7/9/93)

5024. Littering.

Only litter or trash generated from recreational activities in Jackson County Parks shall be disposed of in appropriate containers provided by the Department of Parks and Recreation. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88, Ord. 2210, Eff. 7/9/93)

5024.1 Dumping.

Dumping of trash, brush, or other debris on park land, lakes or waterways is prohibited. (Ord. 1447, Eff. 07/11/86, Ord. 2210, Eff. 7/9/93)

5024.2 Person Presumed Responsible.

The operator of a vehicle or vessel shall be presumed to be responsible for litter which is thrown, dropped, or left from the vehicle or vessel on county property or waters. (Ord. 1447, Eff. 07/11/86, Ord. 2210, Eff. 7/9/93)

5025. Disorderly Conduct.

No person shall;

a. Engage in disorderly conduct or any conduct tending toward a breach of the peace or,

b. Engage in any violent, tumultuous, offensive and disorderly conduct by threatening, traducing, quarreling, challenging to fight or fighting, or by using obscene, offensive, profane or unseemly language to the annoyance, disturbance or vexation of another.

(Ord. 1692, Eff. 10/25/88, Ord. 2210, Eff. 7/9/93)

5025.1 When Noises Constitute Disorderly Conduct.

The causing or making of any unnecessary loud noise or shouting or yelling or by the use of amplified speakers or sound systems shall be considered disorderly conduct. (Ord. 1692, Eff. 10/25/88, Ord. 2210, Eff. 7/9/93)

5026. Alcoholic Beverages.

The director of parks and recreation may prohibit possession or consumption of alcoholic beverages at certain park areas, park functions or park facilities by the posting of signs to that effect. (Ord. 1447, Eff. 07/11/86, Ord. 2210, Eff. 7/9/93)

5026.1 Possession of Alcoholic Beverages Prohibited - Where.

No person shall possess or consume any alcoholic beverage within Prairie Lee Park, at Prairie Lee Lake, at any swimming beach or archery range operated by Jackson County at any location within Jackson County, at the Fleming Meeting Hall, or at any historic site operated by Jackson County, except when authorized by the director for park related events. (Ord. 1947, Eff. 04/08/91; Ord. 2194, Eff. 4/20/93, Ord. 2210, Eff. 7/9/93)

This section shall also apply to lakeside residents of Prairie Lee Lake who are using the lake or park. (Ord. 1947, Eff. 04/08/91, Ord. 2210, Eff. 7/9/93)

5026.2 Alcohol, Possession or Consumption by Persons Under 21.
No person under the age of twenty-one years shall possess or consume any alcoholic beverage in any Jackson County park. (Ord. 1447, Eff. 07/11/86; Ord. 2194, Eff. 4/20/93; Ord. 2210, Eff. 7/9/93)

5026.3 Intoxication.
Any person in a state of intoxication on any Jackson County park property may be removed from park property. (Ord. 1447, Eff. 07/11/86, Ord. 2210, Eff. 7/9/93)

5027. Shelterhouse Reservations.
No person shall use or occupy any shelter house on any Jackson County park without first making a reservation with and securing a permit from the director of parks and recreation. Shelterhouse reservations may only be made by a person twenty-one (21) years of age or older. The person making the reservation shall be held accountable for the condition of the shelterhouse at the end of their use of the shelterhouse. The person reserving the shelterhouse shall also be responsible for the actions of those in his party. (Ord. 1692, Eff. 10/25/88, Ord. 2210, Eff. 7/9/93; Ord. 2648, Eff. 04/01/97)

5028. Archery Range Permits.
No person shall possess, shoot or use any type of archery equipment on any designated archery range without first purchasing the proper archery permit issued by Jackson County parks and recreation. (Ord. 1692, Eff. 10/25/88, Ord. 2210, Eff. 7/9/93)

5029. Diving or Jumping From Bridges.
No person shall dive or jump from any bridge or natural structure into any Jackson County lake or waterway. (Ord. 1831, Eff. 6/21/90, Ord. 2210, Eff. 7/9/93)

CAMPING:

The following sections shall apply to camping in Jackson County parks. (Ord. 1447, Eff. 07/11/86)

5030. Camping Areas.
No person shall engage in camping or the over night use of the County park lands except in areas and in such manner as shall be designated by the director of parks and recreation. The director of parks and recreation may designate rules and regulations and such rules and regulations shall be posted at park camping areas. (Ord. 1447, Eff. 07/11/86)

5031. Time Limit.

Camping at one or more campsites in a Jackson County park for a period longer than 14 consecutive days is prohibited without the written permission of the director of parks and recreation or his designee. Written permission is required to camp in Jackson County park campgrounds in excess of 14 days during any 30 day period. (Ord. 1447, Eff. 07/11/86)

5032. Unattended Camps.

No campsite may be left unattended for more than twenty-four (24) hours. (Ord. 1447, Eff. 07/11/86)

5033. Cleanliness.

Campsites must be cleaned daily. The cleaning of fish or the washing of clothes or dishes at water hydrants is prohibited. (Ord. 1447, Eff. 07/11/86)

5034. Rowdy Behavior.

Rough, rowdy or boisterous conduct at any time shall be cause for immediate expulsion from the campground at the request of any Jackson County park ranger or deputy sheriff. (Ord. 1447 Eff. 7/11/86)

