

## **RULES AND REGULATIONS GOVERNING DOCKS, PONTOON BOATS, AND ALL OTHER WATERCRAFT AND BOAT MOTORS**

The Lake Waukomis Association, as manager of Lake Waukomis, located in Platte County, Missouri, does hereby promulgate the following regulations governing the placement of docks, pontoon boats all other watercraft and boat motors upon the waters of Lake Waukomis in order that it may thereby best promote the interest of the majority of the property owners of the Lake Waukomis subdivision.

It is the responsibility of dock and boat owners to maintain their docks and boats in a manner that meets with reasonable safety rules. In addition, any accident caused on (or by) a dock or boat is the owner's responsibility. The Lake Waukomis Association specifically rejects any liability for accidents, actions or any problems caused by residents or guests of residents on docks moored on Lake Waukomis or by boats or any kind of floating object of residents or guests of residents.

### **1. GENERAL**

No person, firm, or corporation shall place or maintain any dock, pontoon boat, watercraft or boat motor on Lake Waukomis or make any modification of any existing dock, unless a temporary placement permit has been first obtained from the Dock Placement Committee of the Lake Waukomis Association. In some cases a building permit will also be required, see No. 8, Building Permits.

Owners of a dock may switch or trade existing docks with another owner only after obtaining approval from the Dock Placement Committee.

With proper approval, the location of a dock may be transferred from one dock owner to another, such as when a resident sells their home and/or their dock to a new owner. In the event of the sale of a home and a dock together, the new owner of the home and dock has right of first refusal for retaining the placement of the dock. In the event of the sale of a dock only, it is the responsibility of the new dock owner to make application for a temporary dock placement and to contact the dock placement committee for placement approval. An application for temporary dock placement must be made within thirty (30) days of the sale/transfer of dock ownership. When the application is received, the Dock Placement Committee will review the placement of the dock for approval.

There shall be a Ten Dollar (\$10.00) penalty assessed against any owner who fails to comply with the aforesaid provision. The Association may in its absolute discretion grant or refuse any application for a temporary placement permit, and revoke or modify any permit previously granted. All owners of docks, pontoon boats, all other watercraft and boat motors must submit a signed application for temporary permit together with applicable fees, which if approved, shall remain in effect until revoked as provided herein. Unpaid annual fees shall be delinquent after March 31<sup>st</sup> of each successive year. Temporary placement permits are non-assignable or transferable.

## **2. DEFINITIONS**

As used in these rules and regulations, the following terms and phrases shall be held to have the following meaning:

The term "Association" shall mean the Lake Waukomis Association, a not-for-profit corporation organized under the laws of the State of Missouri.

The term "Board" shall mean the Board of Directors of the Lake Waukomis Association.

The term "dock" shall include floating docks, and their appurtenant accessory structures. Rules related to stationary docks, piers, boathouses and boat wells (covered or uncovered) are addressed in a different section of Association Rules.

Note: Pontoon boats used as docks will not be allowed to be used as docks after January 1, 1998.

The term "watercraft" shall mean that craft normally considered a boat and of boat design, possessing keel, hull and gunwale, including but not limited to the open rowboat and partially or fully covered runabout, pontoon boat, fishing boat, sailboat, canoe, paddle boat, and/or kayak).

## **3. DOCK PLACEMENT COMMITTEE**

- A.** The placement of docks on Lake Waukomis shall be the duty of the Dock Placement Committee of the Association.
- B.** The committee shall consist of two or more members of the Board of Directors and a secretary appointed by the committee subject to approval of the Board of Directors.
- C.** The Dock Placement Committee shall have the authority to issue temporary placement permits that shall provide that they are revocable.
- D.** The Dock Placement Committee shall have the authority to issue temporary placement permits only to applicants who own all title to one or more building lots in the Lake Waukomis subdivision. These permits herein granted are not easement rights, but licenses revocable to due cause by the Association.
- E.** The Dock Placement Committee shall issue no more than one temporary placement permit for a dock per building lot or residence unless authorized by the Board of Directors.

The committee shall upon proper application by a first-tier owner, grant them whenever possible, a permit to place a dock in front of their lot. The Committee shall, upon application by a second-tier owner, grant them whenever possible a permit to place a dock at a point designated by the applicant, space provided.

- F.** Applications for temporary dock placement permits shall be made to the Secretary of the Dock Placement Committee accompanied by an annual placement fee of Thirty-Five Dollars (\$35.00) per permit. The annual license fee for pontoon and deck boats shall be Twenty Dollars (\$20.00) per year. The annual license fee for all watercraft other than pontoon and deck boats shall be Ten Dollars (\$10.00) per year. The annual license fee for all boat motors shall be Five Dollars (\$5.00) per year.

