

CHAPTER 24

LAKE HASTINGS.

Reference: As to permissible methods of fishing, see 10-118 of this Code.

Article I. In General.

- 24-101. Camping -- Length of stay.
24-102. Same -- Adoption of rules and regulations.

Article II. Boats and Boating.

- 24-201. Definitions.
24-202. Licenses and permits.
24-203. Applicability of chapter to exhibition boats.
24-204. Reckless operation; speed restrictions.
24-205. Operating under influence of alcohol or narcotics.
24-206. Equipment generally.
24-207. Mufflers, sirens, horns, etc.
24-208. Use of search lights.
24-209. Lights.
24-210. Disturbing endangering, etc., other boats.
24-211. Mooring at private docks without permission.
24-212. Health and conduct rules.
24-213. Erection of docks or other structures.
24-214. Rules and regulations generally.
24-215. Establishing of rules by resolution of city council.
24-216. Inspection of boats.
24-217. Lake patrol officer.
24-218. Responsibility of owner.
24-219. Penalties.

Article I. In General.

24-101. Camping -- Length of stay.

The maximum length of time that any person shall continuously camp or maintain a camp at the public park area at Lake Hastings shall be seventy-two hours.
(Code 1973, 18-1; Ord. No. 2387)

24-102. Same -- Adoption of rules and regulations.

The City Council may by resolution from time to time establish such rules and regulations for the use of the public park area at Lake Hastings by campers as it deems proper and such rules and regulations shall have the full force and effect of ordinance duly adopted upon the posting of such rules and regulations in a conspicuous place at Lake Hastings.

The City Council authorizes the adoption of the Nebraska State Boat Act of 1994 (Chapter 37 of Nebraska Revised Statutes) and all subsequent changes by reference. Any violation of the Nebraska State Boat Act and subsequent changes shall constitute a violation of this section.
(Code 1973, 18-2; Ord. No. 2387 and 3851-2/2002)

Article II. Boats and Boating.

Reference: See Neb. Rev. Stat. 1943, Section 37-1201 et seq.

24-201. Definitions.

For the purposes of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

Boat shall mean any watercraft in or upon or docked or moored in any place in the waterway known as Lake Hastings.

Hastings City Code

Vessel shall mean every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

Motorboat shall mean any watercraft propelled in any respect by machinery, including watercraft temporarily equipped with detachable motors.

Personal watercraft shall mean a class of motorboat less than sixteen feet in length which uses an internal combustion engine powering a jet pump as its primary source of motive propulsion and is designed to be operated by a person sitting, standing, or kneeling on the watercraft rather than in the conventional manner of boat operation.

Lake shall mean the surface water area of the lake known as Lake Hastings.
(Code 1973, 18-3; Ord. No. 1840 and 3851-2/2002)

24-202. Licenses and permits.

(1) No person shall operate any boat or personal watercraft (jet ski) powered by an internal combustion gasoline engine upon Lake Hastings without a permit for said boat. Permits shall be issued by persons designated by the City Administrator upon payment of a fee established by the provisions of the City Council Fee Resolution in effect at the time of the application for the permit.

(2) No person shall operate any boat upon Lake Hastings without any license or certificate required for said boat by state or federal law or regulation, and proof of successful completion of an approved Nebraska Boaters Safety Course or its equivalent. Persons operating a boat upon Lake Hastings shall carry proof of course completion at all times and present proof to any law enforcement or lake patrol officer upon demand.

(3) No person convicted of or any owner of a watercraft operated by a person convicted of violating Sections 24-204. Reckless operation; speed restrictions; 24-205. Operating under influence of alcohol or narcotics; and/or 24-210. Disturbing, endangering, etc., other boats shall be allowed to operate upon Lake Hastings for the remainder of the calendar year and the following calendar year.
(Code 1973, 18-4; Ord. Nos. 1840, 3322-5/93 and 3851-2/2002)

24-203. Applicability of chapter to exhibition boats.

