



ORD-27

CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE



July 13, 2010

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www.LBParks.org

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HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to declare Ordinance amending Sections 16.08.471 and 16.08.650 of the Long Beach Municipal Code, related to Marine Stadium, read the first time and laid over to the next regular meeting of the City Council for final reading. (District 3)

DISCUSSION

The Long Beach Municipal Code, Chapter 16.08, relates to the recreational marinas and waterfront areas operated by the City, including rules related to the use of Marine Stadium. Last summer, a number of issues arose, prompting questions about possible changes that can be made to the Municipal Code, which will enhance recreation at Marine Stadium.

The Municipal Code currently allows for motorized vessels to utilize Marine Stadium between 8:00 a.m. and dusk every day, unless Marine Stadium is being used for a permitted special event. During the winter months, particularly on weeknights, there is very little use of Marine Stadium for water skiing and wakeboarding. At the same time, the Long Beach Junior Crew, a private club open to the public, which is aligned with the Long Beach Unified School District to offer rowing for physical education credits, operates a very popular and successful junior rowing program. The young athletes participate in this program on weeknights, between 3:30 p.m. and dusk.

To better utilize Marine Stadium to meet the needs of the highest number of users, the Department of Parks, Recreation and Marine (PRM) is recommending that motorized vessels be allowed to utilize Marine Stadium during the hours of 8:00 a.m. to dusk every day during the year, with the exception of Monday through Wednesday, from October 1 through March 31, between the hours of 4:00 p.m. and 6:00 p.m., excluding any school holidays observed during that period.

Secondly, PRM has received requests from water skiing and wakeboarding enthusiasts asking the City to increase the length of vessels allowed to use Marine Stadium for these sports. The companies that manufacture vessels for water skiing and wakeboarding purposes are building more maneuverable, albeit longer, vessels. PRM and the Marine Safety Division of the Fire Department have evaluated these requests, and are in support of a change to the Municipal Code to allow vessels up to twenty-three feet in length, not including swimstep, to be utilized for these sports.

"We create community and enhance the quality of life through people, places, programs and partnerships"

HONORABLE MAYOR AND CITY COUNCIL

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Lastly, the Municipal Code currently restricts swimming and wading in Marine Stadium. However, persons who utilize the Stadium for boating activities anchor their vessels, and wade to and from their vessels to rest, picnic, change passengers, use restroom facilities, and enjoy the area. Not only is it necessary to wade to and from their vessels, historically, individuals enjoying the Stadium for boating activities have been allowed to wade into the water to cool off. The anchored vessels create a safety zone along the beach area, long recognized by the Marine Safety Division rescue boat operators. PRM is recommending that the Municipal Code be changed to allow wading, but still prohibit swimming, in Marine Stadium.

These proposed changes were evaluated by the Marine Advisory Commission, including significant public comment, over a three-month period. The Marine Advisory Commission ultimately supported all of these changes.

This matter was reviewed by Deputy City Attorney Gary J. Anderson on June 22, 2010, and Budget Management Officer Victoria Bell on June 23, 2010.

TIMING CONSIDERATIONS

City Council action is requested on July 13, 2010, in order to implement this Municipal Code change as soon as possible.

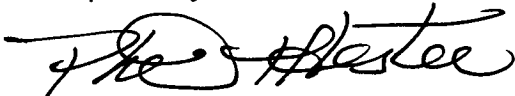
FISCAL IMPACT

There is minimal fiscal impact associated with this request. PRM staff surveyed the use of Marine Stadium on weekday afternoons during the winter, and an average of one vessel per day, which equates to \$12 per day, utilized Marine Stadium during this period. This is no impact to jobs associated with this request.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



PHIL T. HESTER
DIRECTOR OF PARKS, RECREATION AND MARINE

PTH:MS:eh
Attachment: Ordinance

APPROVED:



PATRICK H. WEST
CITY MANAGER

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE LONG BEACH
MUNICIPAL CODE BY AMENDING SECTIONS 16.08.471
AND 16.08.650, RELATING TO MARINAS

The City Council of the City of Long Beach ordains as follows:

Section 1. Section 16.08.471 of the Long Beach Municipal Code is
amended to read as follows:

16.08.471 Five (5) mile per hour speed limit – Restricted area.

No person shall operate any vessel within Alamitos Bay at a rate of
speed in excess of five (5) miles per hour. The provisions of this Section
do not apply to the areas designated in Section 16.08.470, to Marine
Stadium West between April 1 and September 30, inclusive, between the
hours of eight o'clock (8:00) A.M. to sunset. The provisions of this Section
do not apply to the areas designated in Section 16.08.470, to Marine
Stadium West between October 1 and March 31, inclusive, on Thursday
through Sunday and on school holidays between the hours of 8 o'clock
(8:00) A.M. to sunset, and on Monday through Wednesday, excluding
school holidays, between the hours of 8 o'clock (8:00) A.M. to 4 o'clock
(4:00) P.M. and between the hours of 6 o'clock (6:00) P.M. to sunset, or to
Marine Stadium East for an organized marine event under permit issued
by the City.

