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## ***ARTICLE 1. GENERAL PROVISIONS.***

### **§ 8-5-1 DEFINITIONS.**

In this chapter:

(1) DESIGNATED OFFICIAL means a park police officer, city police officer, officer or employee of the Watershed Protection and Development Review Department, or the health authority.

(2) HOUSEBOAT means a flat-bottomed or nearly flat-bottomed watercraft that is fitted for sleeping, cooking, cruising, or recreation. The term includes a barge or raft with an enclosed structure.

(3) LAKE AUSTIN means the waters of the Colorado River and its tributaries impounded by Tom Miller Dam and located within the city.

(4) LAKE LONG means Lake Walter E. Long, also known as Decker Lake.

(5) MARINA has the meaning assigned to it by Section [25-2-4](#) (*Commercial Uses Described*).

(6) MOTORBOAT means a watercraft propelled by an internal combustion engine or electric motor and includes a seaplane.

(7) SWIM means swim, bathe, wade, and or otherwise immerse one's body in water.

(8) TOWN LAKE means the waters of the Colorado River and its tributaries impounded by Longhorn Dam.

(9) WATERCRAFT means a boat or other structure designed to float on water, and includes a barge, marina, or similar floating object.

*Source: 1992 Code Section 14-1-1; Ord. 031009-11; Ord. 031211-11.*

#### **§ 8-5-2 NAVIGATION CONTROL ZONES.**

(A) Navigation control zones are established on Lake Austin, Town Lake, and Lake Long, including the creeks, sloughs, and coves appurtenant to the lakes. The navigation control zones and the regulations applicable in each zone are as follows:

(1) DANGER indicates a zone within which a person should use caution.

(2) FISHING ONLY indicates a zone in which a person may not use the water for a purpose other than fishing.

(3) KEEP OUT indicates a zone that a person may not enter.

(4) NO PROP BOATS indicates a zone in which a person may not operate a propeller-driven boat.

(5) NO SCUBA indicates a zone in which a person may not use a self-contained underwater breathing apparatus.

(6) NO SKIING indicates a zone in which a person may not use a watercraft to tow a person on water skis or a similar apparatus.

(7) NO SWIMMING indicates a zone in which a person may not enter the water,

except in a watercraft or while skiing.

(8) SKIN DIVING ONLY indicates a zone in which a person may not use the water for a purpose other than skin diving.

(9) SKI ONLY indicates a zone in which a person may not enter the water or operate a watercraft except for the purpose of water skiing.

(10) SLOW - NO WAKE indicates a zone in which a person may not operate a watercraft at a speed that creates a foaming or churning wake that curls or breaks.

(B) The boundaries of the navigation control zones are depicted the “Navigation Control Zone Map” on file with the city clerk.

(1) Except as provided in Subsection (2), a navigation control zone boundary is formed by:

(a) a shoreline, dam, pier, or other structure to which it is adjacent;

(b) a perpendicular line from a shoreline, dam, pier, or structure to the nearest navigation buoy that marks the zone; or

(c) a straight line between adjacent navigation buoys that mark the zone.

(2) This paragraph applies to a navigation control zone that is indicated by a single navigation buoy or that has an unmarked boundary. The area immediately around a navigation buoy and from which the buoy can be read during daylight hours is included in the navigation control zone indicated by the buoy.

*Source: 1992 Code Section 14-1-3; Ord. 031009-11; Ord. 031211-11.*

### **§ 8-5-3 NAVIGATION BUOYS.**

(A) The city manager shall place navigation buoys in Lake Austin, Town Lake, and Lake Long to serve as navigation aids or mark navigation control zones.

(B) A person may not:

(1) remove, relocate, deface, or tamper with a navigation buoy; or

(2) moor a boat to a navigation buoy.

(C) A person shall comply with a regulation indicated by a navigation buoy.

