

VILLAGE OF RUIDOSO ORDINANCE 2016-06

AN ORDINANCE AMENDING THE VILLAGE OF RUIDOSO MUNICIPAL CODE OF ORDINANCES, CHAPTER 62 PARKS AND RECREATION, ARTICLE II, GRINDSTONE LAKE RULES AND REGULATIONS TO REFLECT THE CHANGES RECOMMENDED BY THE PARKS AND RECREATION COMMISSION.

NOW, THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE VILLAGE OF RUIDOSO THAT the Ruidoso Municipal Code is hereby amended as follows:

<p><u>Single Underline</u> is text that is proposed for adoption. Strike-out is language deleted.</p>
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ARTICLE II. – GRINDSTONE AND ALTO LAKES RULES AND REGULATIONS

Sec. 62-31. - Use of vessels on lakes.

Sec. 62-32. - Fishing.

Sec. 62-33. - Swimming or wading; dogs.

Sec. 62-34. - Concessionaires.

Sec. 62-35. - Enforcement; penalties; authority to close lakes.

Sec. 62-31. - Use of vessels on lakes.

- (a) *"Vessel" defined.* As used in this article, the term "vessel" means and includes boats, hand-propelled boats, sailboats, paddle boats, and every description of watercraft used or capable of being used as a means of transportation on water.
- (b) *Prohibited areas.* No vessel shall be used or operated on **Alto or** Grindstone Lakes in the areas fenced or buoyed around the water intake structures and water diversion entry points.
- (c) *Operation and safety standards; lake use permits.* No vessel shall be used or operated on Village of Ruidoso Lakes except in accordance with the following requirements:
 - (1) No motorized vessel may be used on **Alto or** Grindstone Lakes. Nonmotorized vessels which exceed 19 feet in length may not be used on **Alto or** Grindstone Lakes.
 - (2) No person shall use any vessel on **Alto or** Grindstone Lakes in a careless or reckless manner or so as to interfere with the reasonable use or enjoyment of the lakes by any other person.

- (3) No vessel may be used on Alto or Grindstone Lakes unless the user has obtained a local lake use permit from the village parks and recreation department. The lake use permits may be obtained by:
 - a. Completing an application.
 - b. Paying the applicable fee for a seasonal permit, one-day permit or three-day permit.
 - (4) Every vessel shall have such permits, licenses and titles as required in NMSA 1978, § 66-12-1 et seq., the New Mexico Boat Act.
 - (5) Every vessel shall be equipped as required by the New Mexico Boat Act.
 - (6) Each occupant of any vessel on the lakes is required to wear, at all times, a personal flotation device of a type approved by the U.S. Coast Guard.
 - (7) Every vessel shall, at all times, observe the rules of the road established by the United States Coast Guard for inland waters, in addition to laws of the state and local ordinances and regulations.
 - (8) Recreational swimming and diving from any vessel is prohibited.
 - (9) No person under the age of 16 years shall operate a vessel upon the lakes except with the authorization of a guardian.
 - (10) No vessel shall be operated on the lakes during an electrical storm.
 - (11) Vessel operation, other than in the designated areas, is prohibited.
 - (12) The owner or operator of each vessel assumes all risks of the operation of the vessel. The owner or operator of the vessel assumes all civil liability for operating the vessel on Alto or Grindstone Lakes.
 - (13) Vessels may be used on the lakes from sunrise to sundown, from April 1 to October 31.
 - (14) All vessels shall be prepared for loading or unloading in the designated parking/loading areas only.
 - (15) All vessels must be transported by hand from the designated parking/loading areas to the lakes.
- (Code 1985, § 6-14-1)

Sec. 62-32. - Fishing.

- (a) Fishing shall be permitted at Alto or Grindstone Lakes with the proper license and in compliance with appropriate state law.
 - (b) Fishing will be allowed from sunrise to sundown from vessels which are lawfully operated on the lakes, and from sunrise to 10:00 p.m. from the shore.
 - (c) Fishing shall not be permitted on Alto or Grindstone Lakes in the areas fenced or buoyed around the water intake structure and the water diversion entry point.
- (Code 1985, § 6-14-2)

Sec. 62-33. - Swimming or wading; dogs.

- (a) No recreational swimming or wading is allowed at Alto or Grindstone Lakes.
- (b) Dogs are not allowed in the water. Leash laws are in effect for the lakes and surrounding areas.

(Code 1985, § 6-14-3)

Cross reference— Animals generally, Ch. 14.

Sec. 62-34. - Concessionaires.

All concessionaire operations at Alto or Grindstone Lakes, approved by contract with the village, shall be exempt from licensing regulations, unless otherwise provided by contract.


(Code 1985, § 6-14-4)

Sec. 62-35. - Enforcement; penalties; authority to close lakes.

- (a) Village police, fire officials, code enforcement officers and designated parks and recreation personnel are authorized to enforce all ordinances, rules and regulations at Alto or Grindstone Lakes.
- (b) When weather or other conditions create a hazard to people and vessels operating on the lakes, any enforcement officer as designated in subsection (a) of this section shall have the authority to temporarily close the lakes.
- (c) The following are penalties for violations of the ordinances, rules and regulations concerning vessels or persons on or around the lake areas, to include any of the following:
 - (1) Removal from the lakes;
 - (2) Citation by an enforcement officer;
 - (3) Revocation of the vessel permit; and/or
 - (4) Punishment in accordance with section 1-6.

(Code 1985, § 6-14-5)


PASSED, APPROVED, AND ADOPTED ON THIS 8TH DAY OF MARCH, 2016.



Tom Battin, Mayor

(SEAL)

ATTEST:



Irma Devine, Village Clerk