Delinquent charges for renewal fees shall be assessed in addition to regular fees after March 31<sup>st</sup> at the following rate per delinquent fee which includes docks, all watercraft and boat motors:

April 1 <sup>st</sup>	\$10.00
May 1 <sup>st</sup>	\$20.00
June 1 <sup>st</sup>	\$30.00

- G. The secretary of the Dock Placement Committee shall, upon receipt of an application for a temporary dock placement permit, notify the Dock Placement Committee which shall inspect the applicant's dock prior to issuing any permit hereunder. Docks must be placed on the waters of Lake Waukomis within 30 days of issuance of the permit.
- H. All watercraft placed on Lake Waukomis must carry a license sticker showing initial license application has been made and approved. This license sticker shall be placed conspicuously near the starboard bow of all watercraft by the Dock Placement Committee.

Anyone aggrieved by a decision of the Dock Placement Committee may appeal to the Board of Directors of the Association.

#### 4. SPECIFICATIONS

All docks placed or maintained upon the waters of Lake Waukomis shall conform to the building and zoning ordinances of the City of Lake Waukomis, Missouri and rules and regulations as prescribed by the Board of Directors for the Lake Waukomis Association.

Unless a specific exemption is granted by the Board of Directors of the Association all docks shall:

- A. Have a walkway hinged to the dock which shall not exceed four feet in width or twelve feet in length.
- B. Be identified by lot and block number with characters of no less than 2 inches (2") and not to exceed 4 inches (4") in height in contrasting colors which are placed conspicuously on the lake side of the dock. All watercraft must be marked both port and starboard on the bow with block letter and lot number. The numbers and letters shall be in block form and character at least 3 inches (3") high or a color which will contrast with the background and so inscribed and maintained as to be clearly visible, readable and legible at all times.
- C. Be mechanically sound and reinforced with steel bracing as required to safeguard against tearing asunder, capsizing or collapsing and otherwise be of seaworthy design as in approved plans and inspected by the Dock Placement Committee.
- D. Each dock and its walkway will preferably be one color, white or natural wood.
  - I. Other colors may be substituted for white provided the color is approved by the Dock Placement Committee before it is applied to the dock and dock conforms to item III regarding safety reflectors. The temporary placement permit must so designate the color and bear the approval of the Dock Placement Committee in writing.

- II. Where any natural wood is used not requiring paint such as cedar, CCA treated, redwood or cypress, then the dock may be stained or sealed provided it conforms to item III regarding safety reflectors. In the event of repairs, the repaired section must be of the same color as the rest of the dock (CCA is considered a color, carpet is considered a color).
  - III. Any dock of a color other than white must have at least four (4) safety reflectors, each securely attached not more than six inches (6") from the outside corners of the dock which face the lake. The safety reflectors must be red or amber and be a minimum of three inches (3") in diameter and visible to approaching watercraft. Reflective tape is not acceptable.
- E. Be securely moored by the slip joint and pipe method or cables, provided such cables are consistent with Parkway Rules which state: "Docks anchored with cables on the parkway must be anchored within 4 feet of the shoreline and anchored in such a manner as to not create a hazard to people walking on the parkway. Anchor post should not exceed a height of 18 inches. (Preferred anchorage: In concrete at ground level)." Attached or anchored to seawalls only by the seawall owner's permission.
  - F. Be at least twenty feet (20') from the nearest dock.
- Pontoon boats or deck boats can not be permanently moored to a dock where there is less than twenty feet (20') between said boat and the opposite side of the cove (where there is shore line only), pontoon boat, or deck boat on the opposite side of the cove.
- G. All pontoon boats shall have a minimum length of sixteen feet (16'), and a maximum length of twenty-two feet (22') overall, and a maximum width of eight and one half feet (8' 6"). All pontoon boats are subject to inspection, to verify size, before a City license is issued. All pontoon boats will be measured for overall size of boat, excluding the motor.
  - H. All deck boats shall have a minimum length of sixteen feet (16'), and a maximum length of twenty-two feet (22') overall, and a maximum width of eight and one half feet (8' 6"). All deck boats are subject to inspection, to verify size before a City license is issued. All deck boats will be measured for overall size of boat, excluding the motor.
  - I. Docks (excluding boarding ramps) shall be a maximum dimension of ten feet by twelve feet (10' x 12') with the shorter dimension being parallel to the shore line. Regardless of size, any dock must be built and moored in a manner to hold its position in high-wind conditions. Docks smaller than ten feet by twelve feet (10' x 12') will require a waiver from the Dock Committee.
  - II. Docks installed before March 1, 1975 could have a maximum dimension of twelve feet by twenty feet (12' x 20'). However, any new dock built on Lake Waukomis for a new dock space, must have a maximum dimension of ten feet by twelve feet (10' x 12').

Note: Any existing dock over the maximum size of ten feet by twelve feet (10' x 12') must be reduced to ten feet by twelve feet (10' x 12') by July 1, 2020.

Note: Any existing dock that does not have the shorter length parallel to the shore line must be turned to have the shorter dimension parallel to the shore line by July 1, 2020.

