

## Chapter 98: No Wake

### Article I No Wake Zones

#### **§ 98-1 Adoption.**

The Board of Supervisors of Northumberland County, pursuant to § 29.1-744 of the Code of Virginia, as amended, does hereby adopt the following article.

#### **§ 98-2 Definitions.**

A *Definitions.* For the purpose of this article, the following words shall have the meanings ascribed to them, respectively, by this section:

*Channel* shall mean the path of deeper water in a waterway that is normally followed by larger deeper draft vessels. Channels may be dredged or determined by generally accepted practice.

*Motorboat* means any vessel propelled by machinery whether or not the machinery is the principal source of propulsion.

*No wake* means operation of a motorboat at the slowest possible speed required to maintain steerage and headway.

*Operate* shall mean to navigate or otherwise control the movement of a motorboat or a vessel.

*Person* shall not mean or be interpreted to include any law-enforcement officer while acting in the lawful discharge of his duties to the extent that his actions might or would otherwise constitute a violation hereinafter.

*Vessel* shall mean every description of watercraft, including seaplanes on the water, used or capable of being used as a means of transportation on water.

*Waterways* shall mean bodies of water within territorial limits of Northumberland County which a vessel may operate.

*Wharf* shall mean an artificial structure into a body of water from the shore, to be used for the reception of boats and watercraft.

#### **§ 98-3 No Wake Zones**

- A. *State approved no wake zones.* Following the procedures outlined in Code of Virginia, § 29.1-744 and all amendments thereto, the Board of Supervisors may apply to the Virginia Board of Department of Wildlife Resources for the designation of no wake zones in and upon the waterways of Northumberland County. Following the approval of the establishment of any such no wake zone, and the placement of appropriate no wake buoys or other markers designating any such zone, it shall be a violation of this section for any person to operate a motorboat in that zone at greater than the slowest possible speed required to maintain steerage and headway.
- B. Any person who desires to have established a no wake zone or remove no wake markers shall submit an application to Northumberland County pursuant to Code of Virginia, § 29.1-744(E) and all amendments thereto. The cost of the purchase and placement or the removal of the buoys or markers shall be borne by the person requesting the placement or removal of buoys or markers.

#### **§ 98-4 Recklessness**

No person shall operate a vessel on the waterways within the territorial boundaries of Northumberland County in such a manner as to endanger the life or limb of any person or to endanger, damage, or destroy the property, whether real or personal, of any person.

#### **§ 98-5 Enforcement**

Except as may be elsewhere provided, every game warden, marine resources 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 the section and in exercise thereof shall have the authority to stop any vessel subject to this section and, after identifying himself in his official capacity, shall have the authority to issue summons to appear in district court of this county to make an arrest.

#### **§ 98-6 Considerations**

In consideration of a request by the Board of Supervisors to request state approved no wake zone in accordance with subsection §79-3 herein, the following shall be considered:

- (1) The threat of injury or damage to people or property;
- (2) Width of waterway;
- (3) Location of channel in relation to shoreline;
- (4) Density of wharfs along a shoreline;
- (5) Location of marinas and/or boat ramps;
- (6) Any other matter that may be relevant to consider the establishment of a no wake zone.

### **§ 98-7 Designation of No Wake Zones**

The following locations have an approved No Wake Zone by the Northumberland County Board of Supervisors and the Virginia Department of Wildlife Resources (DWR).

A. TBD

### **§ 98-8 Penalties**

Any person who violates any provision of this article, unless otherwise specified, shall be guilty of a class 4 misdemeanor in accordance with Code of Virginia, § 29.1-746, as amended.