The provisions of this Chapter shall not be construed to prohibit the running or racing of any exhibition boats, muffled or unmuffled, during a publicly announced, properly authorized and supervised and adequately patrolled regatta or speed trial or exhibition.
(Code 1973, 18-6; Ord. No. 1840)

24-204. Reckless operation; speed restrictions.

No person shall operate a boat in a careless or reckless manner or at an excessive rate of speed so as to endanger or be likely to endanger the life or property of any person, having due regard for the presence of other boats or persons or other objects in or on the lake, nor shall any such person operate any boat at a speed which causes waves to damage docks or boats moored to docks along the lake. All boats shall reduce speed to a maximum of five (5) miles per hour when approaching or leaving the City docks or when within ninety (90') feet of the shore line; those boats leaving the docks shall have the right-of-way.
(Code 1973, 18-7; Ord. No. 1840 and 3851-2/2002)

24-205. Operating under influence of alcohol or narcotics.

No person shall operate a boat while under the influence of intoxicating liquor, narcotic drugs or opiates.
(Code 1973, 18-8; Ord. No. 1840)

24-206. Equipment generally.

No person shall operate a boat which does not meet all applicable equipment requirements of the United States Coast Guard and the State of Nebraska.
(Code 1973, 18-9; Ord. No. 1840)

24-207. Mufflers, sirens, horns, etc.

No person shall operate a boat with outboard motor or inboard motor unless equipped with an adequate

Lake Hastings

muffled exhaust. No person shall use any siren or other noise producing or noise amplifying instrument on a boat in such manner that the peace and good order of the neighborhood is disturbed; provided, that nothing in this Article shall be construed to prohibit the use of whistles, bells or horns as signals as required by United States Motorboat Act or other state or federal law for the safe navigation of boats.
(Code 1973, 18-10; Ord. No. 1840)

24-208. Use of search lights.

No person operating a boat shall use search lights indiscriminately or in such manner as to annoy or disturb other persons or boats.
(Code 1973, 18-11; Ord. No. 1840)

24-209. Lights.

No person in charge of any boat in operation on the lake or moored in any dock shall allow the same to operate or remain during the nighttime unless properly lighted in compliance with applicable U.S. Coast Guard Regulations.
(Code 1973, 18-12; Ord. Nos. 1840)

24-210. Disturbing, endangering, etc., other boats.

No person shall operate a boat in such a manner as to unjustifiably or unnecessarily annoy or frighten or endanger the occupants of any other boat or throw up a dangerous wake when approaching another boat.
(Code 1973, 18-13; Ord. No. 1840)

24-211. Mooring at private docks without permission.

No person shall moor a boat to a private dock or beach it upon private property without the permission of the owner thereof.
(Code 1973, 18-14; Ord. No. 1840)

24-212. Health and conduct rules.

Persons in charge of or occupying boats docked at or moored to land or docks abutting the lake shall observe all the health and sanitary regulations of the City and all provisions of this Code or other ordinances of the City relating to the conduct of persons and prohibiting acts contrary to public health, moral safety or public peace. No waste material, refuse, bottles or sewage shall be discarded in the lake or park area adjacent thereto.
(Code 1973, 18-15; Ord. No. 1840)

24-213. Erection of docks or other structures.

No person shall erect or maintain any dock or other structure without securing a permit therefor from the City. No permit shall be issued for any such structure that would protrude more than six feet from the shore line of the lake. For the purpose of this Section, the shore line of the lake shall be construed to be at a contour level of one thousand nine hundred six feet.
(Code 1973, 18-16; Ord. No. 1840)

24-214. Rules and regulations generally.

The following rules and regulations for the use and operation of boats upon Lake Hastings shall apply:

(1) Launching. All boats shall be launched from the City launching ramps.

(2) Area of operation. No boat powered with a motor in excess of seven and one-half horsepower shall be operated where public notification thereof shall be posted.

(3) Traffic pattern. Power boats when placed in motion shall proceed to the traffic pattern and follow the same in a counter clockwise direction.

