

**ODRINANCE NO. 772**

***“BOAT LAUNCH PASS ORDINANCE”***

**AN ORDINANCE OF THE CITY OF GRANITE SHOALS, TEXAS, ESTABLISHING DAILY AND ANNUAL BOAT LAUNCH PASSES AT CITY PARK PUBLIC BOAT RAMPS LOCATED ALONG LAKE LBJ, BY AMENDING CHAPTER 26: PARKS AND RECREATION; CREATING NEW ARTICLE V: BOAT LAUNCH PASS; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, SAVINGS, SEVERABILITY, REPEALER, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.**

**WHEREAS**, Lake Lyndon B. Johnson (“Lake LBJ”) comprises approximately 133,090 acres of water area and is located partially within the political boundaries of the City of Granite Shoals, Texas (the “City”); and

**WHEREAS**, the City needs a way to fund and maintain boat launching ramps within its parks that are open to the general public including non-residents; and

**WHEREAS**, the City Council of the City of Granite Shoals, Texas has the authority to take charge of and the duty, if a majority of the City Council elects, to adopt this Ordinance establishing a boat launch pass under Texas Statutes.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRANITE SHOALS, TEXAS:**

**SECTION I. FINDINGS OF FACT**

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION II. AMENDMENT**

Chapter 26 (Parks and Recreation) of the Code of Ordinances of the City of Granite Shoals, Texas, is hereby amended to add the following language:

**“ARTICLE V. BOAT LAUNCH PASS**

**Sec. 26.51** **Definitions.** The following words and phrases have the designated meanings:

- (a) Boat shall include all water craft, including but not limited to vessels, power boats,

canoes, kayaks, pontoon boats, sailboats, power jet skis, personal watercraft and rowboats.

- (b) Boat Ramp means any public boat ramp located in a public park within the City of Granite Shoals.
- (c) Resident is an individual or business owner who resides, owns property, or operates a business in the City of Granite Shoals.
- (d) Boat Ramp and Parking Permit means the envelope used to deposit the fee and the removeable windshield tag. This permit must be completely and properly filled out to be considered valid.

**Sec. 26.52 Daily Boat Ramp and Parking Permit.**

- (a) The City of Granite Shoals imposes a ten-dollar (\$10.00) daily fee upon any non-resident who seeks to launch a boat at any City-owned boat ramp in the City of Granite Shoals. Payment for the Boat Ramp and Parking Permit is due before the boat is launched and expires at the end of the day upon which the boat is launched and/or the fee is paid. The retrieval of the boat upon the same day for which the pass was issued is included in the pass. The retrieval of a boat on a day other than the day the pass was issued requires the payment of an additional ten-dollar (\$10.00) fee.
- (b) Payment for the daily permit shall be made by placing United States of America currency, also known as cash, in the deposit envelope provided at the Lock Box Receptacle. Checks are not an accepted form of payment. This Receptacle is located near the City boat ramp. The envelope shall then be placed in the lock box after removing the windshield tag.
- (c) The windshield tag bearing the same sequential number as the deposit envelope shall be hung from the rearview mirror of the vehicle used in the launching and retrieval of the boat at a City boat ramp. The print on the tag must face the windshield so it can be viewed from outside the vehicle.
- (d) Any vehicle with an empty boat trailer attached must display the windshield tag while parked in or near a public park in the City of Granite Shoals. Failure to display the windshield tag with the same day as the parking day circled, or an Annual Launch Pass, is in violation of this Ordinance.
- (e) Boat Ramp and Parking Permit fees shall be paid at all times during the calendar year.

**Sec. 26.53 Resident Annual Launch Pass.**

- (a) A free Residential Annual Launch Pass is available to City of Granite Shoals residents. The Resident Annual Launch Pass is effective for the remaining days in the calendar year of issuance. Resident Annual Launch Passes are not available to non-residents of the City of Granite Shoals.
- (b) A free annual sticker will be provided by the City and shall be permanently affixed to the front windshield of the tow vehicle near the state registration sticker. The tow



- vehicle must be registered to the resident.
- (c) A Resident Annual Launch Pass may not be assigned by the owner to another individual nor transferred to another vehicle. A maximum of two free Resident Annual Launch Pass stickers will be issued per household.

