

**CITY OF WARD**

**ORDINANCE NO. O-2024-21**

**AN ORDINANCE REPEALING AND REPLACING ORDINANCES O-2003-01 AND O-2012-04; SETTING GENERAL RULES AND REGULATIONS FOR WILLOW AND BUSBY LAKES; ESTABLISHING FISHING LIMITS FOR BOTH LAKES; SETTING PENALTIES THERETO; AND FOR OTHER PURPOSES**

**WHEREAS, THE STATE OF ARKANSAS** is blessed to have an abundance of lakes, ponds and rivers for recreational fishing; and,

**WHEREAS, THE CITY OF WARD** is equally blessed to have two bodies of water – Busby Lake and Willow Lake – available to our residents and visitors alike as public lakes for their use; and,

**WHEREAS,** it is incumbent upon the Governing Body of the City of Ward to regulate the use of said lakes to ensure their proper management.

**NOW, THEREFORE LET BE ORDAINED BY THE GOVERNING BODY OF THE CITY OF WARD, THAT:**

**SECTION 1 – GENERAL DECRPTION:**

a. **Busby Lake:** Busby Lake is an approximate 3-acre lake located on Peyton St (Hwy 319) at the Railroad Crossing on Peyton. See Attachment 1

b. **Willow Lake:** Willow Lake is an approximate 6.5-acre lake located in the Willow Lake Subdivision. Public property extends from the shoreline to the individual home property line surrounding the lake. See Attachment 2

**SECTION 2 – DEFINITIONS:**

a. Daily limits and Size Regulations reflect variations in species productivity and fishing pressure. A daily limit includes the number of fishes of one species (or group of species) allowed to be taken from midnight to the next midnight. Fishmen are only allowed to have one daily limit while fishing or returning from a one-day fishing trip.

b. **Minimum Length Limit:** The shortest length of a fish of a designated species (measured from the front of the lower jaw with the mouth closed to the tip of the tail with the tail lobes pressed together) that an angler may keep.

(1) Fish not meeting the minimum length requirement for a particular species must be released immediately into the water where caught.

(2) The purpose of a minimum length is to maintain a consistent breeding population or fish where natural reproduction does not keep up with fishing pressure.

**SECTION 3 – PERMITTED ACTIVITIES:**

a. Recreational:

(1) All person engaging in any recreational activities – to include organized sports – do so at their own risk. The city does not provide any safety supervisors, life guards, wardens, or safety equipment.

(2) All organized recreational activities will be governed by the appropriate agency that oversees that type of activity.

(3) The use of Radio-Control (RC) boats, etc. is authorized between official sunup and sundown on both lakes.

b. Fishing:

(1) Busby Lake: Fishing is allowed 24-hours-a-day except when posted “NO FISHING ALLOWED” (i.e. after being stocked for a tournament, or for some other reason).

(2) Willow Lake: Fishing is ONLY allowed on any day from official sunup to sundown.

(3) Fishing is ONLY allowed with rod or pole. No Bow Fishing Allowed

(4) Fishing Limits/Restrictions per calendar day:

(a) Bream: 25

(b) Bass, Largemouth: Must be released immediately

(c) Bass, all others 3

(d) Catfish 3

(e) Crappie 10

(f) Trout 5 NOTE<sup>1</sup>

(5) Possession Limit: Twice the daily limit not to exceed 30 fish

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<sup>1</sup> Must have Trout Permit

#### SECTION 4 – GENERAL RESTRICTONS THAT APPLY TO BOTH LAKES

a. All state, local, and federal rules, regulations and statues pertaining the use of public bodies of water are applicable to both lakes. In addition, it is unlawful for any person to:

- (1) Engage in any recreational or other activity not expressly permitted by this ordinance.
- (2) Consume or be under the influence of alcohol or other impairing substance such as unlawful drugs or other substances.<sup>2</sup>
- (3) Engage in any act of nuisance that would tend to adversely affect water quality or disrupt the peaceable use and enjoyment of the lake.
- (4) Possess or discharge fireworks unless otherwise authorized by the Fire Chief per City of Ward Ordinance O-2019-11.
- (5) Cause any effluent from a sewer disposal to enter the lake.
- (6) Possess or discharge a firearm unless the individual is a duly authorized law enforcement official.
- (7) Engage in any hunting or trapping in any manner except as authorized by the Mayor and/or his designated representative.
- (8) Place, use, or erect any tent, camper, motor home, recreational vehicle, headwall or other structure for temporary over six hours or permanent use.
- (9) Cause or allow any food products, trash, petroleum products or any pollutants or contaminants to be discharged or otherwise enter the lake.
- (10) Place any fill material, sand, rip-rap, or similar substance on city-owned property without permission from the City.
- (11) Alter the shoreline with any way shape or form without permission.
- (12) Use a bow and arrow to fish
- (13) Use, operation, install or posses with the intent to use, any trot line, set line, bank of limb line.

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<sup>2</sup> The use/consumption of oral Medical Marijuana is authorized as long as the user is properly licensed by the State of Arkansas and can present said license upon request by a law enforcement officer or Parks Department employee

- (14) Fish on either lake outside the normal fishing hours OR when posted "NO FISHING"
- (15) Cleaning fish on-site
- (16) Dump fish or other animals (live or dead) in the water, in a trash container, or leave on the shoreline. Exception: Fish caught on-site may be released (i.e. catch-and-release)
- (17) Use a boat on either lake of any design/use unless permission is obtained by the city.
- (18) Use a Wind surfing device.
- (19) Swim, wade, ice skate, ice fish.... Or any other activity on the lakes when they are frozen over.
- (20) Operate an All-Terrain Vehicle (ATV) on the shoreline (public property) at Willow Lake.

b. Smoking is prohibited at both lakes.