(4) Age of operators. No person under the age of fourteen years shall operate a motor boat of any class at any time whether accompanied by an adult or not. No person under sixteen years of age shall operate a motor boat over ten horsepower or more, unless operated in a training course under the direct supervision

Hastings City Code

of an adult instructor who is at least twenty-one years of age. Direct supervision shall mean that the adult is accompanying the student upon the craft. Persons in training may not violate any other Nebraska laws regarding age limits or required education.

(5) Accidents. The operator of any boat involved in an accident resulting in injury or death to any person or in serious damage to property shall immediately stop such boat at the scene of such accident, shall give his name, address, the name and number of his boat and the name and address of the owner to the person struck or the operator or occupants of the watercraft collided with and shall render to any person injured in such accident reasonable assistance and shall promptly report such accident to the nearest or most convenient law enforcement agency.

(6) Restricted areas. No person shall operate a boat within a water area which has been clearly marked by buoys or some other distinguishing device as a bathing, swimming or other restricted area.

(7) Insurance. Each owner or operator of a boat on the lake, as herein defined, shall have in effect at all times of such operation a liability insurance policy in the minimum amount of ten thousand dollars.

(8) Water skiing rules.

(a) All ski tow boats shall follow a counter clockwise direction around the lake in the trafficway.

(b) When following another boat, the second boat shall stay at reasonable and safe distance behind the lead boat or skier.

(c) When skiing on one ski the discarded ski or disc shall not be dropped in the ski area trafficway. (Code 1973, 18-17; Ord. Nos. 1840, 1903 and 3851-2/2002)

24-215. Establishing of rules by resolution of city council.

The City Council, by resolution, may from time to time establish such rules and regulations for the use of the public park area and lake as it may deem advisable and such rules and regulations shall have the full force and effect of ordinance duly adopted upon the posting of such rules and regulations in a conspicuous place at the City launching ramp. The City, by resolution, may from time to time establish and locate buoys and markers for the regulation of traffic upon the Lake, and any violation of the directions or restrictions thereby imposed shall be a violation of this Code.

(Code 1973, 18-18; Ord. No. 1840)

24-216. Inspection of boats.

(1) Any law enforcement officer or person with authority to enforce Lake Hastings regulations shall have the authority to inspect any boat in use upon or preparing for use upon Lake Hastings, shall have the duty and authority to enforce the provisions of this code and, in the exercise thereof, shall have the authority to stop and board any vessel subject to this Code.

(2) If any person with authority to enforce this Code observes a boat being used without sufficient life saving or fire fighting devices or in an overloaded or other unsafe condition as defined in the laws and regulations of the State of Nebraska or City of Hastings and in its judgment such use created an especially hazardous condition, he may direct the operator to take whatever immediate and reasonable steps would be necessary for the safety of those aboard the vessel, including directing the operator to return to the mooring and to remain there until the situation creating the hazard is corrected or ended.

(Code 1973, 18-19; Ord. No. 1903 and 3851-2/2002)

24-217. Lake patrol officer.

Each year, the Director of Parks and Recreation shall appoint a Lake Patrol Officer. The Lake Patrol Officer shall have police authority and shall be responsible for maintaining order and enforcing all regulations and City ordinances and regulations at Lake Hastings.

(Code 1973, 18-20; Ord. No. 1903)

24-218. Responsibility of owner.

The owner of a boat shall be liable for any injury or damage occasioned by the negligent operation of such boat whether such negligence consists of a violation of the provisions of this Code or other ordinance of this

Lake Hastings

City or the statutes of this State or in the failure to observe such ordinary care in such operation as the rules of the common law require. The owner shall not be liable, however, unless such boat is being used with his express or implied consent. It shall be presumed that such boat is being operated with the knowledge and consent of the owner if at the time of the injury or damage it is under the control of his wife, father, mother, brother, sister, son, daughter or other immediate member of the family.

(Code 1973, 18-21; Ord. No. 1840)

24-219. Penalties.

Any person who shall violate any provision of this Chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished as provided in this Code, and in addition thereto may, in the discretion of the court having jurisdiction over the matter, be denied the privilege of operating any boat on the lake for a period not to exceed two years.

(Code 1973, 18-22; Ord. No. 1840)

Reference: As to general penalty, see 1-109 of this Code.