

ORDINANCE NO. 2013 - 3647

AN ORDINANCE ENACTING NEW SECTION 941.05 OF CHAPTER 941 OF THE CODIFIED ORDINANCES OF THE CITY OF FREMONT, ENTITLED "RULES AND REGULATIONS FOR FISHING AND WATERCRAFT AT THE FREMONT RESERVOIR", AND DECLARING AN EMERGENCY.

WHEREAS, the City of Fremont has agreed to permit the use of the Reservoir for recreational purposes, including fishing and the operation of watercraft for a minimum period of 25 years; and

WHEREAS, the City of Fremont seeks to regulate the use of the Reservoir consistent with recreational purposes, including the operation of watercraft, in order to protect the physical integrity of the Reservoir; to ensure that the Fremont Reservoir is used as the primary and principal source of drinking water for the community; and to preserve the quality of the water for business and industrial purposes in the City of Fremont; and

WHEREAS, the City of Fremont further seeks to regulate recreational policy for the Reservoir to protect the health and safety of the public in the use of the Reservoir; and

WHEREAS, the City of Fremont shall use various City personnel to monitor the use of the Reservoir for recreational purposes:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FREMONT, OHIO:

SECTION 1: The Codified Ordinances of the City of Fremont, Ohio be, and the same hereby is, amended by adding thereto a new Section 941.05 to Chapter 941, entitled "Rules and Regulations For Fishing and Watercraft at the Fremont Reservoir," which, as so amended, shall read as follows:

941.05 RULES AND REGULATION GOVERNING FISHING AND WATERCRAFT AT THE FREMONT RESERVOIR

The Safety Service Director shall post the following rules adjacent to the boat ramp at the Fremont Reservoir and furnish all interested parties desiring to avail themselves of the recreational use of the Fremont Reservoir with a printed copy of the rules and regulations governing use of the Reservoir for fishing and watercraft recreation.

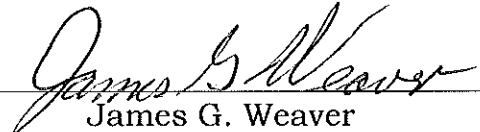
The rules and regulations governing use of the Fremont Reservoir for fishing and watercraft recreation are hereby prescribed and enacted as follows and shall be strictly adhered to in all respects.

- (a) All laws governing recreational fishing and boating under the Ohio Revised Code or as enacted by an agency of the State of Ohio shall apply to use of the Reservoir.
- (b) The use of gasoline powered motors, not exceeding 10 horsepower, for recreational purposes is allowed.
- (c) The use of electric powered motors exceeding 10 horsepower (or its equivalent) in size is prohibited.
- (d) The entire Reservoir is designated as a NO-WAKE ZONE.
- (e) Fishing is not permitted from the pier.
- (f) Only mushroom type anchors may be used. The use of all other types of anchors is prohibited.
- (g) No person shall in any manner dispose or place at, on or in the Reservoir any garbage, waste, bottles, cans, oil, glass or other unsightly or unsanitary material.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Revised Code of Ohio.

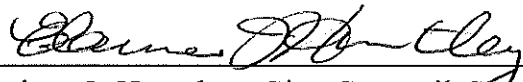
SECTION 3. The immediate operation of the provisions of this ordinance is necessary for the immediate preservation of the public peace, health, safety, and welfare of the citizens of the City of Fremont. Said emergency being the need to regulate the recreational use of the Reservoir expeditiously.

This ordinance, provided it receives a two-thirds yea or nay vote of all the members elected to the Fremont City Council, is hereby declared to be an emergency measure and this ordinance shall be in full force and effect from and after its passage by the Council of the City of Fremont, approval by the Mayor, and publication and posting as required by law.


James G. Weaver
President of Council

PASSED: 8-15-13
Effective date: 8-15-13

YEAS: 5 NAYS: 2


Elaine J. Huntley, City Council Clerk

* see attached *
James H. Ellis III, Mayor

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Approved as to form by:

A handwritten signature in black ink, appearing to be 'JFM', written over a horizontal line.

James F. Melle, Law Director
City of Fremont, Ohio

731.27 Mayor's veto in cities, OH ST § 731.27

Baldwin's Ohio Revised Code Annotated
Title VII. Municipal Corporations
Chapter 731. Organization (Refs & Annos)
Adoption and Publication of Ordinances and Resolutions

R.C. § 731.27

731.27 Mayor's veto in cities

Currentness

Every ordinance or resolution of a legislative authority of a city shall, before it goes into effect, be presented to the mayor for approval. The mayor, if he approves such ordinance or resolution, shall sign and return it forthwith to the legislative authority. If he does not approve it, he shall, within ten days after its passage or adoption, return it, with his objections, to the legislative authority, or, if it is not in session, to the next regular meeting thereof, which objections shall be entered upon its journal. The mayor may approve or disapprove the whole or any item of an ordinance appropriating money. If he does not return such ordinance or resolution within the time limited in this section, it shall take effect in the same manner as if he had signed it, unless the legislative authority, by adjournment, prevents its return. When the mayor disapproves an ordinance or resolution, or any part thereof, and returns it with his objections, the legislative authority may, after ten days, reconsider it, and if such ordinance, resolution, or item, upon such reconsideration, is approved by a two-thirds vote of all the members elected, it shall then take effect as if signed by the mayor.

CREDIT(S)

(1953 H 1, eff. 10-1-53; GC 4234)

Notes of Decisions (7)

R.C. § 731.27, OH ST § 731.27

Current through 2013 Files 24 and 26 to 38 of the 130th GA (2013-2014).

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