

RESOLUTION NO. 2018-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF BIG BEAR MUNICIPAL WATER DISTRICT ESTABLISHING GENERAL DOCK CLASSIFICATIONS AND STANDARDS AND REPEALING RESOLUTION NO. 2013-05

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BIG BEAR MUNICIPAL WATER DISTRICT as follows:

1. Purpose and Scope.

This resolution establishes classifications and standards by modifying the way in which a dock must be affixed to its moorings in Big Bear Lake.

2. Definitions.

The following terms are defined for the purposes of this resolution, unless otherwise apparent from context:

- (a) Abut: contiguous to.
- (b) Board: the Board of Directors of the District.
- (c) County: the County of San Bernardino including all departments and commissions thereof.
- (d) City: the City of Big Bear Lake including all departments and commissions thereof.
- (e) Commercial Marina: the seventeen (17) commercial marina operations permitted by the District's predecessor in interest, Bear Valley Mutual Water Company, and assigned to the District pursuant to the judgment entered in the case known as "Big Bear Municipal Water District v. North Fork Water Company, et al, Case No. SCV65493 ("1977 Judgment").
- (f) District: Big Bear Municipal Water District.
- (g) Dock: a floating structure that provides pedestrian access to the Lake, and wet storage of a boat.
- (h) Dock Types:
 - (1) Single Family Residential (SFR) Docks: any dock licensed to a qualifying residential parcel:
 - a. Standard SFR Dock: any dock licensed to moor no more than three (3) boats per single family residence;
 - b. Shared Dock: any dock where two (2) or more residential parcels share one dock by owners' choice; and

- c. Dock in Common: any dock where two (2) or more residential parcels share one dock by mandate.
- (2) Business/Multi-Family Residential Docks: any dock licensed to qualifying parcels with the potential for more than three (3) slips:
 - a. Lodging/Multi-family Residential Dock: any dock licensed to a lakefront property having lodging or multi-family dwelling unit(s);
 - b. Lakefront Business Dock: any dock licensed to a business operating on a lakefront property and not engaged in conducting commercial activities on the Lake;
 - c. Dock Club: any dock system which serves both lakefront and non-lakefront property owners in a lakefront residential subdivision; and
 - d. Yacht Club: any dock system that is an irrevocable conversion of any one of the original seventeen commercial marina permits that is managed either by a Homeowners' Association for a residential subdivision, other forms of joint ownership, including, but not limited to, sale to individuals of undivided fee interests in the real property owned by Permittee at the landing site, shareholder ownership interests, tenants in common, club membership, or other common interest developments.
- (i) Fairway: the navigable channel between docks and/or abutments.
- (j) General Manager: the General Manager of the District or General Manager's designee.
- (k) Guest: a person visiting and residing at a residential property for less than ten (10) consecutive days and nights.
- (l) Head Walk: an uncovered raised walkway constructed on pilings and installed in the Lake bottom to provide pedestrian access to a dock gangway.
- (m) High Water Line: a historic contour within Bear Valley at the Dam spillway elevation of 6743.25' (NGVD-29).
- (n) Lake: Big Bear Lake.
- (o) Moorage Types:
 - (1) Slip (Berth): the space between two fingers of a dock for securing a boat;
 - (2) Side Tie: the area that is outside the dock, parallel to the fingers where a boat may be secured; and
 - (3) End Tie: the area that is outside the dock, perpendicular to the fingers where a boat may be secured.

- (p) Owner: any person(s) or entity having fee title to the subject property.
- (q) Parcel: a parcel of real property with a separate and distinct number or other designation shown on a plat recorded in the Office of the County Recorder.
- (r) Parcel Types:
 - (1) Lakefront Parcel: any parcel abutting the high water line and as show on the County Assessor's parcel maps;
 - (2) Old Parcel: any parcel existing prior to January 16, 1981;
 - (3) New Parcel: any parcel created and recorded on or after January 16, 1981 in accordance with applicable regulations of the County;
 - (4) Non-Conforming New Parcel: any lakefront parcel created after January 16, 1981 with a surveyed frontage abutting the high water line of less than fifty (50) feet;
 - (5) Non-Conforming Old Parcel: any parcel existing prior to January 16, 1981 with a surveyed lake frontage abutting the high water line of less than fifty (50) feet;
 - (6) Easement: a legal description in a Grant Deed conveyed prior to January 16, 1981 that provides Lake access to a non-lakefront parcel; and
 - (7) Lakefront Business: any business operating on a lakefront property and not engaged in conducting commercial activities on the Lake.