5035. Wastewater.

No person shall dump wastewater on the ground or in any lake or stream within the Jackson County park system. (Ord. 1447 Eff. 7/11/86)

5036. Natural Terrain Maintained, Metal Detectors, Mining, and Prospecting Prohibited.

No person shall disturb in any way the natural terrain, plants, or animals in any Jackson County park. No person shall operate a metal detector, or mine or prospect for any mineral, in any Jackson County park without the written permission of the director of parks and recreation. (Ord. 1447, Eff. 07/11/86; Ord. 2648, 04/01/97)

5037. Construction of Docks on Prairie Lee Lake, Permit Required.

An owner of lakeside property at Prairie Lee Lake, directly abutting the lake, may be permitted to construct a dock on the lake in accordance with this section. Each such dock shall be compatible with other docks and lakeside residences in terms of size, type, spacing between docks, and method of construction. No person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any dock or similar structure on the waters of Prairie Lee Lake, or cause or permit the same to be

done, without first obtaining a valid permit from the director of public works. (Ord. 3344, Eff. 03/11/03)

5037.1 No Fee for Lakeside Property Owners.

No fee for a permit under this section shall be assessed against an owner of lakeside property at Prairie Lee Lake. (Ord. 3344, Eff. 03/11/03)

5037.2 Standards.

The issuance of a permit under this section shall be governed, by construction standards to be promulgated by the director of public works. Such standards shall, to the extent practicable, comply with chapter 54 of this Code, the Uniform Building Code, and the policy enunciated in this section. A copy of all such standards shall be on file in the offices of the clerk of the county legislature and director of public works. (Ord. 3344, Eff. 03/11/03; Ord. 3363, Eff. 05/19/03)

BOATING AND WATERCRAFT:

The following sections shall apply to boating and watercraft on all Jackson County lakes and waterways. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88)

5040. Boating Regulations.

The use and operation of watercraft and motors on any Jackson County waterway shall be in accordance with the laws of the State of Missouri and the Missouri Water Patrol. The legislature may prescribe rules and regulations pertaining to licensing, permits, size, type, horsepower and operation of watercraft and motors on Jackson County waterways. Also, the director of parks and recreation may promulgate rules and regulations pertaining to the use of the parks. As used in this chapter, the term "motor" shall include any inboard or outboard motor used to propel a watercraft, regardless of horsepower or type of fuel used. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88; Ord. 2648, 04/01/97)

5040.1 Copies of State Regulations.

The director shall file a true copy of the Missouri Watercraft Manual with the clerk of the county legislature by January 15 of each year. Copies of the Missouri Watercraft Manual shall be made available to park patrons at park offices and through park rangers. (Ord 1447, Eff 7/11/86)

5040.2 Personal Flotation Services, Class I, II, and III Motorboats.

No person shall operate or otherwise ride as a passenger in any class I, II, or III motorboat (motorboats 16 feet and over in length) unless such boat shall have on

board at least one wearable personal flotation device of type I, II, or III, as approved by the United States Coast Guard, in serviceable condition and readily accessible, for each person on board said boat and for each person being towed by said boat who is not wearing such a device, and unless such boat shall have on board at least one approved type IV throwable personal flotation device. Ski belts and inflatables do not qualify as approved personal flotation devices. (Ord. 1692, Eff. 10/25/88; Ord. 1831, 6/21/90; Ord. 2194, Eff. 4/20/93)

5040.3 Personal Flotation Devices, Class A Watercraft.

No person shall operate or otherwise ride as a passenger in any class A watercraft (less than 16 feet in length) unless such boat shall have on board at least one personal flotation device of class I, II, III, or IV, as approved by the United States Coast Guard, in serviceable condition and readily accessible, for each person on board said boat and for each person being towed by said boat who is not wearing such a device. Ski belts and inflatables do not qualify as approved personal flotation devices. (Ord. 1831, 6/21/90; Ord. 2194, Eff. 4/20/93; Ord. 2357, Eff. 12/22/94)

5040.4 Personal Flotation Devices, Persons Under the Age of Seven (7) Years.

No person shall operate or otherwise ride as a passenger in any motorboat, sailboat, canoe, kayak, or any other similar watercraft, containing any person under the age of seven (7) years, unless each such person under the age of seven (7) years is wearing a United States Coast Guard approved personal flotation device. Ski belts and inflatables do not qualify as approved personal flotation devices. (Ord. 2194, 4/20/93)

5040.5 Lighting.

No person shall operate any motorboat, sailboat, canoe, kayak or other watercraft between the hours of sunset and sunrise unless such watercraft shall exhibit running lights in the following manner:

- a) positioned on the bow, a red light to the port and a green light to the starboard visible for 180 degree for one mile and,
- b) positioned on the stern a white light visible for 360 degree for two miles. (Ord. 1692, Eff. 10/25/88; Ord. 1831, 6/21/90; Ord. 2194, Eff. 4/20/93)

5040.6 Fire Extinguishers.

No person shall operate any motorboat unless such motor boat shall carry on board United States Coast Guard approved fire extinguishers as follows:

- a) Every class A and every class 1 motorboat carrying or using gasoline or any other flammable or toxic fluid: one B1 type fire extinguisher;
- b) Every class 2 motorboat: one B2 or two B1 type fire extinguishers;
- c) Every class 3 motorboat:
 1. Three B1 type fire extinguishers; or
 2. One B2 type and one B1 type fire extinguisher; or
 3. A fixed fire extinguishing system and one B2 type fire extinguisher; or
 4. A fixed fire extinguishing system and two B1 type fire extinguishers. (Ord. 1844, Eff. 6/29/90; Ord. 2194, Eff. 4/20/93)

