

Pierce County

8.88.151 Speed Limits – Salt Water.

It shall be unlawful to operate a vessel at a rate of speed greater than will permit the operator in the exercise of reasonable care to bring the vessel to a stop within the assured clear distance ahead; provided, however, it shall be unlawful to operate vessels in excess of five miles per hour, or at a speed which produces a damaging wake, within 200 feet of any shore, dock or public swim area, or within 100 feet of swimmers or of any vessel, or within 300 feet of any public boat launch.

A violation of this Section constitutes a Class 4 civil infraction under Chapter 1.16 PCC.

(Ord. 2001-68 § 1 (part), 2001; Ord. 96-89S § 3, 1997)

8.88.160 For Vessels Engaged in Taking Off and Landing – With or Without Water-Skiers.

A. Taking off shall be done perpendicular or as near to perpendicular to shore, dock or other launching facilities, whichever shall permit the vessel and skier, if any, safe passage to open water; provided, that at no time shall the taking off angle be less than a 45 degree angle to shore, dock, or other launching facility.

B. Landing of vessels and skiers shall be done not less than at a 45 degree angle to the shore, dock, or other landing facilities.

C. At no time shall taking off or landing of water-skier give the towing vessel special privileges over any other vessels, under the rules of the road, and at no time shall such acts of skiing cause undue risk to persons or property.

D. A violation of this Section constitutes a Class 4 civil infraction under Chapter 1.16 PCC.

(Ord. 96-90 § 1 (part), 1996; Ord. 84-62 § 1 (part), 1984; prior Code § 43.04.016)

8.88.165 Negligent Operation.

It shall be unlawful to operate any vessel in a negligent manner upon the waters of Pierce County. Negligent operation is the failure to operate in a careful and prudent manner or at a speed that is reasonable and proper under the conditions at the time and place of operation, taking into account the amount and character of traffic, size of waters and freedom from obstruction of view ahead, or the failure to exercise reasonable care necessary to prevent the endangerment of life, limb or property of any other person when operating a vessel. Actions that constitute evidence of negligent operation include but are not limited to:

A. Causing a wake that is likely to, or in fact does, create a hazardous situation or damage property, which property is reasonably constructed and/or reinforced to withstand normal wakes and washes and the natural movements of wind, waves and tidal fluctuations under non-storm conditions.

- B. Causing a wake that is likely to, or in fact does, create a hazardous situation to other persons whether engaged in shore side activities or in nearby vessels.
- C. Swerving at the last possible moment to avoid collision.
- D. Loading or permitting to be loaded a vessel with passengers or cargo beyond its safe carrying ability or carrying passengers or cargo in an unsafe manner taking into consideration weather and other existing operating conditions.
- E. Bow, seat back, gunwale or transom riding, when operating in excess of five miles per hour unless seating is specifically designed for that location.
- F. The operator of any vessel shall be responsible for any damage or injuries caused by the wake from the vessel.
- G. A violation of this Section constitutes a Class 2 civil infraction under Chapter 1.16 PCC.
- H. Operating without navigation lights at night.

(Ord. 2003-127s2 § 2 (part), 2004)

8.88.170 Reckless Operation.

It shall be unlawful to operate any vessel in a reckless manner upon the waters of Pierce County. For the purpose of this Chapter, to operate in a reckless manner means the careless or heedless operation of a vessel with a willful or wanton disregard for the safety of, or endangerment to, persons and/or property. Actions that constitute reckless operation include but are not limited to:

- A. Operating within 100 feet of shore unless taking off or landing as provided in Section 8.88.160, or in designated swimming areas;
- B. Operating while under the influence of alcohol or drugs;
- C. Excessive speed in violation of Sections 8.88.150, 8.88.151, or 8.88.165;
- D. Operating in clearly dangerous areas;
- E. Continued use or refusal to terminate use of vessel after being ordered to correct an especially hazardous condition by a law enforcement officer;
- F. When operating on saltwater, non-destination-bound repetitive maneuvers including, but not limited to, erratic speed and course changes, tight turns, and race course ovals and figure eights can only be done when in an area that is at least 500 yards from any shoreline.

(Ord. 2003-127s2 § 2 (part), 2004; Ord. 96-90 § 1 (part), 1996; Ord. 84-62 § 1 (part), 1984; prior Code § 43.04.018)