**Sec. 26.54 Non-Resident Annual Launch Pass.**

- (a) A two hundred-dollar (\$200.00) Non-Resident Annual Launch Pass is available to non-residents of the City of Granite Shoals. The Non-Resident Annual Launch Pass is not prorated and is effective for the remaining days in the calendar year of issuance upon the payment to the City.
- (b) A new two hundred-dollar (\$200.00) Non-Resident Annual Pass is required for each subsequent Non-Resident Annual Launch Pass renewal. All renewal periods begin on January 1<sup>st</sup> of each year.
- (c) Each Non-Resident Annual Launch Pass shall be permanently affixed to the front windshield of the tow vehicle near the state registration sticker. A Non-Resident Annual Launch Pass may not be assigned by the owner to another subsequent individual nor transferred to another vehicle. In the event of the loss of an issued Non-Residential Annual Launch Pass, a replacement pass shall not be issued without the payment of an additional two-hundred dollar (\$200.00).

**Sec. 26.56 Collection and Use of Boat Launch Passes.**

- (a) Mindful that the City of Granite Shoals works to protect and rehabilitate Lake LBJ for the members of the community and the general public, the City shall retain all money collected from Daily Launch Passes and Annual Launch Passes as funds belonging to the City of Granite Shoals to be appropriated to the park budget and used to provide and maintain the supplies of deposit envelopes, the Annual Launch Pass stickers, the equipment of the Lock Box Receptacle, maintenance and repairs to the boat launch ramps, City parks, and other similar uses.

**Sec. 26.57 Hand-launched Canoes, Paddle Boats, Paddle Boards and Kayaks are Exempt.**

- (a) The provisions of this Ordinance shall not apply to any canoe, paddle boat, paddle board, and/or kayak that is launched by hand provided that the canoe, paddle boat, paddle board, and/or kayak is not brought to the Park Boat Ramp on a trailer.

**Sec. 26.58 Violation of the Granite Shoals Boat Launch Pass Ordinance.**

- (a) Launching or retrieving a boat at the Boat Ramp without the purchase of a Daily Launch Pass or the display of a current Annual Launch Pass shall be a violation of this Ordinance.

**Sec. 26.59 Enforcement.**

- (a) This ordinance may be enforced by any law enforcement office authorized to enforce the ordinances of the City of Granite Shoals and the laws of the state of Texas.

**Sec. 26.60 Penalties.**

- (a) Any person, partnership, limited partnership, limited liability company, corporation, or other legal entity that fails to comply with any provision of this Ordinance shall, upon determination of said failure to comply or violation, pay a civil penalty of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), plus the applicable surcharges, assessments, and costs of enforcement for each violation. Each day a violation exists or continues, constitutes a separate offense under this Ordinance. In addition, the City Prosecutor may seek court injunctive relief to enjoin further violations of this Ordinance.”

**SECTION III. SAVINGS**

The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this Ordinance.

**SECTION IV. SEVERABILITY**

Should any sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance in whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

**SECTION V. REPEALER**

The provisions of this Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This Ordinance shall not be construed to require or allow any act that is prohibited by any other ordinance.

**SECTION VI. EFFECTIVE DATE**

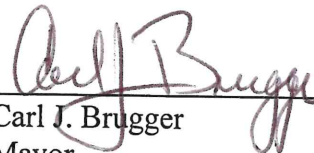
This Ordinance shall take effect immediately from and after its passage and publication as may be required by law.

**SECTION VII. PROPER NOTICE AND MEETING**

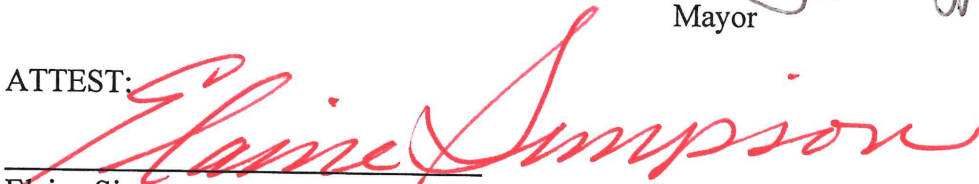
It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said

meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED this 24<sup>th</sup> day of September, 2019.

  
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Carl J. Brugger  
Mayor

ATTEST:

  
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Elaine Simpson,  
City Secretary

APPROVED AS TO FORM:

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Joshua Katz,  
City Attorney