5040.7 Sounding Devices.

No person shall operate any motorboat, sailboat, canoe, kayak, or other watercraft greater than sixteen (16) feet in length unless such watercraft shall carry on board an operable mouth, hand, or power operated sounding device audible for at least one-half mile. (Ord. 1692, Eff. 10/25/88; Ord. 1844, Eff. 6/29/90; Ord. 2194, Eff. 4/20/93)

5040.8 Age Limits.

The minimum age for operating a motorboat in the state of Missouri is fourteen (14). No person under fourteen (14) years of age shall operate any motorboat unless such person is under the direct on board supervision of a parent or guardian or other person sixteen (16) years of age or older, or unless such motorboat is moored. No person shall authorize or knowingly permit a motorboat owned by such person or under such person's control to be operated on any county waterway in violation of this subsection, nor shall a parent or guardian authorize or knowingly permit such a child under fourteen (14) years of age of such parent or guardian to operate a motorboat in violation of this subsection. (Ord. 1692, Eff. 10/25/88; Ord. 1844, Eff. 6/29/90; Ord. 2194, Eff. 4/20/93; Ord. 2648, Eff. 04/01/97)

5041. Launching Areas.

No person shall launch a boat or raft from any area except the launching ramps maintained by Jackson County for such purpose. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88)

5041.1 Public Courtesy Dock Time Limits.

No person shall exceed 10 minutes docking time for loading or unloading passengers or materials at the public docks and ramp areas within the park lands. (Ord 1447, Eff. 07/11/86)

5042. Boat and Motor Permits.

No person shall operate any watercraft on any Jackson County waterway, except for lakeside property owners at Prairie Lee Lake, without the appropriate boat and/or motor permit issued by the Jackson County department of parks and recreation. Permits shall be issued on a seasonal or a one-day basis and are non-refundable and non-transferable. Season boat permits and combination boat and motor permits shall be displayed on the port bow (left front) side of the watercraft. Season motor permits shall be displayed on the port bow (left front) side on the motor. One-day ramp permits shall be carried on the watercraft while on any Jackson County waterway. Lakeside property owners at Prairie Lee Lake will be issued identification tags and will not be required to obtain separate boat and motor permits to use Prairie Lee Lake. The identification tags shall be displayed on the port bow (left front) side of the watercraft. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88; Ord. 2357, Eff. 12/22/94; Ord. 2648, Eff. 04/01/97)

5042.1 Use of Boat Ramps.

No person shall use a launching ramp at any Jackson County waterway without having obtained the appropriate boat and/or motor permit from the Jackson County department of parks and recreation. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88; Ord. 2357, Eff. 12/22/94; Ord. 2648, Eff. 04/01/97)

5042.2 Mooring, Dock, Dry Storage and Locker Permits.

No person shall moor, dock, or store any watercraft on any specifically designated mooring dock, or dry storage facility owned or operated by Jackson County without having obtained the appropriate permit therefor. Dock and mooring spaces may be purchased as available with the actual permit issuance subject to verification of ownership and registration information. Dock and mooring permits will allow the permit holder to use any Jackson County waterway

for the time period indicated on the permit; however separate motor permits are still required. Dock and mooring permits shall be displayed on the port bow side (left front) of the watercraft. Permits are also required for the use of designated dry storage areas but these do not allow the permit holder use of Jackson County waterways unless the holder also purchases boat and motor permits as applicable. Dry Storage permits shall be displayed on the left front side of the trailer and port bow (left front) side of the boat. (Ord. 1447, Eff. 07/11/86; Ord. 1831, Eff. 06/21/90; Ord. 2357, Eff. 12/22/94; Ord. 2648, Eff. 04/01/97)

5042.3 Renewal of Permits.

All dock, mooring and dry storage permit holders of record as of January 1 may renew their permit options during January and February each year on payment of all fees and compliance with the terms and conditions of this chapter. Actual permit issuance will be subject to verification of ownership and registration information. For the purpose of this section, permit holder of record shall be defined as either the current holder of a valid permit if January 1 is included in the permit season or the holder of a valid permit on the last day of the last completed permit season immediately preceding January 1. (Ord. 1447, Eff. 07/11/86; Ord. 2357, Ord. 2357, Eff. 12/22/94)

5042.4 Permits Issued After March 1.

On or after March 1 of each year, any remaining dock, mooring, and dry storage permits may be sold using a random drawing procedure or lottery. All interested parties shall register for said lottery between January 1 and February 28 of each year. The lottery shall be held before the third Monday in March. All registrants or their representatives must be present during the drawing in order to participate in the lottery. Any dock, mooring or dry storage purchases through the lottery process will require the full payment of fees at the time of selection. Actual permit issuance will be subject to verification of ownership and registration information. (Ord. 1447, Eff. 07/11/86; Ord. 2357, Eff. 12/22/94)

5042.5 Permits Issued After July 31.

After July 31 of each year, the director of parks and recreation may issue seasonal boat, motor, combination boat and motor, mooring, dock, and dry storage permits for the remainder of the current season at one-half the fees established for the applicable full season. (Ord. 1447, Eff. 07/11/86; Ord. 2357, Eff. 12/22/94; Ord. 2648, Eff. 04/01/97)