3. General Provisions.

(a) Purpose.

This resolution establishes dock licensing, insurance, placement, inspection, suspension, and revocation regulations for all SFR and business/multi-family residential docks.

(b) Licensing.

- (1) Only the owner of a lakefront parcel may obtain a dock license except as otherwise authorized by the District;
- (2) No dock shall be placed or license issued until an application is submitted with the following: application fee, license fee, proof of property ownership, applicant identification (i.e. driver's license), and certificate of insurance;
- (3) No dock shall be placed or license issued until construction plans have been submitted to the District for plan check and approval has been given;
- (4) No dock shall be placed or license issued to anyone other than the owner of record;
- (5) No dock shall be placed or license issued to the owner of a non-conforming new parcel;
- (6) No dock shall be placed or license issued unless the license specifies an individual who shall be responsible therefore;

- (7) The use of the dock shall be restricted to the owner of the parcel and/or to tenants or guests;
- (8) The dock shall not be used for any commercial purpose;
- (9) No dock shall be placed or license issued to the owner of any parcel, unless the parcel has been improved with a dwelling unit constructed in accordance with applicable standards of the County and/or City;
- (10) Dock owners are prohibited from sub-letting, renting or otherwise realizing any value from the use of their dock by another party; and
- (11) The least restrictive dock limitations shall apply to any parcel with multiple use.

(c) Insurance Requirements.

The District, its officers, agents and employees shall be named as "Additional Insured" for the purposes of bodily injury liability and property damage liability coverage in regards to the dock only on an insurance policy purchased and maintained by the dock owner(s). The District must receive a copy of the ISO CG2501 or insurer's equivalent endorsement. The minimum coverage required is as follows:

- (1) SFR Docks up to three (3) slips: \$300,000 minimum;
- (2) SFR Docks more than three (3) slips: \$300,000 minimum plus \$100,000 minimum for each slip more than three (3); and
- (3) Business/Multi-Family Residential Docks: \$1,000,000 minimum.

(d) Placement.

- (1) For safety and navigation concerns, and to accommodate fluctuating Lake levels, the District reserves the right to determine placement of any dock
- (2) The placement of any dock shall not unreasonably interfere with the navigable access to any adjacent parcel, as determined by the District, based on current conditions which may include, but are not limited to Lake level, location, available shoreline and other physical characteristics of the area;
- (3) The District does not guarantee placement or operation of docks between the imaginary extension of the licensed property's boundaries beyond the high water line or any other physical or geographical characteristics of the area; and
- (4) Installation of a head walk or steps does not guarantee a permanent dock location, as Lake levels may make it impossible to place the dock immediately adjacent to these structures.
- (5) When Lake levels drop, property owners in congested areas may lose their side tie privileges.
- (6) As Lake levels drop, dock owners may move their docks to follow the water but the entire dock system must stay within the projected extensions of their property lines.
 - (a) When following the water with the dock system is no longer feasible without interfering with safe navigation to

and from neighboring docks, the dock system following the water will lose the privilege for dock use for that season unless the District offers alternate accommodations.

