

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 18-2023**

**A RESOLUTION AUTHORIZING THE USE OF INTERNAL COMBUSTION
ENGINES ON NIMITZ LAKE UPSTREAM OF THE CITY'S IMPOUNDMENT
DAM FOR THE KERRVILLE TRIATHLON AND THE SAFETY OF
COMPETITORS**

WHEREAS, Chapter 118 of the City Code of Ordinances (the "Code") regulates and prohibits certain activities on Nimitz Lake, the lake upstream of the City's impoundment dam (the "Lake"); and

WHEREAS, one of the prohibited activities is the operation of internal combustion engines on the Lake; and

WHEREAS, under the Code, City Council may authorize an exception to this prohibition by adopting a resolution authorizing an activity that requires the use of an internal combustion engine on the Lake; and

WHEREAS, the organizer of a triathlon to be held in Kerrville and who would like to use the Lake for the swimming portion of its competition, is seeking an exception to the prohibition against combustible engines so that the organizer may use boats with combustion engines to ensure the safety of competitors; and

WHEREAS, pursuant to this request and to promote and expand the recreational uses of the Lake, City Council hereby finds that a public purpose exists to authorize the use of internal combustion engines on the Lake;

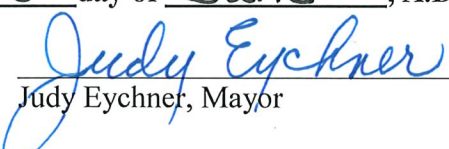
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:

SECTION ONE. City Council authorizes the use of internal combustion engines on the Lake, such authority subject to the following terms:

- a. the authority is granted to High Five Events, LLC, of Austin Texas, their agents, or representatives and no other person or group;
- b. the authority is valid from September 15, 2023, through September 25, 2023; and
- c. authority is limited to no greater than five (5) boats with such engines.

SECTION TWO. This Resolution and the authority granted hereby shall automatically expire and be revoked on September 30, 2023.

PASSED AND APPROVED ON this the 13 **day of** June **, A.D., 2023.**


Judy Eychner, Mayor

APPROVED AS TO FORM:


William L. Tatsch, Assistant City Attorney

ATTEST:


Shelley McElhannon, City Secretary