Section 2. Section 16.08.650 of the Long Beach Municipal Code is
amended to read as follows:

1 16.08.650 Marine Stadium West.

2 A. The operation of motorboats up to twenty-three feet (23') in
3 length, not including swimstep, for the purpose of water skiing or wake
4 boarding is permitted within areas of Marine Stadium West designated by
5 the Director for that purpose. Within such designated areas, the five (5)
6 mile per hour speed limit shall not be applicable between eight o'clock
7 (8:00) A.M. and sunset during the period of April 1 and September 30,
8 inclusive; between the hours of eight o'clock (8:00) A.M. and sunset on
9 Thursday through Sunday and school holidays during the period of
10 October 1 and March 31, inclusive; between the hours of eight o'clock
11 (8:00) A.M. and four o'clock (4:00) P.M. on Monday through Wednesday,
12 excluding school holidays, during the period of October 1 and March 31,
13 inclusive; and between the hours of six o'clock (6:00) P.M. and sunset on
14 Monday through Wednesday, excluding school holidays, during the period
15 of October 1 and March 31, inclusive, provided, however, no person shall
16 operate any vessel in Marine Stadium West in excess of thirty-five (35)
17 miles per hour.

18 B. Within the Marine Stadium West, no person shall:

19 1. Within the northwest five hundred (500) feet of the
20 extreme northwest end of Marine Stadium West, operate any vessel in
21 excess of five (5) miles per hour. The Director shall mark or cause to be
22 marked said restricted speed area with appropriate buoys;

23 2. Operate vessels, except for motorboats up to twenty-
24 three (23) feet in length, rowing shells, or other non-motorized paddle
25 vessels without a permit issued by the Director;

26 3. Operate Personal Watercraft. "Personal Watercraft" shall
27 mean a vessel less than thirteen (13) feet in length which uses an inboard
28 motor powering a water jet pump or propeller as its primary source of

1 motive power and which is designed to be operated by a person sitting,
2 standing, or kneeling on the vessel rather than the conventional manner of
3 sitting or standing inside the vessel;

4 4. Possess or consume any alcoholic beverage;

5 5. Swim without a permit issued by the Director;

6 6. Tow any object, structure or person with a towline in
7 excess of seventy-five (75) feet in length;

8 7. Fail to beach immediately any vessel upon the lawful
9 sounding of a warning device by the operator of an official patrol boat;

10 8. Follow in the wake of any motorboat at a distance of less
11 than two hundred (200) feet when the motorboat is towing any object,
12 structure, or person;

13 9. Ski without a flag;

14 10. Leave ski line in the water after a skier drops off. Ski line
15 shall be pulled aboard immediately after skier drops off;

16 11. Operate a motorboat in any manner except as follows:

17 a. In a southeasterly direction when the boat is closer
18 to the southwesterly shore of the Marine Stadium West than to the
19 northeasterly shore thereof,

20 b. In a northwesterly direction when the boat is closer
21 to the northeasterly shore of the Marine Stadium West than to the
22 southwesterly shore thereof,

23 c. In a right turn when departing from the shore or
24 when approaching the shore;

25 12. Operate any motorboat, except in cases of emergency,
26 in any area other than the established traffic lane. The Director shall give
27 notice of the location of a traffic lane or lanes in the Marine Stadium West
28 consistent with the requirements of this Section by placing appropriate

1 marking buoys therein;

2 13. Operate a motorboat towing more than one person,
3 except during organized events under a permit issued by the Marine
4 Bureau;

5 14. Fail, when skiing, to wear an approved U.S.C.G.
6 personal flotation device of serviceable condition and appropriate size;

7 15. Operate a motorboat unless the vessel is equipped with
8 a means of disengaging and reversing its propulsion, except when
9 participating in an organized event under a permit issued by the Marine
10 Bureau;

11 16. Fish within the Marine Stadium West designated water
12 ski area;

13 17. Operate a ski boom or any side towing apparatus.

14 C. The number of vessels permitted to be in use in the Marine
15 Stadium West at any one time shall be determined by the Director.

16
17 Section 3. The City Clerk shall certify to the passage of this ordinance by
18 the City Council and cause it to be posted in three (3) conspicuous places in the City of
19 Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the
20 Mayor.

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I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 20__, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

Approved: _____

(Date)

Mayor

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664