- (7) When a dock owner in a congested area submits new dock plans and staff has determined that the dock system proposed will not fit in the area without interfering with access to and from neighboring docks, staff may deny the proposed plans even if they meet the dock standards for the Lake front property.
 - (a) In this case staff will advise the owner in regards to the dock parameters that will be allowable for their property.
 - (b) Existing docks in the area are "grandfathered" and have priority over placement of new dock systems.
 - (c) If the new dock system fits during high Lake level conditions it can be approved with a special condition that states "during low Lake level conditions owner may not be able to exercise dock privileges".
- (8) When Lake levels drop and dock owners begin to lose privileges, contiguous Lakefront property owners may join dock systems or share the existing dock system. For non-contiguous Lakefront property, the District may limit the use of interfering docks at its sole discretion. In such cases, the affected parties may join dock systems or share remaining docks with the written approval of the District. In the event Lake levels cause the District to require the suspension of use of an existing dock, the District shall provide written notice of the suspension, including an explanation of the reason for the suspension.
 - (a) If Lakefront property owners choose to join dock systems, only one gangway will be permitted to serve the combined dock system.

(e) Inspections.

- (1) The District shall inspect each dock on the Lake at least once annually to ensure compliance with current resolutions;
- (2) The owner of a dock failing an inspection shall be provided with a mailed copy of the inspection report; and
- (3) The owner shall correct all noted deficiencies and notify the District of compliance within thirty (30) days.

(f) Suspension and Revocation.

- (1) The General Manager may suspend and revoke a dock license when terms or conditions of the dock license or this resolution are violated;
- (2) Failure of the owner to correct any deficiencies reported in the inspection report within thirty (30) days will result in suspension of dock license;
- (3) All use of the dock shall cease during such time as a license is suspended;

- (4) The General Manager shall revoke the dock license after the owner has failed to cure a violation following a suspension of thirty (30) days;
- (5) When a license is revoked, the owner shall return the affected areas, as near as practicable, to the same conditions existing prior to the issuance of the license; and
- (6) An owner whose license is suspended or revoked can appeal the decision of the General Manager to the Board.

4. Single Family Residential Docks.

(a) Dock Placement.

- (1) As allowed by lake levels and/or property configurations;
- (2) On parcels with fifty (50) feet of lake frontage or more, no part of any dock or boat tied to any dock shall extend beyond the imaginary extension of the property lines beyond the high water line;
- (3) Where the imaginary extension of property lines converge or diverge beyond the high water line, and where other parcels in close proximity may be affected, the District has the authority to determine dock placement;
- (4) No part of any dock or boat tied to any dock shall extend to within twelve (12) feet of the centerline of any cove or bay measured from the current water line;
- (5) No part of any dock system, including head walk, gangway(s), dock or boat tied to any dock shall extend more than seventy (70) feet into the Lake measured from the current water line; and
- (6) Conflicts involving any dock placement issues shall be resolved by the District, whose decision shall be final.
- (7) Mooring Buoys shall not be permitted.

(b) Lakefront Parcels.

- (1) Standard SFR Docks: Each parcel shall have not more than one (1) dock capable of mooring up to three (3) boats; and
- (2) Shared Dock: If the owners of two (2) or more parcels agree to install only one (1) dock for all parcels, each owner shall be responsible for maintaining individual dock licenses and insurance coverage, and shall be eligible for a license fee reduction in accordance with the current fee schedule.

(c) Easements.

- (1) The owner of an old parcel that no longer abuts the Lake due to a land division may obtain a dock license if the parcel is the beneficiary of an easement access to the Lake created prior to January 16, 1981; and
- (2) All parcels sharing the same easement shall share a Dock in Common, restricted to mooring one (1) boat per parcel;
- (3) The District is unable to mediate or enforce terms of shared usage or ownership of any Dock in Common;

- (4) The District reserves the right to intervene if dock usage is denied to the beneficiary of an easement Dock in Common, in violation of the signed Dock License Agreement.
- (5) Easement access docks shall conform to the size restrictions as established by resolution.

(d) Non-Conforming Parcels.

- (1) A non-conforming old parcel with less than fifty (50) feet but more than twenty-five (25) feet of lake frontage may place a dock, the width of which shall not exceed the available lake frontage and be licensed to moor up to three (3) boats; and
- (2) A non-conforming old parcel with twenty-five (25) feet or less of lake frontage may place a dock conforming to the size restrictions established by current resolution, and shall be licensed to moor up to three (3) boats.

