

## **ORDINANCE NO. 2984**

### **AN ORDINANCE AMENDING SECTION 46-40, OF THE CODE OF ORDINANCES, CITY OF HIGHLAND, PERMITTING USE OF NON-INFLATABLE PADDLEBOARDS**

WHEREAS, the City of Highland, Madison County, Illinois (hereinafter “City”), is a non-home rule municipality duly established, existing and operating in accordance with the provisions of the Illinois Municipal Code (Section 5/1-1-1 et seq. of Chapter 65 of the Illinois Compiled Statutes); and

WHEREAS, City has determined there is a demand for the use of paddleboards on City Silver Lake; and

WHEREAS, City has determined the use of paddleboards on City Silver Lake must be authorized and licensed so as not to conflict with the current Silver Lake Ordinance, specifically:

1. Sec. 46-37. - Boats and boating.
2. Sec. 46-42. - Swimming, diving, skiing, ice skating.

and

WHEREAS, City has determined it prudent to create a specific section of the Silver Lake Ordinance dealing specifically with the use of paddleboards on City Silver Lake; and

WHEREAS, Section 46-40 of the Silver Lake Ordinance is Reserved, and currently states:

Sec. 46-40. - Reserved.

and

WHEREAS, City has determined the Silver Lake Ordinance, Section 46-40, of the City Code of Ordinances shall now state:

Sec. 46-40. – Non-Inflatable Paddleboards

- (a) Non-Inflatable Paddleboards shall be permitted on City Silver Lake pursuant to this Ordinance, Sec. 46-40. – Non-Inflatable Paddleboards.
- (b) All Non-Inflatable Paddleboards are subject to Sec. 46-37 - Boats and boating, (a) Boat licenses, and shall be classified as “non-motorized” for assessment of fees.
- (c) All Non-Inflatable Paddleboards are subject to Sec. 46-37 - Boats and boating, (a) Boat licenses, and all licensees shall fill out an application and be licensed by City.

- (d) All Non-Inflatable Paddleboard licensees must sign a liability waiver with City as part of the licensure process. The liability waiver must list all potential users of the Non-Inflatable Paddleboard and must be signed by all potential users of the Non-Inflatable Paddleboard.
- (e) Non-Inflatable Paddleboards shall not be used on City Silver Lake by any person who has not signed a liability waiver with City and is not in possession of a valid City license.
- (f) All Non-Inflatable Paddleboard licensees shall not violate Sec. 46-42. - Swimming, diving, skiing, ice skating, except where necessary to use the Non-Inflatable Paddleboard, and shall not remain in the City Silver Lake water for more time than necessary to mount and dismount the Non-Inflatable Paddleboard.

and

WHEREAS, City has determined it is in the best interests of public health, safety, general welfare and economic welfare to amend Sec. 46-40 to permit Non-Inflatable Paddleboards pursuant to this Ordinance; and

WHEREAS, City has determined the City Manager and/or Mayor is authorized and directed to execute whatever documents may be necessary to amend Sec. 46-40 to permit Non-Inflatable Paddleboards pursuant to this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Highland as follows:**

*Section 1.* The foregoing recitals are incorporated herein as findings of the City Council of the City of Highland, Illinois.

*Section 2.* City has determined Section 46-40, shall now state:

Sec. 46-40. – Non-Inflatable Paddleboards

- (a) Non-Inflatable Paddleboards shall be permitted on City Silver Lake pursuant to this Ordinance, Sec. 46-40. – Non-Inflatable Paddleboards.
- (b) All Non-Inflatable Paddleboards are subject to Sec. 46-37 - Boats and boating, (a) Boat licenses, and shall be classified as “non-motorized” for assessment of fees.

- (c) All Non-Inflatable Paddleboards are subject to Sec. 46-37 - Boats and boating, (a) Boat licenses, and all licensees shall fill out an application and be licensed by City.
- (d) All Non-Inflatable Paddleboard licensees must sign a liability waiver with City as part of the licensure process. The liability waiver must list all potential users of the Non-Inflatable Paddleboard and must be signed by all potential users of the Non-Inflatable Paddleboard.
- (e) Non-Inflatable Paddleboards shall not be used on City Silver Lake by any person who has not signed a liability waiver with City and is not in possession of a valid City license.
- (f) All Non-Inflatable Paddleboard licensees shall not violate Sec. 46-42. - Swimming, diving, skiing, ice skating, except where necessary to use the Non-Inflatable Paddleboard, and shall not remain in the City Silver Lake water for more time than necessary to mount and dismount the Non-Inflatable Paddleboard.

*Section 3.* This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Passed by the City Council and approved by the Mayor of the City of Highland, Illinois and deposited and filed in the office of the City Clerk on the 2<sup>nd</sup> day of December, 2019, the vote being taken by ayes and noes and entered upon the legislative record as follows:

AYES: Sloan, Bellm, Hipkind

NOES: Frey

APPROVED:

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Joseph R. Michaelis, Mayor  
City of Highland  
Madison County, Illinois

ATTEST:

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Barbara Bellm, City Clerk  
City of Highland

Madison County, Illinois