

**Ordinance amending section 12-31 of the City Code regarding no wake zones in the Intracoastal Waterway between Packery Channel and Marker 37; providing for penalty of up to \$500 per violation, severance, publication, an effective date; with FY 2021 funding in an estimated amount of \$8,000 available through the General Fund for signage installation.**

**WHEREAS**, watercrafts have increase in speed and power, development along Marker 37 and the Packery Channel has become more dense, and the larger boat population has led to increased traffic in the waterway;

**WHEREAS**, the area along the intracoastal waterway between Marker 37 and the Packery channel has been the location of a number of incidents caused by excessive boat wakes resulting in injuries to citizens and damage to property;

**WHEREAS**, the Texas Department of Parks and Wildlife enforces city ordinances in accordance with the Texas Parks and Wildlife Code Section 31.092(a) allowing for the governing body of an incorporated city to make rules and regulations relating to the operation of boats which it deems necessary for the public safety;

**WHEREAS**, the City of Corpus Christi, in conjunction with the Texas Parks and Wildlife Department and the United States Coast Guard seeks to reduce and eliminate any future incidents resulting from excessive boat wakes.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS THAT:**

**SECTION 1.** Chapter 12, Boats, Bays and Waterways, Section 31 Slow, No Wake zones of the Corpus Christi Code of Ordinances is hereby amended by adding language that is underlined (added) to the existing text as set forth in this Ordinance. Chapter 12 of the Corpus Christi Code of Ordinances is hereby amended as follows:

**Sec. 12-31. Slow, No Wake zones.**

- (a) All man-made canals adjacent to and through residential developments and the entire width of Packery Channel from the line between 97 deg. 13 min. 14.037 sec. west, 27 deg. 37 min. 42.48 sec. north and 97 deg. 12 min. 59.069 sec. west, 27 deg. 37 min. 42.409 sec. north, west of the residential development fronting Packery Channel eastward to the point of intersection of the Packery Channel Basin and the Packery Channel Canal at a line extending between 97 deg. 12 min. 42.48 sec. west, 27 deg. 37 min. 1.74 sec. north and 97 deg. 12 min. 44.904 sec. west, 27 deg. 36 min. 57.404 sec. north and Packery Channel from the eastern shore of the Intracoastal Waterway at a line extending between 97 deg. 14 min. 19.5 sec. west, 27 deg. 38 min. 26 sec. north and 97 deg. 14 min. 18.075 sec. west, 27 deg. 38 min. 9.472 sec. north eastward to a line extending between 97 deg. 14 min. 14.13 sec. west, 27 deg. 38 min. 0.014 sec. north and 97 deg. 14 min. 6.4 sec. west, 27 deg. 38 min. 3.169 sec. north and the Intercoastal Waterway between 97 deg. 14 min. 19.5 sec. west, 27 deg. 38 min. 26 sec. north and 97 deg. 14 min. 18.075 sec. west, 27 deg. 38 min. 9.472 sec. north and southwest to a line extending between 97 deg. 14

min. 34.6 sec. west, 27 deg. 37 min. 50 sec. north and 97 deg. 14 min. 30.4 sec. west, 27 deg. 37 min. 48.4 sec. north shall be designated "Slow, No Wake" zones. Cautionary signs warning of sharp curves shall be erected at or near each of the approximately ninety-degree turns in Packery Channel.

- (b) "Slow, No Wake" means the operation of a watercraft at the slowest possible forward speed necessary to maintain steerage and so as to create no breaking wave.
- (c) It shall be unlawful for any person to operate a watercraft in a "Slow, No Wake" zone at any speed in excess of the slowest possible forward speed necessary to maintain steerage or at a speed which creates a breaking wave.
- (d) Any property owners association or group of property owners associated with the residential developments adjacent to and through the man-made canals may purchase, install, and must maintain land based "Slow, No Wake" signs on each side of the manmade canal where the "Slow, No Wake" zone begins. The location, size, and wording of the land-based signs must be coordinated with the city's park and recreation department.
- (e) Any property owners association or group of property owners residing beside the "Slow, No Wake" zone in Packery Channel may purchase, install, and must maintain "Slow, No Wake" signs on land at each of the four (4) corners of the "Slow, No Wake" zone. The location, size, and wording of the land based signs must be coordinated with the city's park and recreation department and any other local governmental authorities.
- (f) No one may be cited for a violation of subsection (c) of this section unless the land based "Slow, No Wake" signs are installed in accordance with subsection (d) of this section in the case of manmade canals adjacent to and through residential developments and subsection (e) of this section in the case of Packery Channel.
- (g) Any property owners association or group of property owners residing adjacent to the "Slow, No Wake" zones described in subsection (a) of this section, may purchase, install and must maintain buoys upon which may be posted a "Slow, No Wake" notice. The placement and type of such "Slow, No Wake" buoys must be coordinated with the city's park and recreation department.
- (h) Any property owners association or group of property owners intending to install "Slow, No Wake" buoys in a navigable water way must comply with all federal regulations regarding United States Coast Guard permission prior to the installation of the buoys.

**SECTION 2.** If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

**SECTION 3.** Publication shall be made in the official publication of the City of Corpus Christi as required by the City Charter of the City of Corpus Christi.

**SECTION 4.** Penalties are as provided in Section 1-6 of the City Code.

**SECTION 5.** This ordinance shall go into effect immediately upon publication.

That the foregoing ordinance was read for the first time and passed to its second reading on this the \_\_\_\_\_ day of \_\_\_\_\_, 2021, by the following vote:

Paulette M. Guajardo \_\_\_\_\_

John Martinez \_\_\_\_\_

Roland Barrera \_\_\_\_\_

Ben Molina \_\_\_\_\_

Gil Hernandez \_\_\_\_\_

Mike Pusley \_\_\_\_\_

Michael Hunter \_\_\_\_\_

Greg Smith \_\_\_\_\_

Billy Lerma \_\_\_\_\_

That the foregoing ordinance was read for the second time and passed finally on this the \_\_\_\_\_ day of \_\_\_\_\_ 2021, by the following vote:

Paulette M. Guajardo \_\_\_\_\_

John Martinez \_\_\_\_\_

Roland Barrera \_\_\_\_\_

Ben Molina \_\_\_\_\_

Gil Hernandez \_\_\_\_\_

Mike Pusley \_\_\_\_\_

Michael Hunter \_\_\_\_\_

Greg Smith \_\_\_\_\_

Billy Lerma \_\_\_\_\_

PASSED AND APPROVED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

\_\_\_\_\_  
Rebecca Huerta  
City Secretary

\_\_\_\_\_  
Paulette M. Guajardo  
Mayor