(e) Private Party Across a Right-of-Way, With No Intervening Buildable Property.

The owners of the following designated parcels across a right-of-way may obtain a dock license restricting the parcel owner to moor one (1) boat. For convenience, these parcels are described by reference to Assessor Records:

North Shore

304-071-02, 03, 04, 05, 09, 10, 11, 17 and 18;
304-061-09, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 31, 39, and 40; and
304-083-02 and 05.

South Shore

Boulder Bay: 306-056-06, 07, 08, 09, 10, 11, 12 and 13;
Willow Landing: 306-132-12, 13, 14 and 15, 306-075-07, 08, 09, 10, 11 and 12;
Blue Jay: 306-083-29;
Fisher Road: 308-031-01, 02, 03 and 04; and
Red Ant Landing: 308-063-02.

(f) Forest Service Docks.

- (1) Southwest Shore Permittees - identified by the following cabin numbers: 8, 9, 14, 28, 29, 30, 32, 33, 34, 35, 51, 52, 53, 54, 55, 56, 57, 59, 60, 63, 64, 66, 67, 68, 71, 72, 85 and 446 shall be eligible for a dock license subject to the following conditions:
 - a. A maximum of six (6) dock licenses shall be issued;
 - b. Each dock license shall be for a maximum of six (6) slips;
 - c. All dock licenses shall be issued in the name of the dock association formed in accordance with U.S. Forest Service regulations; and
 - d. Each dock shall have the required insurance as set forth in this resolution.

- e. All permittees in an association shall share a Dock in Common, restricted to mooring one (1) boat per permittee.
- (2) North Shore Permittees identified by cabin numbers 203 and 204 shall be eligible to maintain a shared dock with a maximum of one (1) slip each;
- (3) Permittees owning cabins identified as cabin numbers 48 and 58, currently maintain docks on the Lake with approval by the U.S. Forest Service under the following conditions:
 - a. The owner of cabin number 48 shall be eligible to maintain an individual dock so long as ownership of the cabin remains with the immediate family. After that time, the U.S. Forest Service permittee of record will join a dock association as set forth in Section 3.04(a);
 - b. The owner of cabin number 58 shall be eligible to maintain an individual dock with a maximum of one (1) slip.

5. Business/Multi-Family Residential Docks.

(a) Limitations.

- (1) The numbers of docks, slips and configuration shall be determined by the District taking into consideration available Lake frontage, location and other physical characteristics of the area.
- (2) In no event shall the number of moored boats exceed the number of slips.
- (3) Businesses with non-registered vessels for tenant or guest use may not launch, store or transport vessels below the high water line.

(b) Lodging and Multi-Family Residential – Hotel, Motel, Bed & Breakfast, Timeshare, Townhouse, Condominiums, etc.

- (1) Regardless of the number of lakefront parcels that any lodging business encompasses, in no case shall the number of slips exceed the following:
 - a. One (1) slip per dwelling unit for the first ten (10) dwelling units;
 - b. For more than ten (10) dwelling units, one (1) additional slip for every three (3) dwelling units beyond ten (10), up to a maximum of thirty-six (36) slips;
 - c. The only exception to these limits shall be Viking Estates (limited to twelve (12) slips per Board action on January 8, 1988); and
 - d. For any lodging business encompassing more than one parcel, one or more of which is non-lakefront, only those dwelling units on the lakefront parcel shall be used in calculating the eligible number of slips.
- (2) Mooring buoys shall not be permitted.
- (3) Boat Restrictions:
 - a. Hotel, Motel and Bed and Breakfast

