

RESOLUTION 2019 - 03

SUGAR BUSH KNOLLS "USE OF THE LAKES" ORDINANCE

In order to protect the lakes and waterways within the Village of Sugar Bush Knolls, the Village Council hereby adopts the following resolution which shall henceforth be known as "**Sugar Bush Knolls "Use of the Lakes" Ordinance**," shall be codified as 902.02 in the Village Ordinances, and declaring this to be an emergency.

WHEREAS, the Village Council of Sugar Bush Knolls desires to protect and promote the health of all of its citizens; and

WHEREAS, the Village Council of Sugar Bush Knolls desires to promote the health and safety of its lakes within the Village of Sugar Bush Knolls; and

WHEREAS, regulating the use of the Lakes of Sugar Bush Knolls will not only protect the health and safety of its citizens, but also protect the health and safety of the lakes of Sugar Bush Knolls;

NOW THEREFORE, be it ordained by the Council of the Village of Sugar Bush Knolls, Portage County, Ohio, at least a majority of all members elected thereto concurring, hereby approves the following Ordinance:

SECTION ONE: The Village Council creates and enacts Village Ordinance 902.02 as described more fully in the attached Exhibit A.

SECTION TWO: Any existing ordinances, or parts thereof, in conflict with this ordinance are hereby repealed.

SECTION THREE: That it is found and determined that all formal actions of this Council concerning and relating to the adoption 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 the Ohio Revised Code.

SECTION FOUR: The first reading of this ordinance occurred at the May 13, 2019 regular Village Council meeting. The second reading of this ordinance occurred at the June 10, 2019 regular Village Council meeting. This Ordinance was adopted at the July 8, 2019 regular Village Council meeting. That this Ordinance be declared an emergency measure and shall become

effective immediately upon its passage by Council and approved by the Mayor and the President of Council, for the reason that it is necessary to protect the public safety, health and welfare of the citizens of the Village of Sugar Bush Knolls, Ohio, and to further insure the effective operation of the Council of said Village.

PASSED:

July 9, 2019
Date

John Carlucci
Mayor

ATTEST:

William Elden
Clerk of Council

I hereby certify that Resolution No. 2019-03 was duly enacted this 9th day of JULY, 2019, by the Council of the Village of Sugar Bush Knolls, Ohio.

William Elden
Clerk of Council

Exhibit "A"

Sugar Bush Knolls "Use of the Lakes" Ordinance

902.02 The lakes and waterways in Sugar Bush Knolls shall be regulated as follows:

(A) USE OF THE LAKES --

- (1) Use of the lakes within the Village is limited to residents of the Village of Sugar Bush Knolls and their invited guests. Residents are deemed joint and severally responsible, both legally and financially, for the conduct of their invited guests.
- (2) All persons near, on, or using a lake within the Village of Sugar Bush Knolls are prohibited from disturbing the peace and quiet of the Village.
- (3) Guests near, in, or on a lake within the Village of Sugar Bush Knolls must be accompanied by a resident of Sugar Bush Knolls.
- (4) When near, in or on a lake within the Village of Sugar Bush Knolls, children under the age of 12 must be accompanied by an adult.
- (5) Residents and their invited guests are permitted to "fish" the lakes within Sugar Bush Knolls, but all fish caught must be released unless specifically authorized by Village Council or are classified under the family Cyprinidae and commonly referred to as "carp".
- (6) Only human or wind powered watercrafts are permitted in or on an aquifer in Sugar Bush Knolls (i.e. kayaks, canoes, row boats, paddle boards, sailboats, windsurfing, etc.). Other than when providing emergency response services or when conducting a training exercise approved by the Village Council of Sugar Bush Knolls, mechanically powered watercrafts are expressly prohibited.
- (7) No person, corporation, or entity may store any type of watercraft on Village of Sugar Bush Knolls property, except lot owners may store and launch approved watercraft from their own lakeside lots.
- (8) No person, corporation, or entity may moor or partially moor any watercraft in a lake within the Village of Sugar Bush Knolls.
- (9) All winter-style recreational activities are prohibited (i.e. ice skating, snowmobiling, ice fishing, etc.).

(B) Penalty: Any person, corporation or entity violating any provision of this Ordinance shall be fined not more than \$1,000 for each offense and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. Such sum may be recovered in a civil action brought in the Court of Common Pleas in this County by the Village Solicitor in the name of the Village of Sugar Bush Knolls.