*Source: 1992 Code Section 14-1-4; Ord. 031009-11; Ord. 031211-11.*

## **ARTICLE 2. RESTRICTIONS DURING FLOODS.**

#### **§ 8-5-21 BAN BY FIRE CHIEF.**

(A) The fire chief may ban recreational or commercial boating on or recreational use of all or a part of a lake, river, creek, or other affected area after determining that flooding is occurring or likely to occur. In making a determination, the fire chief shall consider information available from the City's flood early warning system and recognized standards for issuing an advisory flood notice.

(B) If the fire chief orders a ban, the fire chief shall:

- (1) post the ban at city hall;
- (2) publish the ban in a newspaper of city-wide circulation; and
- (3) provide copies of the ban to local radio and television stations.

(C) A ban is effective when posted at city hall.

(D) A ban must include an expiration date that is not later than the fifth day after the posting date.

(E) The fire chief may issue another ban if flood conditions persist.

*Source: 1992 Code Sections 14-2-41 and 14-2-42; Ord. 031009-11; Ord. 031211-11.*

#### **§ 8-5-22 RESTRICTED AREAS.**

(A) Except as otherwise provided in this section, a person may not:

- (1) enter or be on a lake, river, creek, or other area that is the subject of a ban issued in accordance with this article;
- (2) enter or be on Lake Austin between Mansfield Dam and Loop 360 when three or more release gates of Mansfield Dam are open;
- (3) enter or be on Lake Austin when four or more release gates of Mansfield Dam are open; or
- (4) cross or attempt to cross a low water crossing that has been barricaded by the city.

(B) Subsection (A) does not apply to a city, state, or federal official or employee performing an official duty.

(C) Notwithstanding Subsections (A)(1), (A)(2), and (A)(3), the fire chief may permit a person to enter a restricted area after determining that the person has an ownership or possessory right in property located in the restricted area and that entry into the restricted area is required to remove or secure the property. The fire chief shall issue a permit allowing entry into the restricted area, and the permit holder shall display the permit on request to a city

officer or employee responsible for the enforcing this article.

*Source: 1992 Code Sections 14-2-43 and 14-2-44; Ord. 031009-11; Ord. 031211-11.*

#### **§ 8-5-23 TAMPERING WITH BARRIER PROHIBITED.**

A person may not tamper with or remove a barrier placed by the city to prevent entry into an area restricted under Section [8-5-22](#) (*Restricted Areas*). This prohibition does not apply to a city, state, or federal official performing an official duty.

*Source: 1992 Code Section 14-2-45; Ord. 031009-11; Ord. 031211-11.*

### **ARTICLE 3. RECREATIONAL ACTIVITIES.**

#### **§ 8-5-41 BOW FISHING.**

(A) Except as provided in Subsection (B), a person may not take or attempt to take fish from a stream, watercourse, creek, river, or lake using a bow and arrow.

(B) A person may take or attempt to take carp, buffalo, gasper gou, gar fish, or Rio Grande trout from the Colorado River between the hours of 7:00 p.m. and 7:00 a.m. with a long bow using an arrow with solid shaft and a fishing point attached to a 50 pound test line. Bow fishing under this subsection is prohibited within 25 yards of a designated swimming area, in Barton Creek upstream from the Ranch Road 2244 bridge, and within ten yards of a boat dock or pier.

*Source: 1992 Code Section 14-1-6; Ord. 031009-11; Ord. 031211-11.*

#### **§ 8-5-42 FISHING IN TOWN LAKE.**

A person may not fish in the portion of Town Lake that is bounded by a line from the center of Town Lake to the mouth of Shoal Creek on the east, the shoreline of Town Lake on the north, the railroad bridge immediately west of Shoal Creek on the west, and center of Town Lake on the south.

*Source: 1992 Code Section 14-1-10; Ord. 031009-11; Ord. 031211-11.*

#### **§ 8-5-43 FISHING FROM COLORADO RIVER BRIDGES.**

A person may not fish from a bridge that crosses the Colorado River.