5042.6 Display of Permits.

No person shall operate, dock, moor, or store any watercraft, motor, or trailer on any Jackson County waterway or other property owned or operated by Jackson County unless said watercraft shall display all applicable boat, motor, dock, mooring, and dry storage permits in accordance with this section. (Ord. 2357, Eff. 12/22/94; Ord. 2648, Eff. 04/01/97)

5043. Registration, Display.

No person shall operate any motorboat or any sailboat over twelve (12) feet in length unless such motorboat or sailboat shall be registered for certificate of number and certificate of title, and shall display current registration numbers and stickers in the following fashion: The identification number assigned to a motorboat or sailboat shall be painted or attached to each side of the forward half of the motorboat or sailboat in such a position as to provide clear legibility. Black or dark numbers should be used on light-colored hulls, and white or light numbers should be used on dark-colored hulls providing a sharp contrast in color. The identification number shall read left to right and shall be in block characters of good proportions, not less than three inches in height. The number must be divided into parts. The letters prefix and suffix, shall be separated from the numbers by two-inch spaces. A hyphen may be placed within the two-inch space. (Ord. 2194, Eff. 4/20/93; Ord. 2357, Eff. 12/22/94)

SIZE AND TYPES OF BOATS:

The following sections shall apply to the size and types of boats permitted on Jackson County lakes and waterways. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88)

5045. Length and Width of Boats Permitted.

Except as otherwise provided in this chapter, no person shall operate a boat over ten feet (10') in width or over thirty (30') feet in length on any Jackson County lake or waterway. No person shall operate any watercraft, except personal watercraft, under eight (8') feet in length on any Jackson County waterway. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88; Ord. 1831, Eff. 6/21/90; Ord 2357, Eff. 12/22/94; Ord. 3473, Eff. 03-23-04)

5046. Boating on Prairie Lee Lake.

5046.1 Sailboats.

No person shall place or operate a sailboat on Prairie Lee Lake.

5046.2 Boats, Length and Width.

No person shall operate a boat, other than a pontoon boat, over ten feet (10') in

width or over twenty-one feet six inches (21.5') in length on Prairie Lee Lake.

5046.3 Pontoon Boats, Length and Width.

No person shall operate a pontoon boat over ten feet (10') in width or over thirty feet (30') in length on Prairie Lee Lake.

5046.4 Personal Watercraft.

No person shall operate a personal watercraft on Prairie Lee Lake on weekends or holidays.

5046.5 Artificial Wake Enhancement.

No person shall operate a boat on Prairie Lee Lake that has been modified to or uses any device or means to create an artificially large or modified wake.

(Ord. 1447, Eff. 07/11/86; Ord. 3473, Eff. 03/23/04)

5047. Personal Watercraft.

No person shall operate any personal watercraft, including jet skis, jet boats, jet mates, water scooters, surf jets, wave jammers, wave runners, wet jets, surjets, hydroskis or wet bikes on Lake Jacomo. No person shall operate any personal watercraft as defined in this section on any Jackson County lake or waterway except between sunrise and sunset. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88; Ord. 2648, Eff. 04/01/97; Ord. 3473, Eff. 03/23/04)

5047.1 Personal Flotation Device Required.

No person shall operate a personal watercraft unless each person aboard is wearing a type I, type II, type III or type V personal flotation device approved by the United States Coast Guard. (Ord. 2648, Eff. 04/01/97)

5047.2 Engine Cut-off Switch Lanyard, Attachment of.

No person shall operate a personal watercraft equipped by the manufacturer with a lanyard type engine cutoff switch unless such lanyard is attached to the person's body, clothing, or personal flotation device, as appropriate for the specific vessel. (Ord. 2648, Eff. 04/01/97)

5047.3 Operation in Reckless or Unsafe Manner Prohibited.

No person shall operate a personal watercraft in a reckless or unsafe manner or perform any maneuver on a personal watercraft which would unreasonably or unnecessarily endanger life, limb, or property. Such maneuvers shall include, but shall not be limited to, weaving through congested vessel traffic, jumping the

wake of another vessel when visibility around such vessel is obstructed, becoming airborne or completely leaving the water while crossing the wake of another vessel within one hundred feet of the vessel creating the wake, operating at a speed in excess of a slow-no wake speed within fifty feet of any vessel or any person in or on the water, and operating at such a speed and proximity to another vessel so as to require the operator to swerve to avoid collision. No person shall operate a personal watercraft on any county waterway for towing a person or persons on water skis, or a surfboard, or similar device unless there is a person on the personal watercraft, in addition to the operator, or an approved rear-view mirror attached to the personal watercraft, in a position to observe the progress of the person or persons being towed. (Ord. 2648, Eff. 04/01/97)

5047.4 Responsibility of Owner of Watercraft.

No person who owns a personal watercraft or who has charge over or control of a personal watercraft shall authorize or knowingly permit the personal watercraft to be operated in violation of this section, nor shall a parent or guardian authorize or knowingly permit a child of such parent or guardian to operate a personal watercraft in violation of this section. (Ord. 2648, Eff. 04/01/97)

5047.5 Not Applicable to Permitted Special Events.

The provisions of this section shall not apply to a person participating in a regatta, race, marine parade, tournament, or exhibition for which a permit has been issued by the director. (Ord. 2648, Eff. 04/01/97)

