

**CHAPTER 9  
SWIMMING AND BOATING**

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**5-9-1 DEFINITIONS.**

For the purposes of this Chapter, certain terms shall have the meanings ascribed below:

*Motorboat.* Any vessel propelled by machinery, whether or not such machinery is the principal source of propulsion, but shall not include a vessel which has a valid marine document issued by the Bureau of Customs of the United States government or any Federal agency successor thereto.

*Operate.* To navigate or otherwise use a motorboat or vessel.

*Owner.* A person, other than a lien holder, having an interest in or title to a motorboat. The term includes a person entitled to the use or possession of a motorboat subject to an interest in another person, reserved or created by agreement and securing payment of performance of an obligation, but the term excludes a lessee under a lease not intended as security.

*Person.* An individual, partnership, firm, corporation, association or other entity.

*Vessel.* Every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

*Watercraft.* Any contrivance used or designed for navigation on water.

*Waters of this city.* Any waters within the jurisdiction of the City.

**5-9-2 REGISTRATION OF BOATS.**

No person shall operate or give permission for the operation of any motorboat on the waters of this City unless the motorboat is registered in accordance with the provisions of Chapter 70, Title 67, Idaho Code.

**5-9-3 REGULATIONS FOR OPERATION OF BOATS OR WATERCRAFT.**

No person shall operate any boat or watercraft on any of the waters of this City in such a manner as to endanger life or property or in violation of the following requirements:

(A) No boat or watercraft propelled by machinery shall be operated at a speed greater than ten (10) miles per hour when within fifty feet (50') of another craft, nor at a speed in excess of ten (10) miles per hour at any time unless vision is unobstructed for at least three hundred feet (300') ahead, and no boat or watercraft propelled by machinery shall approach any dock, pier or shore of any river, lake or reservoir except at a reduced and safe rate of speed.

(B) No boat or watercraft shall be operated during the period between thirty (30) minutes after sundown and sunrise without being equipped with a white light stern to show all around the horizon, and if such boat or watercraft is propelled by machinery without being equipped, in addition to such white light, with a combined lantern in the forepart of the vessel and lower than the white light aft, showing green to starboard and red to port, so fixed as to throw the light from right ahead to two (2) points abaft the beam on their respective sides.

(C) No boat propelled in whole or in part by gas, gasoline, naphtha, or any petroleum product, shall be operated unless the same is provided with an exhaust or muffler device so constructed and used as to muffle the noise of the exhaust, and no such boat shall be operated with a cut-out or any such device which shall make the muffler ineffective.

(D) Boat traffic shall be governed by the following right-of-way rules:

(1) Passing from rear: keep to the left.

(2) Passing head-on: keep to the right.

(3) Passing at right angles: boat at the right has right-of-way, other conditions being equal.

(4) Sailboats have right-of-way over all other boats. Motorboats, when passing sailboats, shall always pass on windward side.

(5) Any boat backing from a landing, dock or pier, has the right-of-way over incoming boats.

#### 5-9-4 AIR TANKS AND LIFE PRESERVERS.

Unless a boat or watercraft is capable of floating when capsized, no such boat or watercraft shall be operated on the waters of the City unless equipped with air tanks of sufficient capacity to sustain afloat such boat or watercraft when full of water; nor shall any boat or watercraft be operated on any of the waters of this City without carrying one life preserver, life belt, buoyant cushion or ring buoy for each person on board.

#### 5-9-5 RIDING ON DECKS AND GUNWALES.

No person operating a motorboat of eighteen feet (18') or less in length shall allow any person to ride or sit on either the starboard or port gunwales thereof or on the decking over the bow of the vessel while underway unless such motorboat is provided with adequate guards or railing to prevent passengers from being lost overboard. Nothing in this Section shall be construed to mean that passengers or other persons aboard a motorboat cannot occupy the decking over the bow of the boat to motor the watercraft to a mooring buoy or to cast off from such a buoy, or for any other necessary purpose.

#### 5-9-6 RESTRICTED AREAS.

No person shall operate a watercraft within a water area which has been clearly marked by, or under the authority of the Chief of Police or the Director of Idaho Falls Power, as a bathing, swimming or otherwise restricted area; provided, that this Section shall not apply in the case of an emergency, or to patrol or rescue craft. The Chief of Police or the Director of Idaho Falls Power is hereby authorized to designate and clearly mark the restricted areas of the waters of this City. (Ord. 3003, 04-23-15)

#### 5-9-7 LITTER PROHIBITED.

No person shall throw, deposit or cause to be deposited, any glass, metal, debris, rubbish or other material in the waters of the City, or along the banks of any stream therein.

#### 5-9-8 JUMPING FROM STRUCTURES OVER SNAKE RIVER.

It shall be unlawful for any person to jump, dive or drop from any part of the following structures which cross over the Snake River: the John's Hole Bridge; the Broadway Street Bridge; the Pancheri Drive Bridge; the railroad bridges located south of the Broadway Street Bridge; the pedestrian bridge located immediately south of the Broadway Street Bridge; the sanitary sewer line that crosses the Snake River near Short Street and the sanitary sewer line that crosses the Snake River near the City waste water treatment plant.

#### 5-9-9 SWIMMING AND BOATING NEAR HYDROELECTRIC STRUCTURES.

It shall be unlawful for any person to swim in, water ski or operate a boat, canoe, kayak or other craft upon the waters of the Snake River between any buoy or boundary line designated by a readily visible warning sign, and any dam, diversion weir or structure or hydroelectric generating intake structure owned or operated by the City. Such warning signs shall contain the following language: "WARNING: Swimming, water skiing or boating downstream (or upstream, as the case may be) of this sign is prohibited," or such other language as will fairly warn of the prohibition of this Section.