**SECTION 5 – PENALTY:**

a. Any person or persons cited and found guilty of violating any section of this Ordinance, shall be subject to the following penalties<sup>3</sup>:

- (1) First Offense: A fine of not less than \$100.00 and/or eight (8) hours of community service per offense.
- (2) Second Offense: A fine of not less than \$250.00 and/or twenty-four (24) hours of community service per offense.
- (3) Third and any Subsequent Offense: A fine of not less than \$500.00 and or forty-eight (48) hours of community service per offense.

**SECTION 6 – REPEAL AND REPLACE:** Ordinances O-2003-01 and O-2012-04 are hereby repealed and replaced by this Ordinance upon enactment.

**SECTION 7 – SEVERABILITY:** If, for any reason, any portion or portions of this ordinance shall be held invalid, such invalidity shall in no way affect the remaining portions.

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<sup>3</sup> Applicable Court Costs are added to the fines

SAID ORDINANCE WAS ADOPTED ON 9-17-2024.

Brooke Y, Chapman Y, Hall Y, Hefner Y, McMinn Y, Ruble Y

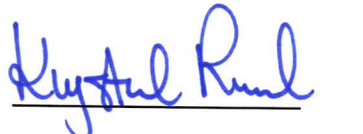
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Mayor (if needed) \_\_\_\_\_

APPROVED:

ATTEST:

  
\_\_\_\_\_  
Charles Gastineau, Mayor

  
\_\_\_\_\_  
Krystal Rummel, City Clerk







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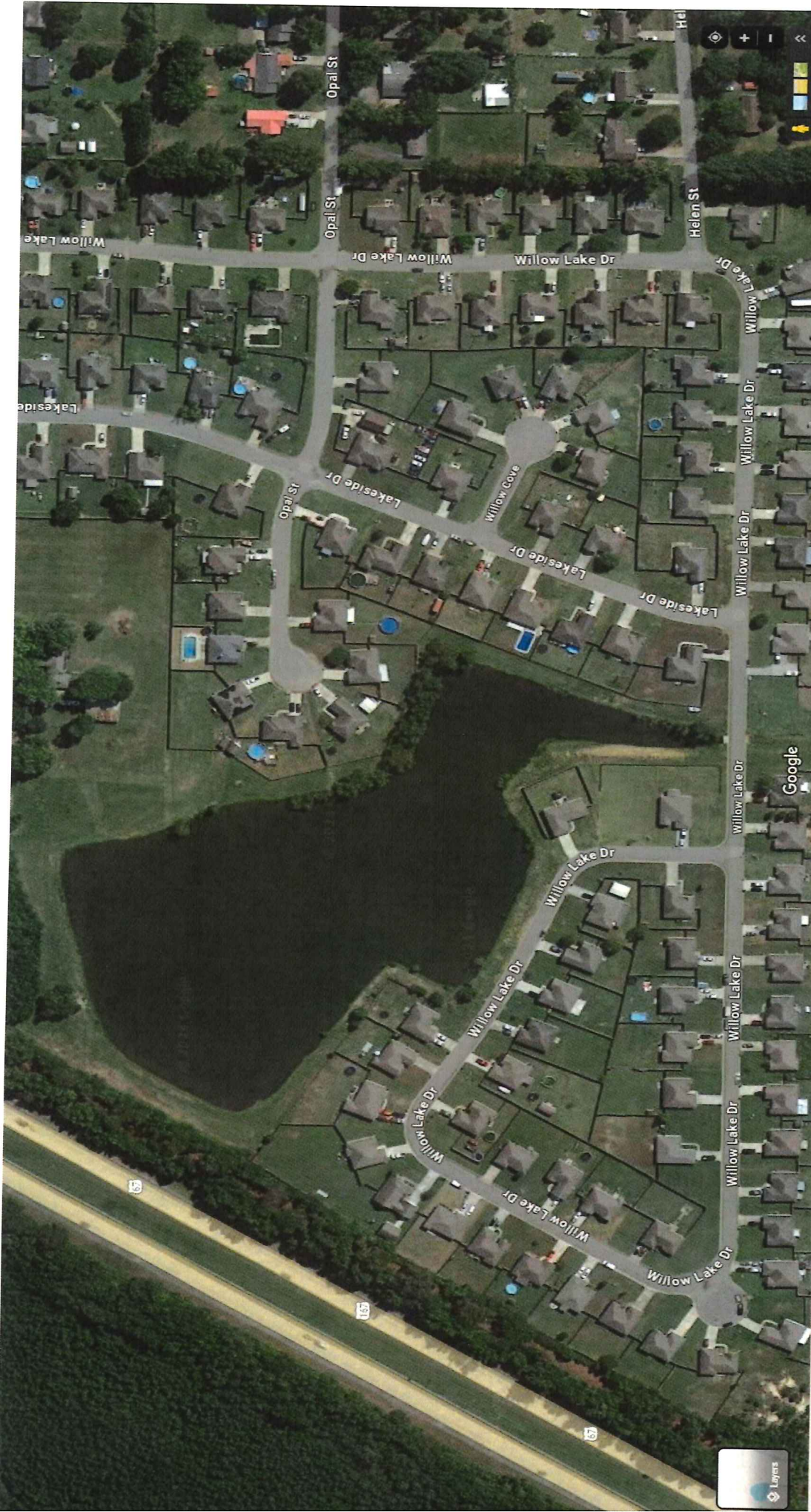
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