- I. Pontoon boats must be moored on the side of the dock and as nearly centered on the side of the dock as possible.
- J. Any existing oversize dock that requires replacement construction to the entire perimeter (all four outside boards), or fifty percent (50%) of the dock, must be reduced to the maximum size of ten feet by twelve feet (10' x 12'), keeping in mind that all oversized docks must be reduced to the maximum size of ten feet by twelve feet (10' x 12') by July 1, 2020.
- K. Have sufficient flotation devices to float on an even keel and all portions of dock are to be a minimum of four inches (4") above the water level. Flotation devices may be made from Styrofoam or other polystyrene bead molded forms, molded plastic, or other similar type materials. Steel or other corrosive metal drums or barrels will not be allowed.
- L. All railings on docks cannot exceed forty-two inches (42") in overall height from the floor of the dock and cannot be enclosed with lattice or fencing material.
- M. Tires or tire parts are not permitted on docks and/or boats.
- N. Watercraft must be moored to a dock or pier and may not be tied, moored or otherwise attached directly to seawall or the shoreline.
- O. **Permanent electrical connections** on docks **are not** allowed on Lake Waukomis. **No permanent electrical power** shall be brought to or beyond the lakeshore. **No temporary electrical power** or connections shall be brought to or beyond the lake shore in a temporary manner (extension cord) **unless it is connected through a ground fault interrupter (GFI) mechanism on the shore that meets IBC electrical code.**
- P. Existing boat houses, stationary docks, covered and uncovered boat wells have been grandfathered, however, no new boat houses etc. will be allowed to be built, or any existing structures converted to any of the afore mentioned on Lake Waukomis.

The owner of any dock who shall place or maintain the same upon the waters of Lake Waukomis shall be deemed to agree to the determined placement of the dock and maintenance and safety requirements pertaining to said dock. Said **dock owners shall also be deemed to accept the responsibility to help maintain the seawall** and to help keep the lake front clean and mowed. The dock owner shall assume liability for any damage or injury caused by his dock, boat or any flotation device or the condition of his dock, boat or flotation device.

The Association shall not be held liable for any damage or injury caused by any dock, boat or flotation device allegedly causing damage or injury to any person or property. The Association will be held harmless from any claim made by such a person, to include the Association's reasonable attorney fees and court costs, in responding to such a claim.

**5. ACTION TAKEN BY ASSOCIATION FOR VIOLATION OF THESE RULES AND REGULATIONS**

- A.** Within thirty (30) days of being notified by the Dock Placement Committee in writing of violation of any requirements of these Rules and Regulations, the owner shall remediate the violation. (Notice shall be considered to have occurred within one (1) day of mailing to the last address of dock owner, as shown on the books of the Association, or at the time of personal delivery or at the time of posting at the owner's Lake Waukomis property, whichever method of communication is used.)
- B.** Should the owner fail to remediate violation of these Rules and Regulations, as required at 5.A., the Board of Directors or Dock Committee may notify the dock owner *via* certified mail to the last address of dock owner, as shown on the books of the Association, that the Association will impound owner's dock, forfeit the owner's right to that dock location and assess a Two Hundred Dollar (\$200.00) impoundment fee for impoundment expenses if the dock owner does not fully abate violations of these Rules and Regulations. Should the dock owner fail to fully abate violations within ten (10) days of the letter's sending, the Association may proceed to exercise the impoundment, dock location forfeiture and impoundment fee afore-described.

Following impoundment, the dock owner has ten (10) days to resolve the violation of Rules and Regulations at the impoundment site. In the event the Two Hundred Dollars (\$200.00) is not paid and violations are not resolved within ten (10) days after the dock has been impounded, then the same shall become a lien on the property of the dock owner. To help satisfy the lien, the Association may at its discretion, bring any legal action necessary for the property to be seized, forfeited and/or sold by the Association. Any proceeds from said sale in excess of fees and costs of the Association will be returned to the dock owner. In the event of impoundment, the owner forfeits all new placement permits, until such time all impoundment fees and expenses have been paid in full.

In the event the Board determines that it be necessary to commence any litigation for the enforcement of these Regulations or any amendments thereof against any owner, that owner shall pay to the Association the court costs and reasonable attorney's fees incurred by the Association.

**6. SEVERANCE**

In the event any part, clause, sentence, paragraph or section of these Rules and Regulations shall for any reason be adjudged by any Court to be invalid, such invalidity shall not affect, impair or invalidate the remainder of these Regulations.

**7. AMENDMENTS**

The Association hereby reserves the right to add, amend, or modify these Rules and Regulations at any time when in its opinion the interests of a majority of the property owners entitled to lake privileges shall demand or require such amendment.

**8. BUILDING PERMIT**

When building a new dock or rebuilding fifty percent (50%) of a present dock, a building permit must be obtained from the City Clerk.

**9. OWNERSHIP**

The owners of docks, pontoons and boats are specified in a Temporary Dock Placement Permit or a Temporary Watercraft Placement Permit or a Temporary Pontoon Boat Placement Permit.

These amended rules and regulations approved by the Board of Directors of the Lake Waukomis Association, Lake Waukomis, Platte County Missouri.

Date Adopted  
November 9, 2004