- (i) The number of boats owned and moored by the lodging facility shall be limited to three and shall be for the exclusive use of the resident owner or manager.
 - (ii) They shall not be available for rental or use by tenants or the general public.
 - (iii) Any dock slips not occupied by the facility's boats shall be only for the mooring of boats owned by registered tenants during their stay at the facility.
- b. Timeshares, Townhouses and Condominiums
 - (i) The use of any boats owned individually or cooperatively by the owners of the units in the facility shall be for the use of the registered tenants only.
 - (ii) Rental of the boats is prohibited.
 - (iii) Any dock slips not occupied by the facility's private boats shall be only for the mooring of boats owned by registered tenants during their stay at the facility.
- (c) Lakefront Business – RV Park, Mobile Home Park, Camp, Park, etc.
The use and number of docks and slips shall be as follows:
 - (1) In no case shall the number of slips exceed ten (10). The only exception to this limit shall be Lakeside Village Trailer Park (APN0309-021-18) which shall be limited to not more than twenty-three (23) slips, per District approval on July 19, 1985;
 - (2) Mooring buoys shall not be permitted;
 - (3) Use of the dock shall be restricted to patrons of the business;
 - (4) No overnight mooring of boats is permitted other than the owner, except for camps and Lakeside Village Trailer Park (APN 0309-021-18).
- (d) Lakefront Business – Restaurant.
The use and number of docks and slips shall be as follows:
 - (1) In no case shall the number of slips exceed twenty (20);
 - (2) Mooring buoys shall not be permitted;
 - (3) Use of the dock(s) shall be restricted to patrons of the business; and
 - (4) No overnight mooring of boats is permitted other than the owner (not to exceed three boats).
- (e) Dock Clubs.
 - (1) There are currently three (3) dock club licenses issued as follows:
 - a. Papoose Bay Homeowners' Association;
 - b. Eagles' Knoll Community Association (Hamilton Estates);
 - and

- c. Eagle Point #3 (Owl Drive) - no common area, approved for twenty (20) slips.
- (2) No additional Dock Club licenses shall be issued after April 15, 1999.
- (3) Existing Dock Clubs are managed under the following criteria:
 - a. Each member of the dock club is an owner of a parcel with a dwelling unit within the lakefront subdivision, other than the common area at which the dock system is placed;
 - b. The number of docks and configuration shall continue to be determined by the District, and shall take into consideration available Lake frontage, location and other physical characteristics of the area. In no case shall the number of slips exceed the number of improved parcels in the subdivision;
 - c. Any increase in the original number of docks or slips requires District authorization; and
 - d. Approval of the Dock Club did not supersede or in any way rescind individual dock privileges for lakefront parcels within the subdivision.

(f) Yacht Clubs.

The use and number of docks and slips shall be as follows:

- (1) The yacht club shall be subject to approval by the Board of Directors and to the same requirements as other business/multi-family residential dock systems, including the per slip dock and weed control fees.
- (2) The use of the dock system shall be restricted to yacht club members, guests and tenants;
- (3) The commercial marina permit that is irrevocably converted to a yacht club shall become null and void at the time of the conversion to a yacht club and all commercial activities at that location shall be prohibited;
- (4) If the commercial marina permit is site specific, the yacht club must also be located at that site. If the permit is not site specific, the yacht club site approved by the Board of Directors at the time of conversion shall become permanent and shall not be subject to transfer to another location;
- (5) For purposes of complying with the limitation set forth in the 1977 Judgment, the District shall continue to recognize the yacht club as one of the original seventeen commercial marina permits;
- (6) Any zone of influence or mooring radius specified in the commercial marina permit shall remain in effect for the yacht club;
- (7) The yacht club license shall be issued in perpetuity, so long as all terms and conditions of the business/multi-family residential dock license and District regulations are met;
- (8) A mooring plan showing dock placement at full build-out for high water conditions (elevation 6743.25 NGVD-29) and low water

conditions (approximately 6728.20 NGVD-29) must be submitted and approved by the Board of Directors prior to the conversion. In no case shall the number of slips exceed the number of single family dwelling parcels and/or lodging units, plus 10%. For other situations, the number of slips shall be determined by the Board of Directors taking into consideration compatibility with the geography of the area and lake frontage of the facility; and

(9) Approval of a Yacht Club does not supersede or in any way rescind individual dock privileges for lakefront parcels within a single family residential subdivision.

(g) Business/Multi-Family Residential Dock Application.