5048. Airboats.

No person shall operate an airboat or hover craft on any Jackson County lake or waterway. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88)

5049. Sailboards.

No person shall operate a sailboard, windsurfer or similarly designed craft on any Jackson County lake or waterway except in accordance with this section and the rules and regulations promulgated by the director of parks and recreation. (Ord. 1447, Eff. 07/11/86; Ord. 1831, Eff. 6/21/90)

5049.1 One Occupant.

Only one (1) person may occupy the sailboard during its operation. (Ord. 1447, Eff. 07/11/86; Ord. 2357, Eff. 12/22/94)

5049.2 Personal Flotation Device Required.

The operator of any sailboard, windsurfer or similarly designed craft must wear at all times while sailboarding a Type I, II or III Personal Flotation Device approved by the U.S. Coast Guard. (Ord. 1447, Eff. 07/11/86; Ord. 2357, Eff. 12/22/94)

5049.3 Wet Suit Required.

From October 1 through May 15 the operator and any passenger of any sailboard or personal watercraft must wear a wet suit designed to protect the trunk, arms and legs. (Ord. 1447, Eff. 07/11/86; Ord. 2357, Eff. 12/22/94)

5050. Sound Level.

The maximum sound level of a recreational motorboat on any Jackson County lake shall not exceed eighty-six decibels on a "A" weighted scale when measured from a distance of fifty or more feet from the motorboat and the owner must provide proof of the above upon request. (Ord. 1692, Eff. 10/25/88; Ord. 1722, 3/7/89)

5051. Windsurfing.

The director of parks and recreation may allow windsurfing on Longview and Blue Springs Lakes between sunrise and sunset, Monday through Thursday. No person shall windsurf on Friday, Saturday, Sunday or on holidays. Windsurfing shall be allowed on Lake Jacomo without restrictions. (Ord. 1831, Eff. 6/21/90)

5051.1 Windsurfing Regulations.

Any person windsurfing on Longview or Blue Springs Lakes shall first obtain a permit and shall be subject to all regulations promulgated by the director of parks and recreation. (Ord. 1831, Eff. 6/21/90)

HORSEPOWER:

The following sections shall apply to horsepower and speed limits on Jackson County lakes and waterways. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88)

5055. Pontoon Boats on Lake Jacomo.

Pontoon boats on Lake Jacomo shall not have a motor or combination of motors that exceed forty horsepower (40 HP) as rated by the manufacturer of the motor. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88)

5056. Sailboats on Lake Jacomo.

Displacement type nonplaning sailboats shall not have a motor or combination of motors that exceed forty horsepower (40 HP) as rated by the manufacturer of the motor. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88)

5057. All Other Boats on Lake Jacomo.

Other boats shall not be operated on Lake Jacomo using an attached or installed motor or combination of motors having more than twenty-five horsepower (25 HP) as rated by the manufacturer of the motor. All boats on Lake Jacomo having an attached or installed motor or combination of motors of greater than 25 HP must have the lower unit of that motor raised and fixed above the water level and the propeller removed. (Ord.

1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88)

5058. Maximum Speed on Prairie Lee Lake.

Except for lake patrol boats operated by the county or state, boats may not be operated on Prairie Lee Lake in excess of forty-five miles per hour (45 mph). (Ord. 1447, Eff. 07/11/86; Ord. 2194, Eff. 4/29/93)

5059. Maximum Speed on Lake Jacomo.

Except for lake patrol boats operated by the county or the state, motorized boats may not be operated on Lake Jacomo in excess of ten miles per hour (10 mph). (Ord. 1447, Eff. 07/11/86; Ord. 2194, Eff. 4/29/93)

5060. Horsepower Limits on Prairie Lee Lake.

No boat with an attached or installed motor having more than one hundred and ninety (190) horsepower (outboard) and/or one hundred and sixty-five (165) horsepower (inboard) may be placed on Prairie Lee Lake on Saturdays, Sundays or holidays. (Ord. 1692, Eff. 10/25/88; Ord. 2194, Eff. 4/29/93)

OTHER BOATING AND WATERCRAFT REGULATIONS:

The following sections shall apply to safety equipment, water skiing, regattas and inspections of watercraft on Jackson County lakes and waterways. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88)

5065. Loading Restrictions on Jackson County Lakes and Waterways.

Boats may not be loaded beyond the capacity or number of persons recommended by the manufacturer. Loading restrictions shall not be construed to permit loading of boats in excess of a maximum safe load under existing weather, operating conditions, or type and condition of the boat. (Ord. 1447, Eff. 07/11/86; Ord 1831, 6/21/90)

5066. Water Skiing.

The operator of any vessel being used to tow a person on water skis or other appropriate device approved for use on Jackson County lakes and waterways must have in addition to himself another person on board seated so as to observe the progress of the person being towed or the vessel must be equipped with a ski mirror and red ski flag. All water skiing and other approved activity shall be conducted only from sunrise to sunset. (Ord. 1692, Eff. 10/25/88; Ord. 2357, Eff. 12/22/94; Ord. 2648, Eff. 04/01/97)

5066.1 Direction of Skiing on Prairie Lee Lake.

On Prairie Lee Lake both the operator of the towing vessel and the person or persons being towed will maneuver counterclockwise so that the skis or other device or any person will not strike or collide with another object or person. (Ord.

