

## RESPONSE TO QUESTIONS

---

Project Name: **Boardwalk Trail at Lady Bird Lake**

IFB Number: **6100 CLMC347**

CIP ID Number: **5789.087**

Date: **January 26, 2011**

This document represents a response to written questions received by the City from a bidding contractor on the above referenced project.

### Response to Questions:

1. Q: *How do we make a site visit on the lake? Do we need a boat permit?*

A: Please see the attached **Application to operate motorboat on Lady Bird Lake** including Ordinance 14-2-2: OPERATION OF MOTORBOATS AND OTHER WATERCRAFT BETWEEN TOM MILLER DAM AND PLEASANT VALLEY ROAD DAM and the Application Form. Motor boat usage is prohibited on Lady Bird Lake except for certain exemptions including:

- a. Paragraph B2 exempts motorboats operated during prosecution of lake improvements. This will apply to the contracted firm during construction and each vessel will require an inspection.
- b. Paragraph B4 exempts boats with small electric motors which could be used to inspect the site. You may use any of the public ramps on Lady Bird Lake without inspection.
- c. Paragraph C details the application process for permitting a larger motorboat. Please note there are several steps in the approval process for this permit.

**END**



**Ordinance 14-2-2: OPERATION OF MOTORBOATS AND OTHER WATERCRAFT BETWEEN TOM MILLER DAM AND PLEASANT VALLEY ROAD DAM**

- (A) Between the dam across the Colorado River at Pleasant Valley Road and the Tom Miller Dam, it shall be unlawful for any person to operate or cause to be operated any motorboat or houseboat upon the waters of the Colorado River, or its tributaries impounded by the dam at Pleasant Valley Road.
- (B) Subsection (A) shall not apply to the following:
- (1) Motorboats operated by officers and employees of the city in the performance of their official duties
  - (2) Motorboats operated in the prosecution of dredging or other lake improvements or construction work duly authorized by the City Council.
  - (3) Motorboats operated in public events or exhibitions, duly authorized by the City Council, with the exception of racing boats operated between Tom Miller Dam and the dam at Pleasant Valley Road, which shall be prohibited.
  - (4) Boats powered by electric motors which do not exceed a capacity of five horsepower. This exception shall apply to houseboats.
  - (5) Motorboats operated for tours, excursions and transporting persons on such basis as may be duly authorized by the City Council.
  - (6) With the prior approval of the City Manager, motorboats powered by a motor of larger than ten horsepower operated for the purpose of engineering and scientific research.
- (C) Notwithstanding the provisions of subsection (A), any person desiring to use a motorboat in the prohibited area for any activity not covered in the subsection (B) may apply to the Director for permission to do so, on forms furnished by the city. Such application shall thereafter be submitted to the City Manager, who shall consider such factors as safety, noise, pollution, nuisance, and the general welfare of the public in the making his determination to approve or disapprove the application.**

In accordance with Ordinance 14-2-2, any requests to apply for permission to use a motorboat on Lady Bird Lake must complete the attached form and submit to:

Director of the Parks and Recreation Department  
200 S. Lamar  
Austin, Texas 78704

One form must be completed for each vessel requested. Permits may be issued on a short-term basis for special events or on an annual basis for ongoing operations with all annual permits expiring on December 31<sup>st</sup>. Upon issuance of a permit, vessel must be inspected by the Marine Enforcement Unit of the Austin Park Police. **Call 329-8841 for an appointment.** Permit must be kept on board vessel at all times when being operated on Lady Bird Lake. Failure to produce permit when requested by City of Austin official or law enforcement will result in cessation of all activities and may risk issuance of a citation along with termination of the permit.

# Application Form

Name: \_\_\_\_\_

Organization/Business Name: \_\_\_\_\_

Reason for request: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime Phone#: \_\_\_\_\_ Evening Phone#: \_\_\_\_\_

Cell Phone #: \_\_\_\_\_

Emergency Phone #: \_\_\_\_\_ email address: \_\_\_\_\_

Make and model of vessel: \_\_\_\_\_

Vessel color: \_\_\_\_\_ Type and size of motor: \_\_\_\_\_

Registration number of vessel: \_\_\_\_\_

Any permit will be subject to revocation by the Director of Parks and Recreation if the operator(s) of the vessel is known to act in a willfully or wantonly reckless or negligent manner that endangers the life, limb, or property of any person or the City of Austin, or it is found that the operator(s) are in violation of any City Ordinance or Texas Water Safety Act, or because of any Nuisance, Pollution or Noise complaints reported to the City Manager or his/her designee.

All vessels must abide by the Texas Water Safety Act. In addition, vessel owner must attend and show proof of completion of the Texas Boater Education program.

The original approved application will be kept on file with the Austin Parks and Recreation and a copy mailed or issued to the requester for the exemption to Ordinance 14-2-2.

Requestors Signature \_\_\_\_\_ Date \_\_\_\_\_

Approved – Parks and Recreation Department \_\_\_\_\_ Date \_\_\_\_\_

Approved - of Administrator of Public Safety and Emergency Management \_\_\_\_\_ Date \_\_\_\_\_

Approved – City Manager \_\_\_\_\_ Date \_\_\_\_\_