1 CITY OF HOMER 2 HOMER, ALASKA 3 Lord 4 ORDINANCE 21-26(S) 5 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA 6 AMENDING HOMER CITY CODE 10.08.210 VESSEL SPEED LIMITS. 7 RENAMING THE SECTION, EXTENDING THE NO WAKE ZONE 8 9 THROUGHOUT CITY TIDELANDS, AND CLOSING LOUIE'S LAGOON 10 AND THE ENTRANCE OF BELUGA SLOUGH SPECIFIC CITY 11 TIDELANDS TO MOTORIZED VESSELS AND AMENDING THE FY21 12 OPERATING BUDGET TO AUTHORIZE EXPENDITURE OF UP TO 13 \$2,000 FOR MOTORIZED VESSEL REGULATION CHANGES. 14 15 WHEREAS, City-owned tidelands provide valuable nearshore wildlife habitat and areas 16 for nonmotorized recreation; and 17 WHEREAS, Beluga Slough and Louie's Lagoon both have discreet entrance points and 18 19 flood with the tides, creating important tidal habitat, and 20 21 WHEREAS, The slough behind Mariner Park, Mud Bay, and the Nick Dudiak fishing lagoon all provide not only wildlife habitat but also nonmotorized recreational 22 opportunities for residents and visitors including beachwalking, bird watching, and 23 fishing; and 24 25 26 WHEREAS, City code currently requires a no wake speed for vessels not only within the small boat harbor but also in a ¼ mile area around the outer City docks; and 27 28 29 WHEREAS, It is in the best interest of the community for habitat protection and public safety to extend the no wake zone throughout all City-owned tidelands; and 30 31 32 WHEREAS, Both Beluga Slough and Louie's Lagoon the above listed tidelands provide 33 habitat that is not compatible with motorized vessel traffic; and 34 35 WHEREAS, Public education and outreach are important components of regulatory changes and additional signage, newspaper and radio ads, and other avenues of 36 communication requires funds to complete as we enter into during the 2021 boating season. 37 38 39 NOW, THEREFORE, THE CITY OF HOMER ORDAINS: 40 41 Section 1. Homer City Code Section 10.08.210 Vessel Speed Limits is hereby amended 42 as follows:

10.08.210 Vessel speed limits and closed areas

a. It is unlawful to operate a vessel at a speed greater than two miles per hour (no wake speed) while entering, leaving, and inside the small boat harbor. The seaward boundary of the no wake speed zone will be marked by signs.

b. With the exception of the very tip of the Spit, Fthroughout all City tidelands and wWhile within one-quarter mile of (1) the boundary of the no wake speed zone at the small boat harbor entrance, (2) the City's Deep Water Dock, or (3) the City's Pioneer Dock it is unlawful to operate a vessel at a speed that will cause a wake, wash, or wave action that will damage, endanger or cause undue distress to any other vessel or occupant thereof, or wildlife including birds, regardless of established speed limits or the lack thereof.

 c. All motorized vessels are prohibited from the following City tidelands: the slough behind Mariner Park, close to shore in Mud Bay, the Nick Dudiak fishing lagoon, the entrance to Beluga Slough and from all waters within Louie's Lagoon unless on official business or as authorized by the Harbormaster.

<u>Section 2.</u> The City Council hereby amends the FY20<del>21</del>22 Operating Budget and authorizes an expenditure up to \$2,000 for motorized vessel regulation changes:

Account No.	<u>Description</u>	Amount
100-0110-xxxx	City Manager	\$2,000

<u>Section 3.</u> Section 1 of this ordinance is of a permanent and general character and shall be included in Homer City Code.

<u>Section 4.</u> Section 2 is of this ordinance is a budget amendment, is temporary in nature, and shall not be codified.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 26th day of July, 2021.

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

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MER March 31. 1903

CITY OF HOMER

KEN CASTNER, MAYOR

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- 85 YES: \$\sigma 5 \sigma 86 NO: \$\gamma\$ ABSTAIN: \$\delta\$
- 88 ABSENT: O

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- 90 First Reading: 4.26.21 91 Public Hearing: 7.26.21
- 92 Second Reading: 7.26.21
- 93 Effective Date: 7.27.21