1692, Eff. 10/25/88; Ord. 2648, Eff. 04/01/97)

5066.2 Waterskiing Conduct.

No person will manipulate water skis or other device in a reckless or negligent manner endangering the life or property of any person. No person shall manipulate water skis or other device while intoxicated or under the influence of any narcotic drug, barbiturates or marijuana. (Ord. 1692, Eff. 10/25/88; Ord. 2648, Eff. 04/01/97)

5066.3 Flotation Devices for Water Skiing.

Any person involved in water skiing or other approved similar activity must wear a type I, II or III coast guard approved personal flotation device. Ski belts and other inflatables are not allowed. (Ord. 1692, Eff. 10/25/88; Ord. 2648, Eff. 04/01/97)

5066.4 Water Skiing at Lake Jacomo.

No person shall water ski on Lake Jacomo except by special permission of the director for special events. (Ord. 1692, Eff. 10/25/88; Ord. 2648, Eff. 04/01/97)

5067. Regattas on Lake Jacomo.

Regattas on Lake Jacomo must be authorized by the director of parks and recreation. (Ord. 1447, Eff. 07/11/86)

5068. Authority to Inspect.

Jackson County park rangers or deputy sheriffs shall be permitted to board any boat on any Jackson County lake or waterway at any time to inspect for compliance with boating regulations. (Ord. 1447, Eff. 07/11/86; Ord. 1722, Eff. 03/07/89)

5068.1 Refusal to Permit Inspection.

Refusal to permit an inspection by any Jackson County park ranger or deputy sheriff shall be a violation of this chapter. (Ord. 1447, Eff. 07/11/86)

5069. Authority to Issue Written Notice of Violation.

Jackson County park rangers shall have authority to issue written notice of violation to any permit holder who fails to comply with the boating and watercraft regulations of this chapter. Park rangers shall report the notice of violation to the director of park and recreation. (Ord. 1447, Eff. 07/11/86)

5069.1 Revocation and Suspension.

The director may suspend or revoke any permit issued under authority of this chapter. The appeal procedure may be obtained from the parks and recreation department. (Ord. 1447, Eff. 07/11/86)

5070. Operation of Watercraft.

No person shall:

- 1) navigate a watercraft within a designated prohibited area;
- 2) operate a watercraft in any manner other than as prescribed or permitted by regulatory markers;
- 3) moor to, damage, tamper, remove or in any way interfere with any aid to navigation or regulatory marker;
- 4) operate any vessel or associated device (i.e., water skis, surfboard, or other waterborne device) in a reckless or negligent manner so as to endanger life or property; and
- 5) operate any motorboat or watercraft, or manipulate any water skis, surfboard or other waterborne device while intoxicated or under the influence of any narcotic drug, barbiturate or marijuana. (Ord. 1692, Eff. 10/25/88)
- 6) operate any motorboat, vessel or watercraft at a rate of speed so as to endanger the property of another or the life or limb of themselves or others. (Ord. 1831, Ord. 6/21/90)
- 7) operate any motorcraft, vessel or watercraft within 100 feet of any dock, pier, occupied anchored boat, or buoyed restricted area at a speed faster than slow - no wake speed. (Ord. 1831, Eff. 6/21/90)

5071. Riding on Bow and Gunwales Prohibited.

The operator of a motorboat 26 feet in length or less, shall not ride or sit, or allow any passengers to ride or sit on either the starboard or port gunwales or on the decking over the bow railing, top of seat back, or decking over the back of the motorboat while under way, unless such person is inboard of adequate guards or railings which could prevent someone from being lost overboard . As used in this section, the term "adequate guards or railings" means guards or railings having a height parameter of at least six inches but not more than eighteen inches. (Ord. 1692, Eff. 10/25/88; Ord. 1831, Eff. 6/21/90; Ord. 2648, Eff. 04/01/97)

5071.1 Exceptions.

- a) The operator may allow a person to temporarily occupy the decking over the bow for a necessary purpose such as docking, mooring to, or casting off from a mooring buoy.

b) Vessels being propelled by sail are not included. (Ord. 1692, Eff. 10/25/88)

5072. Removal of Park Patrons.

Jackson County park rangers shall have the right to remove any person from the County's lakes and waterways for the following:

1. severe weather conditions;
2. other dangerous conditions where personal safety or property is endangered or
3. infractions of the County's rules and regulations. (Ord. 1692, Eff. 10/25/88)

5073. Traffic Movement.

All watercraft operators shall stop their craft upon the signal of park ranger and shall obey all reasonable signal direction given by any park ranger in directing the movement of traffic on any Jackson County lake or waterway. (Ord. 1831, Eff. 6/21/90)

5073.1 Right of Way to Emergency Watercraft.

When any emergency watercraft gives an audible signal, by siren, or visible signal, with red or blue emergency lights, the operator of any watercraft shall immediately stop or position their watercraft in such a manner as to give the right of way to the emergency vehicle. (Ord. 1831, Eff. 6/21/90)

5074. Leaving the Scene of an Accident.

A person commits the offense of leaving the scene of a vessel accident if:

- (1) The person is an operator of a vessel on a waterway;
- (2) The person knows that an injury was caused to another person or to the property of another person, due to the person's action, whether purposefully, negligently or accidentally; and,
- (3) The person leaves the place of the injury, damage, or accident without stopping and giving the following information to the other party or to a park ranger, water patrol officer or other law enforcement officer or, if no officer is in the vicinity, then without delay to the nearest police station or judicial officer:
 - (a) The operator's name;
 - (b) The operator's residence, including city and street number;