*Source: 1992 Code Section 14-1-7(A); Ord. 031009-11; Ord. 031211-11.*

#### **§ 8-5-44 DIVING.**

(A) A person may not dive or jump from a bridge that crosses the Colorado River or Barton Creek.

(B) A person may not dive in the area on Barton Creek known as “Campbell’s Hole”.

*Source: 1992 Code Sections 14-1-7(B) and 14-1-9(A); Ord. 031009-11; Ord. 031211-11.*

**§ 8-5-45 SLINGS AND WATER CANNONS.**

(A) A person on a watercraft on Lake Austin, Town Lake, or Lake Long may not possess, use, or assist in the use of a sling, slingshot, water cannon, or other device capable of propelling a fluid filled balloon or other projectile.

(B) A person within 150 yards of the shoreline of Lake Austin, Town Lake, or Lake Long may not use or assist in the use of a sling, slingshot, water cannon, or other similar device to propel a fluid filled balloon or other projectile toward the lake.

*Source: 1992 Code Section 14-2-1(D); Ord. 031009-11; Ord. 031211-11.*

**§ 8-5-46 SWIMMING IN LAKE AUSTIN.**

(A) Except as otherwise provided in this section, a person may not swim in Lake Austin.

(B) A person may swim:

- (1) within 50 feet of the shoreline;
- (2) in an officially designated swimming area; or
- (3) while water skiing.

(C) The prohibition of Subsection (A) does not apply to a person:

- (1) performing an official duty as an officer or employee of the city;
- (2) attempting to rescue or recover another person;
- (3) performing dredging or construction work authorized by the city council; or
- (4) participating in a public event or exhibition authorized by the city council.

*Source: 1992 Code Sections 14-1-5; Ord. 031009-11; Ord. 031211-11.*

**§ 8-5-47 SWIMMING IN LAKE LONG.**

(A) Except as otherwise provided in this section, a person may not swim in Lake Long.

(B) Between the hours of 5:00 a.m. and 10:00 p.m. a person may swim:

- (1) within 50 feet of the shoreline;
- (2) in an officially designated swimming area; or

(3) while water skiing.

(C) The prohibition of Subsection (A) does not apply to a person:

- (1) performing an official duty as an officer or employee of the city;
- (2) attempting to rescue or recover another person;
- (3) performing dredging or construction work authorized by the city council; or
- (4) participating in a public event or exhibition authorized by the city council.

*Source: 1992 Code Sections 11-1-1(B) and 14-1-8; Ord. 031009-11; Ord. 031211-11.*

#### **§ 8-5-48 SWIMMING IN TOWN LAKE.**

A person may not swim in Town Lake. This prohibition does not apply to a person:

- (1) performing an official duty as an officer or employee of the city;
- (2) attempting to rescue or recover another person;
- (3) performing dredging or construction work authorized by the city council; or
- (4) participating in a public event or exhibition authorized by the city council.

*Source: 1992 Code Section 14-1-11; Ord. 031009-11; Ord. 031211-11.*

#### **§ 8-5-49 SWIMMING IN BARTON CREEK.**

A person may not swim in Barton Creek between Town Lake and Barton Springs Pool or between the western dam of Barton Springs Pool and a point 100 yards west of the dam. This prohibition does not apply to a person:

- (1) performing an official duty as an officer or employee of the city;
- (2) attempting to rescue or recover another person; or
- (3) performing dredging or construction work authorized by the city council.

*Source: 1992 Code Section 14-1-9; Ord. 031009-11; Ord. 031211-11.*

### **ARTICLE 4. WATERCRAFT.**

#### **Division 1. Structural and Exhaust Requirements.**

#### **§ 8-5-61 WATERCRAFT TO BE IN SOUND STRUCTURAL CONDITION.**



(A) The owner of a watercraft that is operated, moored, or otherwise used on the Lake Austin, Town Lake, or Lake Long shall maintain the watercraft in sound structural condition.

(B) A designated official who becomes aware of a watercraft that may not be in sound structural condition shall notify the building official.

