

**CITY OF WHITTIER
ORDINANCE #07-2016**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHITTIER, ALASKA
AMENDING WHITTIER MUNICIPAL CODE SECTION 17.16.221, MARINE PARK USE
REGULATIONS.**

Section 1. **Classification.** This Ordinance is a permanent code ordinance.

Section 2. **Amendment of Section.** Whittier Municipal Code Section 17.16.221, Marine Park Use Regulations, Subsection C, Prohibited Acts, is amended to read as follows:

Prohibited Acts. The following acts are unlawful and are prohibited within the boundary of any marine park:

1. Use of spears or spear guns of every kind and description for the taking of fish, bivalves, mollusks, crustaceans, or other marine plant and/or animal life provided, however, nothing herein shall be construed to prevent the wearing by scuba divers or skin divers of knives properly sheathed which are customarily used by divers.
2. Scuba diving or possession of scuba diving apparel and equipment, unless in possession of written proof of being certified by a nationally recognized scuba diving association such as PADI, NAUI or SSI.
3. Scuba diving without wearing a buoyancy compensator.
4. While having in his or her possession scuba or free diving equipment the additional possession of any device designed for the taking of fish, bivalves, mollusks, crustaceans or other marine plant or animal life including, but not limited to, fishing lines, poles or hooks, spears or spear guns of every kind and description, nets for taking or collecting already taken marine life, gaffs, stringers designed for attaching fish, or any other similar hunting and/or fishing device of every kind and description; provided, however, nothing herein shall be construed to prevent the following:
 - a. The wearing by scuba or free divers of knives properly sheathed which are customarily used by scuba or free divers; and
 - b. The possession of fishing tackle designed for fishing from above the surface of the water.

5. To injure, destroy or otherwise contribute to the physical degradation of the habitat of any fish, bird, mollusk, crustacean, marine or intertidal algae or plant, or any other marine or intertidal organism.

6. Conduct any commercial recreational activity without first obtaining a commercial operator's permit from the city and paying the fee therefor.

7. Anchoring, mooring, fastening, tying, or otherwise securing any vessel, by any method.

8. Erecting or installing any structure, whether floating or not, such as a Dock, Pier, Boathouse, etc.

Section 3. Effective date. The Whittier City Council ordains this ordinance and it shall be effective immediately upon adoption.

Introduction date: September 20, 2016

Public Hearing: October 18, 2016

ENACTED this 18th day of October 2016.



Daniel Blair
Mayor

ATTEST:



Jennifer Rogers
City Clerk

Ayes: 6

Nays: 0

Absent: 1

Abstain: 0