

ORDINANCE NO. 2-15

BOROUGH OF MILLERSBURG

Dauphin County, Pennsylvania

AN ORDINANCE GOVERNING THE DOCKING OF WATERCRAFT IN PUBLICLY-OWNED
LAND IN MILLERSBURG BOROUGH.

WHEREAS, the Millersburg Borough Council endeavors to provide active and passive recreational opportunities to all users of its public parks; and

WHEREAS, the Council recognizes long-standing local practices related to boating and other aquatic activities on the Susquehanna River; and

WHEREAS, the Council wishes to balance these activities with preserving the natural character of the public lands bordering the Susquehanna River.

THEREFORE IT IS HEREBY ORDAINED AND ENACTED by the Borough Council of the Borough of Millersburg, Dauphin County, Pennsylvania as follows:

Short Title

This Ordinance shall be known as the "Millersburg Borough Boating Ordinance."

Definitions

The following definitions shall apply in the enforcement of this ordinance and any related resolutions necessitated by Section 4.

Dock: Any temporary, man-made structure placed partially or fully in the water that is designed to aid in the ingress and egress of a watercraft.

Public Parks: The Borough parks known as Riverfront Park and MYO Park as well as any other land that the Borough may acquire in the future located in the vicinity of the Susquehanna River and its tributaries.

Watercraft: Any vehicle or other type of motorized or non-motorized conveyance designed to transport people and/or goods across water. The Millersburg Ferry Boats are exempt from these regulations.

Section 1 – Prohibition

It shall be unlawful to park, dock, moor or otherwise leave a watercraft or dock within any Public Park except as provided in this ordinance.

Section 2 – Allowable Docking Areas

Area #1: Watercraft may be parked, docked or otherwise left in the vicinity to the north of the access route in Riverfront Park at Pine Street. This docking area shall begin at the northern edge of the Access Road and extend north to a point 280 feet as measured from the northern boundary of the Pine Street Access Road.

Area #2: Watercraft may be parked, docked or otherwise left in the vicinity to the north of the Ferry Boat mooring area. This docking area shall begin at the northern edge of the mooring area and extend north to the access point at Moore Street.

Section 3 – Short Term Docking

It shall be allowable for a person to dock a Watercraft in designated places within Area #1 and Area #2 as defined in Section 2 for a period not to exceed 72 hours. This exception shall be granted to an individual no more than three (3) times in a single season as defined in Section 6. After such time, that individual shall be required to register his or her Watercraft as described in Section 4.

Section 4 –Registration and Fees

The owners of all watercraft and docks shall register their watercraft and docks with the Borough Manager prior to docking at either docking area. The owner shall provide to the Borough Manager the owner's name, address, and daytime phone number as well as the watercraft's registration number. Owner shall follow all applicable Pennsylvania laws relating to the operation and docking of watercraft including, but not limited to boat docking and permitting. Each registrant shall be limited to no more than one dock and one boat. All docks shall be clearly marked to identify the owner.

The Borough Council may set a registration fee from time to time.

Section 5 – Docking procedures

The Borough Council may, by resolution, set rules governing docking procedures including, but not limited to total amount of space and location of space assigned to individual registrants.

Section 6 – Boat Docking Season Set

Docks and watercraft may be kept along the shore between March 15 and December 31. When the opening date falls on a weekend, the season shall start on the Friday prior to March 15. Watercraft may be launched on any day of the year.

Section 7 – Maintenance of Watercraft and Accessories

All watercraft and other accessories including, but no limited to, anchors, docks, lines and ropes shall be maintained in good condition. No accessories, including ropes and lines shall be placed on or across any pedestrian paths or lanes of vehicle travel. No one shall throw, leave, drop or deposit any litter, debris or discarded parts of watercraft or docks along any portion of the public parks.

Section 8 – Motor Vehicles Restricted

The Borough Council may designate sections of the Public Park as off limits to motor vehicles. These areas shall be clearly marked with appropriate signage. It shall be unlawful to drive or operate any motor vehicle in these areas.

Section 9 – Parking Restricted

Motor vehicles and trailers may not be parked or allowed to stand on any access road except for the purpose of launching and retrieving a watercraft. In addition to penalties set forth in Section 9 below, the Borough shall have the authority to tow away any vehicle or trailer found to be in violation of this section The Ferry Boat access ramp is exempted from this restriction.

Section 10 – Penalties

Any person, firm or corporation who violates any section of this ordinance shall be notified in writing of the violation and shall be given 15 days in which to comply. Any person, firm or corporation who, after receiving notification of a violation fails to comply with the Provisions of this Ordinance shall, upon a first conviction thereof be sentenced to pay a fine of not more than \$1,000 plus costs and in default of payment of said fines and costs to a term of imprisonment not to exceed 30 days. Each day of non-compliance shall constitute a separate offense. Upon conviction of a second or subsequent offense, the Borough may confiscate and store watercraft and accessories until such time as the offender pays all fines and costs. Written notification of a violation shall not be required for a subsequent violation of a given section of this ordinance in a calendar year.

Section 11 – Further Remedies

In addition to any other penalties contained herein, the Borough reserves the right to revoke docking permits for violations of any section of this ordinance. The owner shall have 48 hours after revocation of any permit to remove any watercraft, dock and personal property from the public parks, after which time the Borough may impound such items at the owner's expense.

ENACTED AND ORDAINED THIS 13th DAY OF May, 2015.

ATTEST:

BOROUGH OF MILLERSBURG

Ann Bowma Jackson
Borough Secretary

Christy C. Doty
President of Council

Richard D. Helgeson
Mayor

SEAL