(C) The building official shall conduct a public hearing in accordance with Section [8-5-102](#) (*Public Hearing For Certain Violations*) to determine whether the watercraft is in sound structural condition and whether it should be repaired or removed from the water.

(D) Pending a hearing under Section [8-5-102](#) (*Public Hearing For Certain Violations*), a designated official may remove a watercraft from the water after determining that the watercraft is in unsound condition and poses an immediate threat to the health or safety of any person.

*Source: 1992 Code Section 14-2-8; Ord. 031009-11; Ord. 031211-11.*

#### **§ 8-5-62 INBOARD MOTORBOAT EXHAUST REQUIREMENTS.**

(A) Except as provided in Section [8-5-64](#) (*Motorboat Exhaust Systems During Special Events*), this section prescribes requirements for a motorboat with an inboard internal combustion engine that is operated on Lake Austin, Town Lake, or Lake Long.

(B) Except as provided in Subsection (C), a motorboat must have a muffler installed in the exhaust system.

(C) A motorboat with an exhaust water manifold:

- (1) may have baffle installed in the exhaust system instead of a muffler; or
- (2) if the exhaust pipe goes through an original factory-designed transom, a riser may be installed in the exhaust system instead of a muffler or baffle.

(D) A muffler, riser, baffle, or exhaust water manifold required by this section must be:

- (1) designed for marine use;
- (2) a commercially made, over-the-counter stock item;
- (3) kept in good working order; and
- (4) capable of reducing exhaust noise.

*Source: 1992 Code Section 14-2-3; Ord. 031009-11; Ord. 031211-11.*

#### **§ 8-5-63 OUTBOARD MOTORBOAT EXHAUST REQUIREMENTS.**

Except as provided in Section [8-5-64](#) (*Motorboat Exhaust Systems During Special Events*), a motorboat with an outboard internal combustion engine that is operated on Lake Austin,

Town Lake, or Lake Long must have the major portion of the motor exhaust expelled below the surface of the water.

*Source: 1992 Code Section 14-2-4; Ord. 031009-11; Ord. 031211-11.*

#### **§ 8-5-64 MOTORBOAT EXHAUST SYSTEMS DURING SPECIAL EVENTS.**

The city council may issue a permit for a special event, including a boat race, on Lake Austin, Town Lake, or Lake Long. During the event, a participant may operate a motorboat with any type of exhaust system.

*Source: 1992 Code Section 14-2-5; Ord. 031009-11; Ord. 031211-11.*

### **Division 2. Houseboats.**

#### **§ 8-5-71 COMPLIANCE REQUIRED.**

An owner or occupant of a houseboat on Lake Austin, Town Lake, or Lake Long shall comply with this division.

*Source: 1992 Code Section 14-2-25; Ord. 031009-11; Ord. 031211-11.*

#### **§ 8-5-72 FLOTATION.**

(A) Except as otherwise provided in this section, a houseboat with multiple flotation chambers is prohibited on Lake Austin, Town Lake, and Lake Long.

(B) The prohibition of Subsection (A) does not apply to a houseboat with air-filled flotation chambers if:

(1) the boat has at least two but not more than five separate chambers of monocoque construction; and

(2) the length of each chamber is at least 80 percent the length of the boat.

(C) The prohibition of Subsection (A) does not apply to a houseboat with flotation chambers filled with solid buoyant material if:

(1) the buoyant material is protected against corrosion; and

(2) the building official approves the design.

*Source: 1992 Code Section 14-2-26; Ord. 031009-11; Ord. 031211-11.*

#### **§ 8-5-73 LIGHTING.**

The operator of a houseboat that is moored or anchored shall use the same lighting on the houseboat that is required for a boat dock of equal size.

*Source: 1992 Code Section 14-2-27; Ord. 031009-11; Ord. 031211-11.*

#### **§ 8-5-74 EXEMPTIONS.**

(A) The city council may grant an exemption to a requirement or prohibition of this division.

