

COUNTY ORDINANCE NO. 04-45

A BILL ENTITLED

AN ACT CONCERNING Revisions to Chapter 20 of the Code of Public Local Laws of Queen Anne's County (1996 Ed.).

FOR THE PURPOSE of revising and updating Chapter 20 of the Code of Public Local Laws of Queen Anne's County (1996 Ed.); revising and updating the regulations regarding use of public landings in Queen Anne's County, providing for annual and one-day permits for use of public landings; providing that fees for permits may be set by the County Commissioners by resolution; making violations of this Chapter subject to a civil citation; and generally revising and updating Chapter 20 of the Code of Public Local Laws of Queen Anne's County (1996 Ed.);

BY repealing and readopting with amendments Chapter 20 of the Code of Public Local Laws.

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND that Chapter 20 of the Code of Public Local Laws of Queen Anne's County (1996 Ed.) be and is hereby repealed and reenacted to read as set forth on the attached.

SECTION II

BE IT FURTHER ENACTED that this Ordinance shall be effective on the forty-sixth day following its passage.

INTRODUCED BY: Joe Cupani

DATE: November 16, 2004

PUBLIC HEARING HELD: December 7, 2004 @ 6:40 p.m.

VOTE: 5 Yea 0 Nay

DATE OF ADOPTION: December 7, 2004

CHAPTER 20. PUBLIC LANDING: BOATS

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20-5.	Display of permit and stickers	20-15.	Docking at county slip.
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Article III.Regulation of Public Landings		Article V. Abandoned Boats.	
20-6.	Use of Landings	20-17.	Possession and disposal; notice.
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20-8.	Parking		
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20-10.	Littering and disposal of residential or commercial waste or refuse prohibited.	20-19.	Citations and fines.
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Article I. Definitions

20-1. Definitions

A. In general

In this title the following words have the meanings indicated.

B. Annual permit.

“Annual Permit” means a permit that is valid for the calendar year, running from January 1 on one year to the following December 31.

C. One-day permit.

“One-day permit” means a permit that is valid for a single calendar day.

D. Permit.

- (1) “Permit” means a public landing use permit issued by the County Department of Recreation and Parks.
- (2) “Permit” includes a one-day permit and an annual permit.

20-2. Prior regulations repealed.

All prior regulations regarding the use and enjoyment of public landings in the County are repealed.

Article II. Permits

20-3. Permit required.

Unless a person has a permit, that person may not:

- A. Use a public landing for launching a vessel or removing a vessel from the water;
- B. Park a vehicle or trailer in any area of a public landing, regardless of the size or type of vehicle; or
- C. Otherwise use the County public landing facilities.

20-4. Regulations for issuance of permits.

The County Department of Parks and Recreation may adopt regulations for the issuance of permits under this subtitle, including requirements for proof of residence, property ownership, and identification. The County Commissioners by Resolution may establish and from time to time modify the fees to be charged for permits issued under the Chapter.

20-5. Display of permits and stickers.

A. *In general.*

Permits shall be evidenced by a sticker issued by the County Department of Parks and Recreation and displayed in accordance with this section.

B. *One-day permit.*

The one day permit is valid only when displayed on the inside of the vehicle windshield facing out.

C. *Annual permit.*

The annual permit is valid only if it is displayed either on:

1. A boat trailer approximately one foot from the trailer hitch on the left side; or
2. The left rear bumper of the vehicle utilizing the public landing.

Article III. Regulation of Public Landings

20-6. Use of Landings.

Launching of a trailered vessel or jet ski at a landing with no launching ramp is prohibited.

20-7. Hours of use.

A. *In general.*

A person may use a public landing 24 hours a day unless otherwise posted by the Department of Parks and Recreation.

B. *Overnight camping*

A person may not camp overnight in a public landing.

20-8. Parking.

A. Vehicles and trailers shall be parked in designated areas only.

B. A person shall not park a vehicle such that it blocks the ramp or otherwise interferes with the normal function of a launching ramp.

20-9. Use of bulkheads.

A. *Loading and unloading.*

A person shall not park a vehicle at a bulkhead except for loading and unloading.

B. *Docking prohibited without permission.*

A person may not dock any vessel at a bulkhead without the written permission of the County Department of Parks and Recreation, except in the case of extreme weather conditions.