- (1) Application for a business/multi-family residential dock license shall be made in writing by the owner of the parcel and shall be accompanied by such documents and filing fees as may be specified by resolution of the Board; and
- (2) No license for a business/multi-family residential dock shall be issued to any owner, unless the application has been approved by the Board after a public hearing in accordance with this resolution.

(h) Public Hearing.

- (1) Within sixty (60) days after filing of the application, required documents and filing fees for a business/multi-family residential dock, the Board shall hold a public hearing thereon;
- (2) At the time and place fixed for the hearing, or at any time and place to which the hearing is adjourned, the Board shall proceed with the hearing and shall consider all written and oral testimony and pertinent evidence;
- (3) Any person may appear at the hearing and present any matters material to the subject thereof; and
- (4) After conclusion of the hearing, the Board may approve, conditionally approve or disapprove said application.

(i) Action by the Board.

- (1) The Board shall approve or conditionally approve an application for a business/multi-family residential dock if:
 - a. The proposed business/multi-family residential dock will not be detrimental to the safety or welfare of persons residing within the general vicinity of the subject parcel or injurious to any parcel or improvements in the general vicinity of the subject parcel;
 - b. The proposed business/multi-family residential dock will be consistent with approved or adopted recreational plans and programs for the Lake;
 - c. Failure of the Board to act on said application within sixty (60) days after conclusion of the hearing shall be deemed a disapproval of said application.

6. Notice.

(a) Mailed Notice.

Mailed notice of any public hearing required under this Resolution shall be given as follows:

- (1) Mailed notice shall be sent first class and deposited, postage prepaid, in the United States mails and shall be deemed to have been given when so deposited;
- (2) Mailed notice shall be given at least fourteen (14) days prior to the date specified therein for hearing;
- (3) Mailed notice shall be given to each owner of any parcel located within five-hundred (500) feet of the subject parcel;
- (4) Mailed notice shall be addressed to each person to whom land is assessed, as shown upon the last equalized County assessment roll, at the address shown upon such assessment roll; and
- (5) Failure of the owner of any parcel to receive mailed notice shall not affect the validity of the public hearing.

(b) Published Notice.

Notice of any public hearing required under this resolution shall be published one time in a newspaper of general circulation within the District, said publication to occur at least fourteen (14) days prior to the date specified for hearing.

7. Variances.

(a) Justification.

Where practical difficulties, unnecessary hardships and/or results inconsistent with the general purpose of this resolution may result from the strict application of certain provisions, or where sufficient evidence can be demonstrated supporting modification of current restrictions, a variance may be granted, provided the applicant has complied with all procedures and the Board has made all findings specified herein.

(b) Application.

Application for a variance shall be made in writing by the owner of the parcel and shall be accompanied by required documents and filing fees as may be specified by resolution of the Board.

(c) Public Hearing.

- (1) Within sixty (60) days after filing of the Variance Application, required documents and filing fees, the Board shall hold a public hearing thereon;
- (2) At the time and place fixed for the hearing, the Board shall proceed with the hearing and shall consider all written and oral testimony and pertinent evidence;
- (3) Any person may appear at the hearing and present any matters material to the subject thereof; and

(4) After conclusion of the hearing, the Board may approve, conditionally approve or disapprove said application.

(d) Action by the Board.

(1) The Board shall approve or conditionally approve an application for a variance only if:

- a. The proposed variance will not constitute a grant of a special privilege inconsistent with limitations upon other parcels in the general vicinity of the subject parcel;
- b. Special circumstances applicable to the subject parcel, including size, shape, topography, location or surroundings, the strict application of this resolution will deprive the subject parcel of privileges enjoyed by other parcels in the vicinity;
- c. The proposed variance will not be detrimental to the safety or welfare of persons residing within the general vicinity of the subject parcel or injurious to any parcel or improvements in the general vicinity of the subject parcel; and
- d. The proposed variance will be consistent with approved or adopted recreational plans and programs for the Lake.

(2) Failure of the Board of Directors to act on said application within sixty (60) days after conclusion of the hearing shall be deemed a disapproval of said application.

(e) Revocation.