(B) The owner or operator of a houseboat may file an application for an exemption with the Board. The Board shall provide the city council with a recommendation regarding a requested exemption.

(C) An exemption granted by the city council under this section must be in writing and state the time period during which it is effective.

*Source: 1992 Code Section 14-2-28; Ord. 031009-11; Ord. 031211-11.*

### **Division 3. Lake Use by Watercraft.**

#### **§ 8-5-81 WATERCRAFT AND OTHER MOTORIZED CRAFT ON LAKE AUSTIN.**

(A) A person may not use or possess a jet ski, wet bike, motorized surfboard, or similar device on Lake Austin:

(1) from sunset on the Friday before Memorial Day until sunrise on the Tuesday after Memorial Day;

(2) from sunset on the Friday before Labor Day until sunrise on the Tuesday after Labor Day; or

(3) from sunset on July 3 until sunrise on July 5.

(B) A person operating a motorboat on Lake Austin shall stay on the right side of the lake, except when assisting a downed water skier.

(C) A person may not operate a watercraft on Lake Austin at a speed that is greater than reasonable and prudent under the existing circumstances.

*Source: 1992 Code Section 14-2-1; Ord. 031009-11; Ord. 031211-11.*

#### **§ 8-5-82 WATERCRAFT ON TOWN LAKE.**

(A) A person may not operate a watercraft in the portion of Town Lake that is bounded by a line from the center of Town Lake to the mouth of Shoal Creek on the east, the shoreline of Town Lake on the north, the railroad bridge immediately west of Shoal Creek on the west, and center of Town Lake on the south.

(B) The city manager may restrict watercraft access to and use of Town Lake during special events.

(C) Except as provided in this subsection, a person may not operate or assist in the operation of a motorboat or houseboat on Town Lake.

(1) The prohibition does not apply to a person:

- (a) performing an official duty as an officer or employee of the city;
- (b) performing dredging or construction work authorized by the city council;
- (c) participating in a public event or exhibition authorized by the city council, other than boat racing; or
- (d) operating a boat, other than a houseboat, powered by an electric motor that does not exceed five horsepower, between the hours of 5:00 a.m. and 10:00 p.m.

(2) The city council may permit a person to operate a motorboat on Town Lake to conduct tours or excursions or otherwise transport persons.

(3) The city manager may permit a person to operate a motorboat on Town Lake for engineering or scientific research.

(4) The city manager may permit a person to operate a motorboat on Town Lake after determining that the operation does not adversely affect the public safety or welfare, does not create excessive noise or pollution, and does not constitute a nuisance. A person who seeks a permit must file an application with the director on a form provided by the director. The director shall submit a completed application form to the city manager for approval or denial.

(D) A person may not occupy a watercraft on Town Lake for the purpose of sleeping between dusk and dawn or overnight habitation. The city council may grant an exemption to this prohibition after receiving a recommendation from the Board. An exemption must be in writing and state a time period during which the exemption is effective.

(E) A person may not occupy or operate a watercraft on Town Lake between the hours of 10:00 p.m. and 5:00 a.m. or permit a watercraft to remain on the lake during that time period. This prohibition does not apply to a person:

- (1) performing an official duty as an officer or employee of the City;
- (2) performing dredging or construction work authorized by the city council;
- (3) participating in a public event or exhibition authorized by the city council;
- (4) authorized to operate or occupy a watercraft or permit a watercraft to remain on the lake during the proscribed time period in accordance with Subsections (C)(2), (C)(3), or (C)(4) or Subsection (D); or
- (5) authorized by contract or agreement to occupy a watercraft or permit a watercraft

to remain on the lake during the proscribed time period.

