

ORDINANCE NO. 2008-035

Adopted by the Sacramento City Council

June 17, 2008

AN ORDINANCE ADDING SECTION 12.72.250 TO TITLE 12 OF THE SACRAMENTO CITY CODE RELATING TO REQUIRING LIFE PRESERVERS FOR ACCESS TO THE PUBLIC WATERS WITHIN THE CITY OF SACRAMENTO, AND DECLARING THE ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1. Findings

The City Council finds and determines that:

- A. The City of Sacramento's population has dramatically increased as has the use of recreational water resources. The increased use of these resources has led to drastically increased incidents of drowning or near drowning in the public waters within the City.
- B. As the summer recreational season begins, it is necessary to protect the lives and safety of the more vulnerable residents of the City as well as visitors to the City from dangers inherent in accessing public waters for recreation.

SECTION 2.

Section 12.72.250 is added to Title 12 of the Sacramento City Code to read as follows:

12.72.250 Life Preservers.

- A. It is unlawful for any parent to permit his or her child under the age of thirteen (13) or for any guardian to permit any child under the age of thirteen (13) in his or her care to access any public waters located within the city unless such child is wearing a life preserver.
- B. For purposes of this section, "life preserver" is any device meeting the definition of "Personal Flotation Device" as set forth in Title 8 of the California Code of Regulations.

- C. For purposes of this section, "public waters" means all public waters located within the city in any river, stream, lake, reservoir, or other body of water, including all bays, inlets, and estuaries.
- D. A violation of this section shall be a misdemeanor.

SECTION 3. Declaration of Emergency

Pursuant to Section 32(g)(2) of the City Charter, this ordinance shall be enacted as an emergency ordinance to take effect immediately. Upon adoption by the City Council, the facts constituting the emergency are as set forth in Section 1 of this ordinance, all of which are incorporated into this section as facts supporting the emergency nature of this ordinance, and additionally, the summer season has commenced where use of recreational water resources is highest.

Adopted by the City of Sacramento City Council on June 17, 2008 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Fargo.

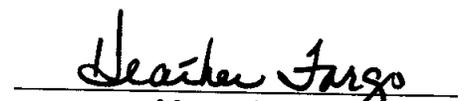
Noes: None.

Abstain: None.

Absent: None.

Attest:


Shirley Concolino, City Clerk


Mayor Heather Fargo

Effective: June 17, 2008