(c) The vessel registration number; and

(d) The operator's license number for any license issued under chapter 302, RSMo. (Ord. 2648, Eff. 04/01/97)

FISHING:

The following section shall apply to fishing in Jackson County parks. (Ord. 1447, Eff. 07/11/86)

5075. Fishing.

Fish may be taken from Jackson County park system lakes and waterways, subject to the provisions of the Missouri Wildlife Code. (Ord. 1447, Eff. 07/11/86; Ord. 1947, Eff. 04/08/91; Ord. 2194; Eff. 4/20/93)

RADIO CONTROLLED AIRCRAFT:

The following sections shall apply to radio controlled aircraft. (Ord. 1447, Eff. 07/11/86)

5080. Operation of Radio Controlled Aircraft.

No person shall operate a remote radio controlled aircraft except in areas designated for such operation by the director of parks and recreation. (Ord. 1447, Eff. 07/11/86)

5081. Display of Frequency and Channel.

Any person operating a radio controlled aircraft within designated areas in Jackson County parks shall prominently display on the transmitter at all times frequency flags and channel numbers. (Ord. 1447, Eff. 07/11/86)

5082. Liability Insurance Required.

No person shall operate a radio controlled aircraft or boat on or above park land or waterways unless he has liability insurance of at least the minimum limits offered by the Academy of Model Aeronautics to its members, with regard to aircraft, or the minimum limits offered by the American Power Boat Association to its members, with regard to boats. Any person holding a current Academy of Model Aeronautics membership card will be presumed to have met the above requirement with regard to aircraft. Any person holding a current American Power Boat Association membership card will be presumed to have met the above requirement with regard to boats. (Ord. 1447, Eff. 07/11/86; Ord. 2274, Eff. 02/17/94)

5083. Permit.

It shall be unlawful for any person to operate any type of radio controlled equipment for the purpose of operating miniature or model airplanes, ground running vehicles, water

borne boats or vehicles, rockets or any other similar device within the physical boundary of any park that is under the jurisdiction of Jackson County, Missouri, without first purchasing the proper operating permit issued by Jackson County. (Ord. 1447, Eff. 07/11/86)

5084. Radio-Controlled Flying Field Sound Level.

No person shall operate any radio-controlled flying device with a sound level in excess of ninety-eight (98) decibels on a weighted scale when measured from a distance of fifty (50) or more feet. (Ord. 2194, Eff. 4/20/93)

SCUBA DIVING

The following sections shall apply to scuba diving and consequences and penalties for violation of this chapter. (Ord. 1692, Eff. 10/25/88)

5085. Permission to Dive.

Any person wishing to scuba dive in Jackson County lakes and waterways must contact the Jackson County Rangers' Station located at Lake Jacomo twenty-four (24) hours prior to their dive and inform the senior ranger on duty of the time, location, purpose and number of persons involved in the dive. (Ord. 1692, Eff. 10/25/88)

5086. Release Prior to Dive.

Parties involved in an approved diving activity must sign a waiver releasing Jackson County and its' employees from all responsibility which results from the diving activity. (Ord. 1692, Eff. 10/25/88)

5087. Diving Flag.

During all diving operations an approved diving flag must be displayed. (Ord. 1692, Eff. 10/25/88)

5087.1 Flag Specifications.

The diving flag shall be a minimum of twelve (12) inches by sixteen (16) inches and red in color with a two (2) inch white diagonal stripe running from the top left corner to the lower right corner. (Ord. 1692, Eff. 10/25/88)

5087.2 Flag Visibility.

The diving flag must be visible for 360 degree and stand three (3) feet above the water. (Ord. 1692, Eff. 10/25/88)

5088. Diving Restrictions.

Diving shall not impede or interfere with the normal flow of traffic unless by special permission of the director of parks and recreation and the superintendent of Park Safety

and Interpretation. (Ord. 1692, Eff. 10/25/88)

OTHER REGULATIONS:

The following sections shall apply to abandoned property, sewage disposal, and consequences and penalties for violation of this chapter. (Ord. 1447, Eff. 07/11/86; Ord. 1692, Eff. 10/25/88)

5090. Abandoned Property.

Any boat, craft or other property of value found abandoned, adrift or left unattended in or near county lakes or on county park land may be taken by the county. (Ord. 1447, Eff. 07/11/86)

5090.1 Lien for Expenses.

The county shall have a lien on such property for all expenses of taking, towing, and storing that property and for all damage caused by that property to the property of the county, or to any other person. (Ord. 1447, Eff. 07/11/86)

5090.2 Procedure for Property Disposal.

If the owner of the property does not claim the property and redeem the lien within 6 months, the property may be disposed of in the same manner as surplus county property. (Ord. 1447, Eff. 07/11/86)

5091. Expulsion from the Park.

Any person in violation of any law, or the rules and regulations of the director of parks and recreation, or in any other way endangering the safety or property of others, may be required to immediately leave the park for the day. (Ord. 1447, Eff. 07/11/86; Ord. 2194, Eff. 4/20/93)