Any variance granted under this Article shall be null and void if:

- (1) Any terms or conditions of the variance are violated; or
- (2) Any regulation of the District or other law is violated in connection with exercise of the variance or use of the dock.

(f) Hearing on Revocation.

The Board shall hold a hearing on any proposed revocation after giving mailed notice to the original applicant at least fourteen (14) days prior to the hearing.

8. Dock Storage: Winter Storage of Docks.

The owners of licensed docks may store their docks in any of the following locations when not in use:

- (a) Out of the water, above the high water line, on property owned by the licensee;
- (b) Securely anchored offshore in the vicinity of the licensed property no more than one-hundred (100) feet from the water line or within the center line of a bay or cove, whichever is closer, and in no way interfering with adjacent property; and
- (c) With any commercial marina that has been authorized by the District to store docks.

9. Dock Appurtenances.

(a) Canopies.

- (1) Only soft fabric covers shall be permitted over dock and covers shall not extend over gangways or head walks; and
- (2) No person shall construct, install or maintain a dock with a soft fabric cover, until the following conditions are met:
 - a. The soft fabric cover and supporting structure shall withstand wind loadings of at least seventy-five (75) miles per hour;
 - b. Standard soft fabric covers (without sides) are authorized for year-round use;
 - c. Full enclosures are authorized from October 31 through March 31 for winter storage of the dock, but the sides or the entire enclosure must be removed during the remainder of the year so as not to present a hazard to navigation on the Lake; and
 - d. All other requirements applying to the construction, operation or use of docks shall be satisfied.

(b) Sundecks.

Sundecks shall be prohibited with the following exception: The dock with a sundeck appurtenant to the southwestern boundary of Parcel 2 of Parcel Map No. 5937, may be used and maintained on Big Bear Lake at this location so long as such dock is not substantially altered or replaced. As used herein "substantially altered or replaced" means an increase in the size of the sundeck portion of the dock or total replacement of the existing structure with a new dock and sundeck.

(c) Boathouses.

Boathouses shall be prohibited with the following exception: The covered residential dock appurtenant to the north side, at a location not less than 20' west of the northeast corner of Lot 4 Tract 11014, may continue to be used and maintained without a new residential covered dock permit from the District as long as such dock is not substantially altered or replaced. As used herein, "substantially altered or replaced" means changing the location of the dock to a different appurtenant shore zone parcel or a change in area, dimension, bulk or other structure of greater than ten (10) percent.

(d) Dock Boxes.

- (1) Maximum size for dock boxes shall be no more than thirty-six (36) inches above the deck surface;
- (2) Dock boxes shall be securely fastened to the dock; and
- (3) Dock boxes shall not have an automatic latching system.

(e) Head Walks.

The following use restrictions shall apply:

- (1) A head walk shall not be used for mooring of boats;
- (2) A head walk shall be installed and maintained only in conjunction with a dock system. Should the dock system be removed for other

than temporary winter storage or low lake levels, the head walk shall also be removed;

- (3) A head walk shall not be allowed for docks accessible only by an easement, for Forest Service permittees unless a Forest Service permit is obtained, or in areas of the Lake where the configuration of the shoreline precludes use and access as determined by the District; and
- (4) All head walks shall meet the size requirements with the following exceptions: Head walks constructed before October 19, 2000, including but not limited to, those located at dock nos. 57, 58, 213, 360, 389, 394, 396, 433, 638, 649, 672, 675, 687/88, 698 and 781 were subject to inspection and permitting by the agency having jurisdiction, but were exempted from the size requirements established on October 19, 2000. Upon replacement, these head walks shall meet the size restrictions in effect at that time.

10. Implementation.

Rules, Regulations, and Fee Schedules: The Board shall by resolution adopt such rules and regulations and establish such fee schedules as may be necessary to implement the purposes of this Standard.

11. Repeals.


Resolution No. 2013-05 is hereby repealed.

PASSED, APPROVED AND ADOPTED on April 19, 2018.



Vince Smith, President

ATTEST:



Brittany Lamson, Secretary to the Board

[SEAL]

