

**Ordinance NO.: 426**

AN ORDINANCE TO ESTABLISH RULES AND REGULATIONS WITHIN THE BLADES MARINA COMPLEX AND PROVIDING FOR THE ENFORCEMENT OF THOSE REGULATIONS WITHIN THE TOWN OF BLADES

WHEREAS, the Town Council of the Town of Blades wishes to address the Health, Welfare and Safety of it's citizens as well as the Rules and Regulation's regarding the use of the Blades Marina within the Corporate limits of the Town of Blades,

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BLADES, IN COUNCIL MET, IN THE MANNER FOLLOWING, TO WIT:

Section 1: All persons using the Marina shall abide by the rules and regulations that are set forth and made part of this ordinance for the Blades Marina.

1.1 The Blades Marina includes all property, piers, bulkheads, grounds, docks and boat ramps leased or managed by the Town of Blades or its Designated Agent. The Blades Marina also includes those vessels docked at the Marina using the ramp or within the Marina Basin. The Blades Police shall have jurisdiction to enforce all violations of this section within the Blades Marina. State of Delaware and United States Coast Guard rules and regulations will also apply.

1.2 It shall be prohibited for any vessel to dock or anchor within the waters of the Marina Complex unless the owner or master of such vessel pay such fees as required by the Marina for dockage. Dockage contracts may be obtained from the Marina office or the Marina Manager or his/her authorized agent. **Exceptions:** This regulation shall not apply to vessels utilizing the fueling station or the sewage pump out facility.

1.2.1 In addition to any penalties assessed for violations of this Regulation, the owner or operator of the vessel shall also pay the dockage or anchorage fee.

1.3 Docking or anchoring of vessels will be permitted only in designated areas as assigned by the Marina manager or his/her agent.

Vessel owners are solely responsible for the proper docking or mooring of their vessels, and are required to maintain mooring/docking lines in good condition and sufficiently strong to secure their vessel at all times.

Any vessel showing more that normal leakage must be repaired or removed from mooring or docking.

Vessel owners shall be responsible for securing their vessels and equipment on board to prevent vandalism and theft.

The Marina or its agents shall not be liable for any damage or loss to any vessel due to theft, fire, or any other causes.

1.4 No repair or painting work, other than routine maintenance shall be performed on any vessel within the marina complex without written approval of the Marina manager or his/her authorized agent.

1.4.1 No major repair work shall take place on any vessel, except in such areas as designated by the Marina Manager or his/her authorized agent.

1.4.2 No repair or maintenance of any kind may be performed on the boat ramp parking lot or its piers.

1.4.3 Only the use of vacuum sanders or grinders will be allowed if needed for work authorized by the Marina Manager or his/her authorized agent.

1.5 Refueling of vessels will be permitted only at the Marina Fuel Pier. Distributors/Boat Owners and/or operators are prohibited from delivering fuel to vessels docked in the marina.

1.5.1 No vessel shall dock or anchor at the refueling station except to take on fuel.

1.5.2 Vessels docked at the refueling station to take on fuel shall not be left unattended and shall be removed immediately upon completion of refueling.

1.5.3 Only the owner, master or a crew member shall remain on board during refueling. All passengers must disembark until refueling operations are completed.

1.5.4 All engines must be shut down during refueling.

1.5.5 Smoking or open flames are prohibited within fifty (50) feet of the refueling stations.

1.5.6 No person shall use the refueling station for the purpose of loading or unloading supplies or passengers, except when complying with 1.5.3 above.

1.5.7 No gasoline or diesel fuel shall be pumped or siphoned from any vessel within the marina complex without the Marina Manager's prior approval and then only within an approved area designated by the Marina Manager. Under no circumstances will fuel be removed while the vessel is docked within a slip.

1.6 It is a violation of State and Federal Law to dispose of trash, oil, or raw sewage into Delaware waterways. Discharge of untreated or inadequately treated vessel sewage into Delaware water is illegal and may be punishable by a minimum fine of \$1,000.00 or up to \$25,000.00 per violation.

1.6.1 All refuse and trash shall be properly disposed of in the trashcans or dumpsites located within the Marina Complex. Additionally, all waste oil, as well as used oil filters, must be transported in a sealed container to the waste oil station or used filter receptacle located within the Marina Complex. Only trash generated within the Marina may be disposed of in the trash dumpster. Violators will be billed for the total cost of emptying the dumpster involved.

1.6.2 Portable toilets must be emptied at the Marina's portable dump station located at the fueling station. Portable toilets shall *not* be emptied at the Marina's restroom facilities. Boaters with holding tanks are encouraged to use the Marina's Pump Out Facility free of charge. Vessels with installed toilets must be in compliance with all applicable State and Federal Laws. Vessel owners or masters must be in compliance with the Delaware Pumpout Law. (7 Del.C.ss.6035)

1.7 Disorderly conduct by an owner, his crew or guests shall be cause for cancellation of a dockage agreement and any assigned dock or mooring space.

1.8 The Marina Manager or his/her authorized agent shall have the authority to cause owners or other personnel to comply with reasonable safety requirements. To save life or property, the Marina Manager, or his/her agent may perform or cause to be performed acts which are or may be of benefit to any vessel. No liability shall occur to the Marina or it's agents as a result of such acts or omission of acts by the Marina Manager or his/her agent. Any costs imposed as a result of such act or acts shall be borne by the vessel owner. Each hour Marina employee(s) spend tendering to a vessel in distress, shall be billed to the vessel owner. Such bill is due upon receipt.

