



**AGENDA MEMORANDUM**

First Reading Ordinance for the City Council Meeting of August 31, 2021  
Second Reading Ordinance for the City Council Meeting of September 7, 2021

**DATE:** August 2, 2021  
**TO:** Peter Zanoni, City Manager  
**FROM:** Dante Gonzalez, Interim Director of Parks and Recreation Department  
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“Slow, No Wake Zone” Extension

**CAPTION:**

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, and an effective date.

**SUMMARY:**

Parks and Recreation Department is requesting an amendment to the City Code of Ordinances, Chapter 12, Section 12-31 “Slow, No Wake Zones” to extend the No Wake zone to include the Intracoastal Waterway between Packery Channel and Marker 37.

**BACKGROUND AND FINDINGS:**

The current ordinance, which was established in 1993, states that all man-made canals adjacent to and through residential developments and the entire width of Packery Channel are designated a “Slow, No Wake Zone”.

Since the establishment of the previous ordinance in 1993, conditions in the Packery Channel have changed significantly. The development of improved technology has created faster and more powerful watercraft, development along Marker 37 and the Packery Channel has become denser, and the larger boat population has increased waterway traffic. These changes have resulted in excessive boat wakes which have caused severe damages and injuries to people and damage to other watercraft. Extending the coverage of this ordinance to include the intracoastal waterway will help with mitigating damages and injuries.

Therefore, the Texas Department of Parks and Wildlife (TDPW) is requesting the City to consider amending the “Slow, No Wake zone” ordinance. TDPW enforces City ordinances in accordance with the Texas Parks and Wildlife Code Section 31.092(a) and amending the current ordinance would allow them to enforce the proposed changes under Section 31.092(a). Other partnering agencies will also be able to enforce the regulated waterway speed zone to include the Nueces County Sheriff’s Office, Texas Highway Patrol, and the Coast Guard.

**ALTERNATIVES:**

The alternative would be to not approve this ordinance, resulting in a continued increase of damage and injuries due to excessive boat wakes. Approving the ordinance will help significantly with reducing excessive boat wakes caused by large and powerful watercrafts and waterway traffic.

**FISCAL IMPACT:**

The fiscal impact for Parks and Recreation Department for FY 2021 is an estimated \$8,000 for materials and installation costs associated with additional signage.

**Funding Detail:**

Fund:	1020	General Fund
Organization/Activity:	12940	Beach Operations
Mission Element:	141	Manage and Maintain Parks and Recreation Facilities
Project # (CIP Only):		
Account:	520090	Minor Tools & Equip

**RECOMMENDATION:**

Staff recommends approval of this ordinance amending Section 12-31 of the City Code regarding no wake zones in the Intracoastal Waterway between Packery Channel and Marker 37.

**LIST OF SUPPORTING DOCUMENTS:**

Ordinance  
Presentation