

**Appendix “A” Ordinance 99
Piers and Docks on District Property**

1. All piers and docks located on or over District property (i.e. the Lake Parcel) shall be annually permitted by the District. An annual fee, as the Board determines is reasonable and appropriate to cover the costs incurred by the District, shall be charged to all pier and dock owners.
2. The owners of all piers and docks shall indemnify and hold the District harmless from any third party suit or claim arising out of the construction, maintenance or use of the structure located partially or fully on District property. An Indemnification and Hold Harmless Agreement between the owner and District shall be executed prior to issuance of the annual permit. The owner shall provide proof of liability insurance naming the District, its Board of Directors, agents, representatives, employees, consultants, and volunteers as additional insured.
3. All piers and docks shall be inspected by the District on an annual basis to confirm the structure is in an acceptable and functioning condition. All noted deficiencies shall be corrected within 60 days of notification and a re-inspection made by the District. The District reserves the right to remove non-maintained structures, including obtaining any required permits from regulatory agencies, at the owner’s expense. Acceptable and functioning condition is defined as:
 - no broken or compromised structural members and decking
 - all structural and attaching hardware is in place, functional and not corroded
 - all pier supports are in contact with the lake bottom
 - all dock floats are watertight
 - the deck is reasonably level
4. Piers and docks that existed prior to the District taking ownership of the Lake Parcel (January 28, 2013) are considered “grandfathered” and may remain in place subject to the following requirements:
 - all piers and docks shall be subject to the annual permitting, Indemnification and Hold Harmless agreement and inspection/maintenance requirements described in the preceding Sections.
 - all piers (supported by posts or columns that require a fixed footing on the lake bottom) shall be modified and/or replaced with a removable pier or dock (floating) no later than September 1, 2019.
5. All new piers and docks shall be set back a minimum of 20-feet from the lakeward extension of the residential side lot lines unless precluded by parcel geometry or necessary for environmental protection. No new pier or dock shall extend more than 15-feet lakeward from the high-water line (i.e. dam spillway elevation) nor be greater than four feet in width without the approval of the Board of Directors. No more than one pier or dock is allowed per parcel. The construction of shared piers and docks is encouraged; the setback requirement from the extension of the common lot line is not applicable.
6. No new construction or structural maintenance of existing piers, docks or connecting walkways (except that done in response to District notification) shall be done without prior approval of the District. Any additional regulatory permits, approvals and/or fees required for construction are the responsibility of the owner. Written proof of the issuance of other permits and/or waivers from regulatory agencies shall be provided to the District prior to starting work.

7. Construction and maintenance of all piers, docks and connecting walkways located on District property shall be in accordance with the following minimum requirements:
- new piers and docks shall not utilize a fixed footing(s)
 - the construction of sidewalls or roofs on piers and docks is prohibited, handrails are permitted
 - construction or repair plans shall be submitted to the District for review and approval. At a minimum the drawings shall include:
 - a site plan
 - elevations/sections of the pier or dock
 - construction details as required to show the scope of work
 - proposed materials and finishes
 - excavation for the repair of pier footings shall be limited to period(s) when the water level is below the elevation of the lake bottom at the location of the footing(s)
 - connecting walkways crossing areas of sensitive riparian vegetation shall be elevated to the maximum extent possible
 - all construction materials to be non-toxic, i.e. no wood stains/preservatives, all structural supports/hardware to be stainless, galvanized, corrosion-resistant or non-painted steel or aluminum;
 - all visible portions of the pier or dock above the water line shall be non-reflective earthtone colors to the extent possible.
 - the use of Best Management Practices (i.e. erosion control and similar measures) related to water quality protection both during and post-construction is required.