1.8.1 Swimming or diving is prohibited from all piers, docks, bulkheads and vessels within marina waters

1.8.2 Running or horseplay is prohibited on all piers, docks and bulkheads within the marina.

1.8.3 Fishing is regulated as follows:

(A) No anchoring within the marina basin or entrance channel is permitted

(B) Weights on fishing tackle shall not exceed 1/4 ounce.

(C) Fisherman must yield the right of way to all vessels underway.

(D) No hook, line or tackle of any kind shall be abandoned in or on docks, piers, piles or dock lines.

(E) No fishing is permitted from floating docks, piers, or land within the marina.

1.8.4 Only barbecue grills specifically designed for on-vessel use and that meet industry standards may be used aboard vessels docked with in the Marina Complex. No charcoal grills are permitted on vessels and no grills of any type shall be permitted on the docks and piers.

1.8.5 Absolutely no portable heaters, whether electric or fuel, may be used at any time. Violators will be evicted with no refund on dockage fees.

1.8.6 During the effective period of the dockage agreement, the owner shall maintain a policy of liability insurance on the vessel in an amount deemed adequate by the Marina. Proof of coverage shall be on file with the Marina management.

1.9 Fish cleaning is prohibited within the marina complex unless at the supplied fish cleaning station. All fish waste must be disposed of properly. **NO FISH WASTE IS TO BE DUMPED INTO THE MARINA WATERWAYS. VIOLATORS SUBJECT TO FINES IMPOSED BY DNREC.**

1.9.1 It is prohibited to throw or dump into the waters or onto the grounds of the marina any fish remains, parts or pieces thereof, except in receptacles provided for such purposes.

1.10 No person shall go aboard any vessel docked, anchored or stored within a marina complex, unless such person is accompanied by the owner or master, or has specific permission from the owner or master of such vessel.

1.11 No person shall enter upon the grounds, waters, docks or piers of a marina from one-half (½) hour after sunset until one-half (½) hour before sunrise except authorized persons such as vessel owners, masters, crew members and passengers returning from or embarking on boating excursions for fishing or pleasure, or authorized persons residing aboard a vessel.

1.12 The parking or leaving overnight of vessels or vessel trailers in marina parking lots or marina areas shall be prohibited unless prior written permission is given by the Marina Manager. This shall not apply to vessels and trailers legally stored within designated vessel storage areas.

1.13 During the winter season, November 15 through April 15, no person or persons shall reside overnight on any vessel docked or moored within the Marina, unless the owner or master of such vessel gives written notification to the Marina office and receives approval from the Marina manager. ***Under no circumstances shall anyone be permitted to maintain a permanent residence aboard any vessel, docked or moored, within the Marina complex at any time.***

1.14 All pets must be kept on a leash and be under the pet owner's control at all times. Maximum leash length cannot exceed six feet. Pets are not permitted in any building at any time with the exception of working dogs for the disabled. Pets may be relieved only in the designated pet walking area. Owners are expected to clean up after their pets as a courtesy to others.

1.15 Overnight parking of boats or boat trailers in the Marina Complex is prohibited without the written permission from the marina manager or his/her agent. This regulation does not apply to boats and trailers legally stored within the storage facility provided by the marina.

1.16 The marina parking lots are reserved for slip holders, their guests and the general public conducting business with the Nanticoke River Marine Park. Any unauthorized vehicle will be removed at the owner's expense. No vehicles are permitted on any sidewalk or grass area at any time. It is prohibited for any person to make use of any vehicle or camping unit for the purpose of camping and /or sleeping within the marina complex. The parking area is not for use of temporary storage of infrequently used vehicles.

**Section 2.** Any person who violates any of the provisions of this article shall be deemed to be guilty of a misdemeanor and, upon conviction in a court of competent jurisdiction, shall be fined not less than \$50 nor more than \$200 or be imprisoned for a term not to exceed 20 days, or both, and shall pay the cost of prosecution. For the purposes of this ordinance, each day or part thereof that a violation continues shall be deemed to be a separate offense.

**Section 3.** If any section of these rules should be held to be invalid by competent authority, the remainder shall not be affected thereby.

Section 2. This ordinance shall become effective upon its adoption by a majority of all Commissioners.

Date of First Reading: 5/9/05

Date of Second Reading: 6/13/05

Adopted: 6/13/05

Synopsis

The Town of Blades is required under Title 22, Chapter 1 of the Delaware Code to enact an ordinance to require all handicapped parking spaces to be marked by signs and, as part of that ordinance, to provide for its enforcement.

David L. Ruff  
David L. Ruff, Mayor

Wayne Chaffinch  
Councilman Wayne Chaffinch

Fred Henning  
Councilman Fred Henning

Attest: Julia A. Carter

Russell T. Joseph  
Vice Mayor Russell Joseph

Donald Trice  
Councilman Donald Trice

Starr Kulikauski  
Councilperson Starr Kulikauski

Section 4. This ordinance shall become effective upon its adoption by a majority of all Commissioners.

Date of First Reading: 11/14/05

Date of Second Reading: 12/12/05  
TABLED 1/9/06

Adopted: 3/13/06 W/AMENDMENTS

David L. Ruff  
David L. Ruff, Mayor

Wayne Chaffinch  
Councilman Wayne Chaffinch

Fred Henning  
Councilman Fred Henning

Attest: Jule A. Chute

Russell Joseph  
Vice Mayor Russell Joseph

Donald Trice  
Councilman Donald Trice

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Councilperson Starr Kulikauski