

ORDINANCE NO. 1397

AN ORDINANCE REVISING SECTION 17-79 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY, MONTANA, SO AS REVISE PROVISIONS REGARDING THE USE OF MOTORBOATS IN CITY OWNED LAKES.

BE IT ORDAINED, by the City Council of the City of Miles City, Montana, as follows:

Section 1. Section 16-48 shall be amended to read as follows:

“Sec. 17-79. - Motorboats prohibited on Cook Lake, and Spotted Eagle Recreation Area.

(a) *Prohibition.* It shall be unlawful to operate a motorboat or personal watercraft within and upon the confines of Cook Lake or Spotted Eagle Lake except as provided in subsection (c), below.

(b) *Definitions.*

Motorboat means any vessel propelled by any motor, or engine of any description, whether or not such machinery, motor, or engine is the principal source of propulsion. The term includes boats temporarily equipped with detachable machinery, motors, or engines, but does not include personal watercraft.

Personal watercraft means a vessel that uses an outboard motor or inboard engine powering a water jet pump as its primary source of propulsion and that is designed to be operated by a person sitting, standing or kneeling on the vessel rather than by the conventional method of sitting or standing in the vessel.

Electric trolling motor means a self-contained marine propulsion unit that includes an electric motor, propeller, and control system, affixed to a boat, either at the bow or stern and primarily used for low-speed maneuvering.

No-wake speed means the speed whereby there is no “white” water in the track or path of the vessel or in created waves immediate to the vessel.

(c) *Exceptions:*

Spotted Eagle - It shall be lawful to use a boat or motorboat if powered by manual means or electric trolling motor only provided operation is below no-wake speeds. It shall be lawful to test motorboat engines during the month of April on existing boat ramps, provided the boat remains on the trailer at all times.

Cook Lake - It shall be lawful to operate a motorboat or personal watercraft within and upon the confines of Cook Lake from July 1st through August 15th of any year, under the following conditions:

(1) *Motorboats.* No more than one motorboat shall be in operation within and upon the confines of Cook Lake at any one time.

(2) *Personal watercraft.* No more than four personal watercrafts shall be in operation within and upon the confines of Cook Lake at any one time.

(3) *Exclusivity.* No motorboat or personal watercraft shall be in operation at the same time within the confines of Cook Lake

(d) *Administrative Exceptions* temporary use of motorboats at no-wake speed is authorized for emergency services, law enforcement, lake and fishery management, and other administrative needs by city, county, or state entities.

(e) *Penalty for violation.*

(1) Any person violating any provision of this section is guilty of a municipal infraction and shall have imposed a civil penalty of not more than \$300.00 for a first infraction. For each repeat infraction of the same section, a civil penalty not to exceed \$500.00 shall be imposed. A person violating the provisions of this Code is guilty of a separate offense for each and every day during any portion of which any violation of this Code is committed, continued, or permitted to be committed; and/or

(2) *Suspension of privileges.* Any person violating this section may have his or her privileges for operating a motorboat or personal watercraft within or upon the confines of Cook Lake and Spotted Eagle suspended for a period of up to one year.

Section 2. This Ordinance shall become effective thirty (30) days after its final passage.

Said Ordinance read and put on its passage this 22nd day of July, 2025.

Dwayne Andrews, Mayor

ATTEST:

Mary Rowe, City Clerk

FINALLY PASSED AND ADOPTED this ____ day of _____, 2025.

Dwayne Andrews, Mayor

ATTEST:

Mary Rowe, City Clerk