

AN ORDINANCE REGULATING THE USE OF COUNTY-OWNED PUBLIC DOCKS IN MIDDLESEX COUNTY, VIRGINIA, REPEALING ANY PRIOR ORDINANCES, AND FIXING PENALTIES FOR VIOLATION OF THE PROVISIONS OF THIS ORDINANCE.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MIDDLESEX COUNTY, VIRGINIA, AS FOLLOWS:

Section 1 Short Title. This ordinance shall be known and may be cited as the Middlesex County Public Dock Ordinance.

Section 2 Repeal of Prior Ordinances. Any ordinances regulating the use of County docks are hereby repealed in their entirety.

Section 3 Effective Date. This ordinance shall be in full force and effect upon its adoption.

Section 4 Use of County-Owned Public Docks. The public docks of Middlesex County are reserved for the use of the general public and shall be open to the use of all boats, both commercial and recreational. Any boat, vessel, or craft may temporarily moor at a County-owned dock for the purpose of loading or unloading cargo, equipment, or passengers. Overnight mooring, permanent mooring, and mooring for purposes other than loading or unloading shall be allowed only at those County-owned public docks which comply with the Rules and Regulations of the Board of Health, Commonwealth of Virginia, Governing Sanitary and Sewerage Facilities at Marinas and other Places Where Boats are Moored.

Section 4-1 Use of the County Dock at Water View. No person shall moor, anchor, tie up or stop any vessel with an outboard propelled motor except on the inside of the County-owned dock at Water View.

No person shall moor, anchor, tie up or stop any vessel with an inboard propelled motor except on the outside of the County-owned dock at Water View.

Notwithstanding any other provision of this Ordinance, no person shall allow any vessels to remain moored, anchored, or tied up at the County-owned dock at Water View longer than 48 hours. This privilege shall not apply to the loading dock at Water View.

Section 5 Mooring Restricted. Except as stated in Section 4-1, mooring at County-owned public docks which do not comply with the Rules and Regulations of the Board of

Health as set forth in Section 4 above shall be limited to temporary mooring for the purposes stated in Section 4 above. This restriction shall apply twenty-four (24) hours per day with no exceptions. Such mooring shall be terminated immediately upon completion of loading/unloading activities. Overnight mooring, permanent mooring, and mooring for purposes other than loading or unloading shall be deemed violations of this ordinance, only at those County-owned public docks which do not comply with the Rules and Regulations of the Board of Health as set forth in Section 4 above and in the provisions regulating mooring at Water View Dock.

Section 6 Storage of Cargo and Equipment. No cargo or equipment of any kind shall be stored on a County-owned public dock for more than twenty-four (24) hours, unless a permit therefore has been issued by the Board of Supervisors. Any such permit shall be non-exclusive in nature and shall be granted for a specific limited period of time. No cargo or equipment shall be stored in such a manner as to interfere with loading/unloading operations.

Section 7 Channels. No person shall moor, anchor, tie up or stop any vessel in any channel of the waterways of Middlesex County in such a manner as to prevent or obstruct the approach, passage or berthing of any other vessel.

No person shall voluntarily or carelessly sink, or permit or cause to be sunk, any vessel in channels of the waterways of Middlesex County. Whenever any vessel is wrecked or sunk in a channel it shall be the duty of the owner thereof to immediately mark such vessels with a buoy, and a lighted lantern at night, and maintain such markers until the vessel is moved, which removal shall be accomplished by the owner, promptly and diligently.

Section 8 Penalties. Any person, firm, or corporation who violates any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00), or by imprisonment in jail for not more than twelve months, or by both fine and imprisonment.

Section 8-1 Enforcement. Except as may be elsewhere provided, every game warden, marine resource commission inspector and every other law enforcement officer of this state and its subdivisions and of the United States Government shall have the authority to enforce the provisions of this ordinance and the boating laws of the Commonwealth of Virginia, Section 29.1-700, et seq, which are hereby adopted by reference and in exercise thereof shall have the authority to stop any vessel subject to this chapter and the Code of Virginia and after

identifying himself in his official capacity, shall have the authority to issue summons to appear in district court of this County or to make an arrest.


Section 9 Severability. Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, but only that part so declared to be unconstitutional or invalid.

Approved to Form: 
County Attorney

Adopted by the Middlesex County Board of Supervisors, October 20, 1992, by the following vote:

Fred S. Crittenden	aye
Kenneth Williams	aye
Frank Jessie	aye
Lenora Weber	aye
Jerry Bray	aye

A Copy Teste:


Norm Risavi, Clerk