*Source: 1992 Code Sections 11-1-1(B), 14-1-1, 14-1-10, 14-2-2, and 14-2-6; Ord. 031009-11; Ord. 031211-11.*

### **§ 8-5-83 WATERCRAFT ON LAKE LONG.**

A person may not occupy or operate a watercraft on Lake Long between the hours of 10:00 p.m. and 5:00 a.m. or permit a watercraft to remain on the lake during that time period. This prohibition does not apply to a person:

- (1) performing an official duty as an officer or employee of the City;
- (2) performing dredging or construction work authorized by the city council;
- (3) participating in a public event or exhibition authorized by the city council; or
- (4) authorized by contract or agreement to occupy a watercraft or permit a watercraft to remain on the lake during the proscribed time period.

*Source: 1992 Code Section 11-1-1(B); Ord. 031009-11; Ord. 031211-11.*

## **ARTICLE 5. ENFORCEMENT.**

### **§ 8-5-101 BOARDING A WATERCRAFT FOR INSPECTION.**

(A) This section prescribes the procedure by which a designated official may inspect a watercraft by boarding or cabin entry.

(B) The designated official shall post a notice on the watercraft stating the date and time at which the designated official will inspect the watercraft and that the owner is required to be present. The inspection date shall be not sooner than the fifth day and not later than the tenth day after the date the notice is posted.

(C) If the owner of the watercraft does not appear at the time designated for the inspection, the designated official shall post a second notice on the watercraft stating that the watercraft will be impounded and disposed of under Section [8-5-102](#) (*Public Hearing For Certain Violations*) unless the owner contacts the designated official and agrees to an inspection not later than the tenth day after the date the second notice is posted.

*Source: 1992 Code Section 14-2-7; Ord. 031009-11; Ord. 031211-11.*

### **§ 8-5-102 PUBLIC HEARING FOR CERTAIN VIOLATIONS.**

(A) Except as provided in Section [8-5-103](#) (*Impound Of Watercraft*), the building official may conduct a public hearing to determine whether the owner of a watercraft has violated Section [8-5-61](#) (*Watercraft To Be In Sound Structural Condition*), Section [8-5-72](#) (*Flotation*), Section [8-5-73](#) (*Lighting*), or Section [8-5-82](#) (*Watercraft On Town Lake*).

(B) This subsection prescribes notice requirements.

- (1) The building official shall provide not less than ten days' notice of a public

hearing.

(2) The notice shall include the date, time, and location of the public hearing and a description of the alleged violations to be considered.

(3) The building official shall notify the watercraft's owner by mail or telephone if:

(a) the watercraft is currently registered with the state; or

(b) the building official can otherwise determine the owner's name and address.

(4) The building official shall post the notice on the watercraft if:

(a) the watercraft is not currently registered with the state and the building official cannot determine the name and address of its owner; or

(b) an attempt to notify to an owner under Subsection (3) did not succeed.

(C) At the public hearing, the building official shall:

(1) determine whether notice was given in accordance with Subsection (B); and

(2) hear and consider the evidence.

(D) The absence of the watercraft's owner does not prevent the building official from conducting the hearing.

(E) The building official shall render a decision not later than the tenth day after the public hearing.

(1) If the building official determines that the owner of the watercraft did not commit the alleged violation, the building official shall dismiss the case.

(2) If the building official determines that the owner of the watercraft committed the violation:

(a) the building official shall notify the owner of the determination in person, by mail, by telephone, or by posting a notice on the watercraft;

(b) the owner shall correct the violation not later than the tenth day after the date of the decision; and

(c) if the owner does not correct the violation by the prescribed date, the building official may impound the watercraft and dispose of it in accordance with Chapter [9-1](#) (*Abandoned Property and Vehicles*).

(F) The owner of the watercraft may appeal the decision of the building official to the city council.

(1) The owner must file a notice of appeal with the city clerk no later than the 10th day after the date of the building official's decision.

(2) The city council shall hear the appeal at a public hearing no later than the 14th day after the date the notice of appeal was filed.

(3) Except as provided in Section [8-5-61](#)(D) (*Watercraft To Be In Sound Structural Condition*) and Section [8-5-103](#) (*Impound Of Watercraft*), a designated official may not impound or remove the watercraft while an appeal is pending.

(4) If the city council determines that the owner of the watercraft did not commit the alleged violation, the city council shall dismiss the case.

