

ORDINANCE
10-03 Lake Regulation
CITY OF HIGHLAND, ARKANSAS

Page 1 of 3

AN ORDINANCE TO REGULATE THE USE OF LAKE PROPERTY; TO PROVIDE FOR PENALTIES FOR FAILURE TO ABIDE BY REGULATIONS; FOR OTHER PURPOSES; AND DECLARING AN EMERGENCY TO EXIST.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND, ARKANSAS:

Section 1:

(A) Hours. The lakes in the City of Highland, Arkansas, shall be open to the general public throughout the year; provided, each lake may be closed on any day of the year upon action by the City of Highland.

(B) Fishing.

(1) Any person fishing within the corporate limits of the City of Highland, Arkansas, shall abide by and be bound by the laws, rules, regulations and requirements of the Arkansas Game and Fish Department. All persons must have a valid Arkansas fishing license to fish on the lakes of the City of Highland, Arkansas, unless exempt under the rules and regulations of the Arkansas Game and Fish Department.

(2) All fishing shall be done only from a boat or from designated fishing areas on the lake bank. No wading, or belly boats shall be permitted.

(3) Arkansas Game and Fish Department regulations shall control the number and size of fish which may be caught, however, the City of Highland, Arkansas, may provide additional requirements necessary to manage the fish population.

(4) It shall be unlawful for any person fishing to use trot lines, set lines, limb lines, cast nets, seine, trap, gig, yo-yo's or jug fishing, or any similar fishing method.

(5) No fishing shall be permitted on the spillways or streams below the dams of the lakes of the City of Highland, Arkansas.

(6) The introduction of materials for fish habitat enhancement in the lake and the presence of brush-cutting devices in a boat in the lake area or on the lake are prohibited.

(7) Any activity that violates a law, rule or regulation of the Arkansas Game and Fish Commission is prohibited.

(C) Swimming. Swimming is allowed on the lakes.

(D) Boating.

(1) A boating permit for each boat must be obtained before its use on any lake in the City of Highland, Arkansas.

(2) Boats may only be placed on the lake at the public access points. A boat operator shall not launch or operate a boat on the lake without a prior thorough cleaning of the boat's interior and exterior. All boats are subject to inspection at all times.

(3) All boats shall be operated in such a manner that they will not endanger other boats or the occupants thereof and shall not be operated in such a manner as to create heavy waves causing undue erosion of the shoreline.

(4) No boats shall be permitted within 100 (one hundred) feet of any spillway of a lake.

(5) No houseboats, water skiing, jet skis, or personal watercraft allowed. Speeding and boat racing is not permitted and each outboard motor operator is cautioned to operate his motor in a safe and cautious manner. Failure to abide by this requirement will cause loss of boating permit. The City of Highland, Arkansas, shall revoke the boating permit of any boat which in its judgment is unsafe, overloaded, or operated in a careless manner.

(6) All state laws governing boats must be complied with before using a boat on any city lake. Facilities for docking or landing of boats may be provided, however, the City of Highland, Arkansas, will not be responsible for any damage or theft of boats, motors or equipment left in boats.

(7) No person shall operate a boat on the lake while intoxicated or under the influence of alcohol, as described in Ark. Code Ann. 5-76-102(a) (2); under the influence of a narcotic drug, barbiturate, or marijuana; or under a physical or mental disability that renders the person incapable of operating the boat safely under the prevailing circumstances and conditions.

(E) *Picnicking or other recreational activities.*

(1) Picnicking is permitted only in designated picnic areas.

(2) Overnight camping is prohibited.

(F) *Committing nuisances.* No person shall commit any nuisance while on the lakes of the City of Highland, Arkansas, or any of the land surrounding the lakes belonging to the city, nor shall any trash or other materials be thrown into the lakes or left about the shore line or on the premises of any lake.

(G) *Firearms and hunting.* No firearms, hunting or trapping will be permitted on city owned property at any time.

(H) *Use of motor vehicles.* No person shall drive a motor vehicle or ride a motorcycle, ATV or bicycle on other than a paved vehicular road or path designated for that purpose.

(I) *Revoking permits.* The City of Highland, Arkansas, shall have the right to revoke any permit issued under this section if it is determined that the permit holder willfully violated any of the provisions of this ordinance. When a permit is revoked, there will be no refunds.

(J) *Prohibited activities.*

(1) The destruction, injury, defacement or removal of signs, public property, vegetation, rocks or minerals.

(2) The distribution, posting, or displaying of advertisements and private notices.

(3) Erecting structures on public property.

- (4) Pets not under control of owner at all times.
- (5) The possession of firearms and ammunition by individuals other than law enforcement officers.
- (6) Fireworks.
- (7) Any vehicles, including all terrain vehicles and motorcycles, on the dams.
- (8) Littering.

(K) For Lake Mirandy. No boat with a motor larger than 10 hp (ten horsepower) is allowed. Paddle boats, canoes, kayaks, rowboats or boats with trolling motors are allowed.

(L) For Lake Wild Plum and Lake June. Only paddle boats, canoes, kayaks, rowboats or boats with trolling motors are allowed.

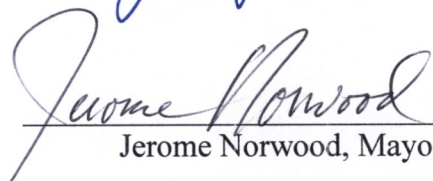
Section 2: Penalties. Violation of any provision of this ordinance shall constitute a misdemeanor and be punishable by a fine of no less than \$50.00 (fifty dollars) and no more than \$500.00 (five hundred dollars).

Section 3: Emergency Clause. This Ordinance being necessary for the preservation of the public peace, health, comfort, convenience, morals, safety, and welfare of the City of Highland, Arkansas, an emergency is declared to exist and this Ordinance shall be in full force and effect from the date of its adoption.

PASSED AND ADOPTED THIS THE 13 DAY OF July, 2010.

ATTEST:


Mary Wiles, Recorder/Treasurer


Jerome Norwood, Mayor



AREAWIDE MEDIA

HIGHWAY 62 EAST
P.O. BOX 248
SALEM, ARKANSAS 72576
870-895-3207
FAX: 870-895-4277

TO: City of Highland
DATE : July 22, 2010

I, Janie Flynn, do solemnly swear that I am General Manager of The News and that the advertisement charged for in the attached invoice was published in said publication as follows:

1st insertion 22nd day of July 2010
2nd insertion _____ day of _____
3rd insertion _____ day of _____
4th insertion _____ day of _____
5th insertion _____ day of _____

The cost of this publication is computed according to established rates and/or state law, whichever is applicable.

TOTAL PRICE \$ 196.87

Janie Flynn
General Manager

Subscribed and sworn before me this
22nd day of July, 2010

Mickey Sue Southard
Notary Public

Notary Public
State of Arkansas
County of Fulton
Mickey Sue Southard
My appointment expires September 13, 2017

(over)

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Jerome Norwood, Mayor

Mary Ruth Wiles, Recorder/Treasurer