5092. Posting Bail After Arrest.

Any person arrested and charged with violating any provision of this chapter may be required to post bail as security for appearance in court to answer that charge, with an officer of the Sheriff's Patrol authorized by law or rule of court to accept bail. The amount of bail required shall be the amount as may be determined by applicable rule of court concerning the amount of bail on a particular charge. (Ord. 1447, Eff. 07/11/86)

5093. Penalty.

Any persons found guilty of violating any provision of this chapter shall be punished by a fine of not more than one thousand dollars (\$1,000) or by confinement in the county jail for not more than one (1) year or by both. Each violation shall be deemed a separate offense. (Ord. 1447, Eff. 07/11/86)

5094. Actions not to Abate.

This chapter shall not be construed as abating any action now pending under or by virtue of prior existing regulations; or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting the liability of any person, firm or corporation, or as waiving any right of the county under any section or provision or regulations existing at the time of adoption of this chapter; or as vacating or annulling any rights obtained by any person, firm or corporation, by lawful action of the county, except as expressly provided for in this chapter. (Ord. 1447, Eff. 07/11/86)

5095. Sewage Disposal.

No vessel utilizing Jackson County lakes and waterways shall discharge any waste directly or indirectly into the County's waters. No vessel will be equipped with the capability of discharging any waste or sewage into the water in any manner. (Ord. 1692, Eff. 10/25/88)

5095.1 Containment of Sewage on Board.

All marine toilets must be constructed to contain sewage on board until it can be properly disposed of in an approved septic tank, sanitary lagoon or sewage treatment system. (Ord. 1692, Eff. 10/25/88)

5096. Littering in Jackson County Lakes and Waterways.

No person shall throw or place glass, bottles, cans, trash, garbage, refuse or rubbish of any kind or in any form in the lakes or water way, shorelines and surrounding areas of Jackson County. (Ord. 1692, Eff. 10/25/88)

5097. Damage to County Property.

No person shall deface, damage, injure or destroy any County building, bridge, fence or other County enclosure, gate, gate post, grounds, lamp, lamp post, fireplug, hydrant, railing, sign, tree, tree box or any other county property or property not belonging to that person by breaking, cutting, hacking, pulling down, tearing, making, daubing with paint, or other substance, or in any other way or manner defacing, damaging, injuring or destroying said property. (Ord. 1831, Eff. 6/21/90)

5098. RESERVED.

5099. General.

An easement through Jackson County Park real property will be granted only if it is impossible for the applicant to secure an easement on non-county owned real property to accomplish the same goal. All possible alternatives to a park land easement must be explored and proven by the applicant to the satisfaction of the Director or his designee

to be impossible before the Department will enter into the process of considering an easement request. (Ord. 3710., Eff. 11/23/05)

Nothing in this policy prohibits any applicant from applying and securing a permit from the Jackson County's Public Works Department to utilize the road right of way for its intended purposes pursuant to county codes. (Ord. 3710., Eff. 11/23/05)

5099.1 Easements Requests.

No easement or construction for purposes of establishing an easement is allowed on Jackson County park lands without prior request and approval. All easement requests shall be in writing and submitted to the Director of the Parks and Recreation Department or his designee. (Ord. 3710., Eff. 11/23/05)

Each easement request shall identify the applicant, whether individual, corporate or other business entity, for profit or non-profit and shall also include the following: a letter of request including a statement of the alternatives explored and an explanation of feasibility; a map of the proposed site for construction of the easement; aerial photography of the area; plan sheet; profiles; size of easements; and legal description for the purpose of assessing each request. (Ord. 3710., Eff. 11/23/05)

The Director or his designee may request the applicant to provide (at applicant's cost) an environmental impact assessment. This assessment will provide information as to the impact of the easement on the natural environment and consideration of future uses of the park land. An independent consultant, approved in advance by the Director or his designee, must provide the impact assessment. A written summary will be provided to the Director to assist in making the decision of recommending the easement request for approval. (Ord. 3710., Eff. 11/23/05)

5099.2 Types of Easements Allowed.

Easements of any type through park land will be granted as follows:

Underground utilities will be allowed on park land within a thirty (30) feet wide corridor immediately adjacent to real property boundaries, if the laying of that line does not conflict with any current or future planned use of the park land. Any utility lines installed in park lands shall be moved by and at the expense of the utility company should it conflict with future park development. Utility companies will not have exclusive use of the established thirty (30) feet corridor on park land. This space will be shared by all approved underground utilities. (Ord. 3710., Eff. 11/23/05)

5099.3 Fee Structure.

Fees shall not be waived. Approved applications are assessed the following fees:

Administrative fees \$2,000.00

Permanent easement fee (other than governmental entities) Administrative fees plus \$0.40 per square foot

Permanent easement fee for governmental entities Administrative fees plus \$0.20 per square foot

Tree replacement fee Specific to easement site

Temporary Construction Easement Administrative & tree replacement fees.

For overhead utilities, the fee shall be based on 60% of property fair market value or \$0.40 per square foot, which ever is higher. (Ord. 3710., Eff. 11/23/05)

5099.4 Approval of Easements.

Upon review and approval of an easement request the Director of Parks and Recreation Department shall forward to the Jackson County Counselor all easement documents for review as to legality and form prior to recommending the approval of the easement to the Jackson County Legislature. (Ord. 3710., Eff. 11/23/05)

5099.5 Penalty Provision.

A violation of Sections 5099. through 5099.4 is punishable pursuant to § 5093., Jackson County Code, 1984. (Ord. 3710., Eff. 11/23/05)