

BILL NO: 9357

ORDINANCE NO: 9357

AN ORDINANCE REPEALING AND REPLACING ARTICLE THREE SECTION 19-76 THROUGH 19-103 OF THE MOBERLY CITY CODE CONCERNING SUGAR CREEK LAKE AND EAST SUGAR CREEK RECREATION AREA.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MOBERLY, MISSOURI AS FOLLOWS, TO-WIT:

SECTION ONE: All lands belonging to the City of Moberly, Missouri located in Township 54 N, Range 14 W, Sections 9, 10, 11, 14, 15 & 16 in Randolph County, Missouri are hereby transferred to the exclusive jurisdiction and control of the City of Moberly's Utilities Department. These areas include but are not limited to Sugar Creek Lake, Shriners and Lions Pavilion areas, Dam area, all City property surrounding the lake and East Sugar Creek Recreational Area (Cooksey Quarry).

SECTION TWO: Section 19-76 through 19-103 of the Moberly City Code is hereby repealed and replaced with the following:

**ARTICLE III. – SUGAR CREEK LAKE AND EAST SUGAR CREEK LAKE RECREATION AREA*

DIVISION 1. – GENERALLY

19-76 Lake Ranger Position

In this article "enforcement officer " means the director of public utilities or such other persons as are designated to enforce the provisions of this division.

(a) Responsibilities- There is here by established the position of Lake Ranger. This shall be a full-time permanent position with the City of Moberly. The lake ranger will tour and monitor all recreational use of the lake and keep areas clean. The lake ranger will report to the chief operator of the water treatment plant.

(b) Jurisdiction/Authority-The Lake Ranger has the authority to ask to see a government issued identification and a Missouri fishing permit from anyone using city property for recreational use. The request is to verify that the individual has an up to date Missouri permit and the permit is signed. The lake ranger has the authority to issue summons for any violation of this ordinance.

19-77 Violations

Any person who violates any of the provisions of this article shall be punished as provided in section 1-12.

19-78 Sugar Creek Lake Hours Of Operation.

(a) Persons camping or fishing on said lake; the area is open 24 hours. All areas close at 10 pm for non-campers or non-fishermen. After 10 pm campers must respect others and keep noise down. If there are any problems ranger will be called and the violators will be asked to leave. In case of problems this will be enforced by City of Moberly Police Department or Randolph County Sheriff's Department.

19-79 Boating

- (a) Horse power limits/wake - The horse power limit is 9.9, however any boat with a motor larger than 9.9 horsepower will operate at idle only while on the lake.*
- (b) Operator age- no boat shall be operated by anyone under the age of 15 unless with a qualified person*
- (c) Registrations-all boats and motors must be registered with the Department of Motor Vehicles. This will be used for identification by the lake ranger*

19-80 Safety

- (a) All boats shall have a floatation device for each person in the boat.*
- (b) Any boat operating after sundown must have a red/green light on the bow and a white light of at least 18" in height on the stern of the vessel.*
- (c) A boat shall not be operated by anyone who is drinking alcohol, has been drinking alcohol or is intoxicated.*
- (d) At no time shall any boat interfere with other boats or fisherman on the shoreline*
- (e) Skiing, racing, tubing and jet skiing are not allowed on the lake*

19-81 Fishing

- (a) No city fishing permit is required; however a valid and signed State of Missouri issued permit is required.*
- (b) No one over 65 years of age or under 15 years of age is required to have a permit to fish.*
- (c) No person can have more than three poles in water at one time.*
- (d) No limb, jug, bank, trout lines or traps will be permitted.*
- (e) It is unlawful for anyone to use carp or goldfish minnows for bait.*
- (f) At no time shall Christmas trees or other trees, brush etc. be thrown in to lake for fish attraction.*
- (g) All persons fishing must follow all Missouri Conservation Dept. regulations.*
- (h) Any fishing tournaments will be charged a \$10 (ten dollar) fee per boat involved in the tournament.*
- (i) Access to fish at Cooksey Quarry (East Sugar Creek Recreational Area) is available by checking out a key from the Water Filtration Plant with a valid driver's license and a valid Missouri fishing license*

19-82 Hunting and Trapping

- (a) Carp can be taken by bow and arrow.*
- (b) It is unlawful to hunt or trap on city property surrounding Sugar Creek Lake*

19-83 Camping

- (a) Camping is allowed where sanitary facilities are available. This will be limited to the areas known as the Shriners and Lions pavilions.*
- (b) Anyone camping at these areas will be charged a fee of five dollars (\$5) per night. This fee will help with the cost for water and electric. Usages fees will be collected by City lake ranger.*
- (c) Camping will be limited to four days unless given special permission*

19-84 Docks

- (a) Docks must be registered and given a number by the Lake Ranger. These numbers will be attached to the dock using lettering at least 4" in size.*
- (b) Any new dock must be constructed out of encapsulated foam.*
- (c) Any dock not kept maintained, the owner will be notified by mail. Failure to fix noted problems with docks will result in the dock removal at owner's expense by city employees. The fee for removal of a dock is \$100.00.*
- (d) A dock fee of fifteen dollars (\$15) will be accessed per year. Fees will be collected by lake ranger. Anyone who does not pay the dock fee will have thirty days to pay or dock will be removed at owner's expense for a fee of \$100 dollars*

19-85 Swimming

At no time shall there be any swimming at Sugar Creek Lake. Anyone caught swimming will be given a summons from the lake ranger.

19-86 Trash Dumping

All users of the Sugar Creek Lake, Cooksey's Quarry, and associated areas are required to clean up the area before they leave. Trash receptacles are provided. At no time shall anyone dump trash which could be unhealthy to said water or cause water contamination. Dumping of solid waste or garbage in any manner is prohibited. All dumping found will be forwarded to the state solid waste disposal for investigation and enforcement by state.

19-87 Septic Systems

Anyone living in the watershed are must inspect septic system on a regular basis and maintain it making sure it is operating properly. If any complaints are received a written complaint will be made and sent to the Randolph County Health Department for them to investigate and determine any issues and appropriate repairs or replacement.

19-88 North End Hiking Trails

- (a) Use of trails will be at hikers own risk. City will not be responsible for accidents.*
- (b) Camping or camp fires are not allowed*
- (c) This area closes at dark*
- (d) No horses, ATV's, Bikes, etc. will be allowed on trails.*

19-89 All Motorized Vehicles

All motorized vehicles (to include motorcycles, ATV, UTV) will remain on road surfaces that have been provided. Only vehicles doing maintenance work by City employees or contracted by City officials are allowed off the road surfaces.

Secs. 19-90—19-120 Reserved.

SECTION TWO: This Ordinance shall take effect and be in force from and after its passage and adoption by the Council of the City of Moberly, and its signature by the officer presiding at the meeting at which it was passed and adopted.

PASSED AND ADOPTED by the Council of the City of Moberly, Missouri, this
17 day of July, 2017.

ATTEST:

Presiding Officer at Meeting

DK Dalloway
City Clerk