20-10. Littering and disposal of residential or commercial waste or refuse prohibited.

A. *Littering prohibited.*

A person may not litter at a public landing, pier or marina.

B. *Disposal of residential or commercial waste prohibited.*

A person may not dispose of residential or commercial waste or refuse at a public landing, pier or marina.

20-11. Discharging of firearms prohibited.

A person may not discharge a firearm at a public landing or a public marina.

20-12. Fishing and crabbing.

A person may fish or crab at a public landing, except in areas that are posted “No Fishing” or “No Crabbing”.

Article IV. Boat Slips.

20-13. Slip rentals.

A person who owns a currently Maryland registered or Coast Guard documented boat may rent a County boat slip under the provisions of this subtitle.

20-14. Lease Agreement.

- A. The slip lease agreement term shall be for one calendar year beginning at a time to be determined by the Department.
- B. The rights of the lease agreement are not transferable.
- C. Subleasing of the slip is not allowed.

20-15. Docking at County slips.

Except for a vessel owned and registered by the slip renter, a vessel may not dock at a County slip without written permission from the Department of Parks and Recreation.

20-16. Sunken Vessel.

Any vessel that sinks in a County slip must be raised within 10 days or the County will have removed and the cost assessed to the last registered owner of the vessel.

Article V. Abandoned Boats

20-17. Possession and disposal; notice.

A. *Possession and disposal.*

The County Commissioners may take possession of and sell or otherwise dispose of any boat or ship that is apparently abandoned in the County.

B. *Notice*

Before taking action under subsection (a) of this section, the County Commissioners shall:

- (1) Notify the last known owner; or
- (2) If there is no known owner, have a notice printed in one newspaper of general

circulation in the County for three consecutive weeks.

20-18. Claim.

A. *In general.*

Any person claiming a legal interest in any boat or ship sold by the County under this subtitle may file a claim within three years after the sale for compensation for loss of the interest to be paid from the proceeds of the sale less any expense of the County in taking possession, keeping, and disposing of the vessel.

B. *Award of compensation.*

If the County Commissioners find the claim is legitimate, they shall award appropriate compensation.

C. *Action in Circuit Court.*

If the claim of a person is rejected by the County Commissioners, the person may bring an action in the Circuit Court of the County to establish the claim of the person.

Article VI. Enforcement; Penalties

20-19. Citations and fines.

A. *Civil penalties.*

- (1) A person who commits or assists in the commission of any act which constitutes a violation of any provision of this title is guilty of a civil violation and subject to a fine, not to exceed \$500.
- (2) Each day on which the violation continues constitutes a separate violation.

B. *Collection.*

The procedure for the issuance of citations, collection of fines and trial with respect to disputed or unsatisfied citations shall be that prescribed in Article 25B, § 13C. of the Annotated Code of Maryland.

C. *Issuance of citations.*

- (1) The Director of the Department of Parks and Recreation, or an employee or volunteer of the Department of Parks and Recreation as designated by resolution of the County Commissioners, may issue an original citation and deliver it to a person believed to be committing a civil violation.
- (2) The resolution shall specify a time period, not to exceed one year, that a

volunteer can issue citations.

- (3) A copy of each original citation shall be given to the County Finance Department.
- (4) Each citation shall contain a pre-set fine as established by resolution of the County Commissioners.

D. ***Enforcement.***

The County Finance Department is the department with the duty of enforcing this Chapter, with respect to:

- (1) Receiving and filing a copy of each original citation and any fines or notices of intention to stand trial;
- (2) Notifying the District Court of any notice of intention to stand trial or any request for adjudication when a fine is not paid after formal notice thereof has been given.

The County Department of Parks and Recreation is the department with the duty of enforcing this title, with respect to:

- (3) Mailing formal notices of the violation to persons who do not give notice of intention to stand trial or pay the established fine within the time set forth in the citation.

E. ***Prosecution.***

The County Attorney is authorized to prosecute any civil violation.

20-20. Failure to pay or stand trial, notice.

If a person who receives a citation for a violation fails to pay the fine by the date of payment set forth on the citation, and fails to file a notice of intention to stand trial, formal notice of the violation shall be sent to the person's last known address.