(5) If the city council determines that the owner of the watercraft committed the violation:

(a) the owner shall correct the violation not later than the tenth day after the date of the determination; and

(b) if the owner does not correct the violation by the prescribed date, the building official may impound the watercraft and dispose of it in accordance with Chapter [9-1](#) (*Abandoned Property and Vehicles*) of the Code.

(6) The decision of the city council is final.

*Source: 1992 Code Section 14-2-9; Ord. 031009-11; Ord. 031211-11.*

#### **§ 8-5-103 IMPOUND OF WATERCRAFT.**

(A) Except as provided in Subsection (B), the director may remove or impound a watercraft found in or on Town Lake or Lake Long between the hours of 10:00 p.m. and 5:00 a.m.

(B) The director may not remove or impound a watercraft:

(1) permitted to operate during the prescribed period by Section [8-5-82](#)(E) (*Watercraft On Town Lake*) or Section [8-5-83](#) (*Watercraft On Lake Long*); or

(2) that can be safely and promptly removed by its owner or operator.

(C) The owner of a watercraft impounded under this section may reclaim the watercraft in accordance with Chapter [9-1](#) (*Abandoned Property and Vehicles*) of the Code.

(D) If the director cannot determine the identity of the owner of a watercraft impounded under this section within 10 days of the date of impound, the director shall publish a notice of impound, including the procedure necessary to obtain a hearing, in a newspaper of general circulation.

(E) If the owner of an impounded watercraft cannot be identified or waives the right to a hearing, the city manager may dispose of an impounded watercraft in accordance with Chapter [9-1](#) (*Abandoned Property and Vehicles*).

*Source: 1992 Code Section 11-1-5(C), (D), and (E); Ord. 031009-11; Ord. 031211-11.*

#### **§ 8-5-104 PENALTY.**

(A) Except as otherwise provided in this section, a person who violates a provision of this chapter is subject to the penalty prescribed by Section [1-1-99](#) (*Offenses; General Penalty*).

(B) A person who violates Section [8-5-22](#) (*Restricted Areas*) commits a misdemeanor punishable by a fine of not less than \$100. It is an affirmative defense that the person entered a restricted area to perform an emergency action, including a rescue, and that the action was immediately necessary for the protection of life or property.

(C) A person who violates Section [8-5-23](#) (*Tampering With Barrier Prohibited*) commits a misdemeanor punishable by a fine of not less than \$200.

(D) A person who violates Section [8-5-43](#) (*Fishing From Colorado River Bridges*) commits a misdemeanor punishable by a fine of not less than \$1 and not more than \$50.

(E) A person who violates Section [8-5-44](#)(A) (*Diving*) commits a misdemeanor punishable by a fine of not less than \$25 and not more than \$75.

(F) A person who violates Section [8-5-62](#) (*Inboard Motorboat Exhaust Requirements*) or Section [8-5-63](#) (*Outboard Motorboat Exhaust Requirements*) commits a misdemeanor punishable by a fine of:

- (1) not less than \$25 for a first offense;
- (2) not less than \$50 for a second offense;
- (3) not less than \$75 for the third offense; or
- (4) not less than \$100 for an offense other than the first, second, or third.

(G) A person who violates Section [8-5-81](#)(C) (*Watercraft and Other Motorized Craft on Lake Austin*) commits a misdemeanor punishable by a fine of:

- (1) not less than \$50 and not more than \$200 for a first offense; or
- (2) \$200 for an offense other than the first.

(H) A person who violates Section [8-5-61](#) (*Watercraft To Be In Sound Structural Condition*), Section [8-5-72](#) (*Flotation*), Section [8-5-73](#) (*Lighting*), or Section [8-5-82](#) (*Watercraft On Town Lake*) commits a misdemeanor punishable by a fine of not less than \$200.

*Source: 1992 Code Sections 14-1-99 and 14-2-99; Ord. 031009-11; Ord. 031211-11.*

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