



Big Bear Municipal Water District

Lake Management

Board of Directors

Steve Ludecke – Division 1
Bob Rehfuß – Division 2
Craig Brewster – Division 3
Mark Lee – Division 4
Tom Bradford – Division 5

NOTICE OF REGULAR BOARD MEETING *February 1, 2024* *A G E N D A*

Place: Big Bear Municipal Water District
40524 Lakeview Drive, Big Bear Lake, CA 92315

Next Resolution Number: 2024-03

OPEN SESSION: 1:00 P.M.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. PUBLIC FORUM

(The Board will receive comments from the public on items not on the agenda; no action is permitted on these items. Time set aside not to exceed 30 minutes total by all participants)

4. REPORTS

- A. Interim General Manager
- B. Chief Operations Officer
- C. Committee- the following committee met since the last regular Board meeting:
Administrative

5. CONSENT CALENDAR

- A. Minutes of a Regular Meeting on January 18, 2024.
- B. Warrant list dated 1/29/2024 in the amount of \$32,037.26.

6. BUSINESS

- A. The Administrative Committee (Directors Ludecke & Brewster) recommend Resolution No. 2024-01 which establishes dock classifications and standards for full Board approval.
- B. The Administrative Committee (Directors Ludecke & Brewster) recommend Resolution No. 2024-02 which establishes commercial marina and private dock specifications for full Board approval.

7. ITEMS REMOVED FROM CONSENT AND PLACED ON BUSINESS

8. ANNOUNCEMENTS

9. DIRECTOR COMMENTS

10. ADJOURNMENT

NEXT MEETING: Open Session at 1:00 P.M.
Thursday, February 15, 2024
40524 Lakeview Drive
Big Bear Lake, CA 92315

PLEASE NOTE:

Agenda related writings or documents provided to the Board of Directors are available for public inspection at www.bbmwd.com or in the District office during business hours, 8:00 am – 4:30 pm Monday – Friday.

Five (5) minutes may be allotted to each speaker for an item on the agenda and three (3) minutes may be allotted to each speaker for an item that is not on the agenda up to a maximum of thirty minutes for each subject matter. A speaker who utilizes a translator, except if the speaker uses simultaneous translation equipment, shall receive twice the time allotted for a speaker that does not utilize a translator. (Cal. Gov. Code § 54954.3.)

No disruptive conduct shall be permitted at any Board meeting. Persistence in boisterous or disruptive conduct (including but not limited to what the general public would consider profane, explicit, or obscene language) shall be grounds for a summary termination, by the President, of that person’s privilege to address the Board and the President may take such other actions in accordance with the Brown Act including, but not limited to, clearing the room of those willfully interrupting the meeting. (Cal. Gov. Code § 54957.9)

Individuals should contact the General Manager or designee if he/she requires disability-related accommodation or modifications, including auxiliary aids and services, in order to participate in the Board meeting. (Government Code 54954.2)

***MINUTES OF A REGULAR MEETING OF
BIG BEAR MUNICIPAL WATER DISTRICT
HELD ON THURSDAY, January 18, 2024***

1. OPEN SESSION

President Ludecke opened the regularly scheduled Board meeting at 1:00 PM at the Big Bear Municipal Water District located at 40524 Lakeview Drive, Big Bear Lake, CA 92315 on Thursday January 18, 2024.

BOARD MEMBERS PRESENT:

Steve Ludecke, President
Bob Reh fuss, Director
Craig Brewster, Vice President
Mark Lee, Director
Tom Bradford, Director

2. PLEDGE OF ALLEGIANCE

Tom Bradford

3. PUBLIC FORUM

No comments for the members in the public in attendance.

4. REPORTS

A. Interim General Manager, Brittany Lamson, reported we are back in full swing, getting ready to open our seasonal job applications so we can start hiring in March. We are working on multiple annual reports from environmental to operations summary, including State to Federal submissions. GEI, our on-call engineer, is moving forward with our Programmatic EIR for lake wide maintenance/dredging. The second project is the dredging of the west side of the jetty behind the office where we would like to put a first responders' ramp which would only be open to the district and other first responding agencies. This would avoid any congestion with the public launch and the marina. Next week I will be meeting with the group from Valley District, going on a tour of their new groundwater recharge basins and also walking the path of where the water travels from seven oaks dam and all the diversions we talk about during our watermaster meetings.

B. Chief Operating Officer, Mike Stephenson, reported that we are hoping for rain, looks small, but we certainly didn't think we would be 8' down from full now from last year so you never know. Lake has dropped continuously this winter and have not seen anything coming into January. Might get a couple inches of percip this weekend but might be less. Currently at 8'4" from full, keeps us using the East Public Launch ramp next season. Watermaster was interesting this week, they cannot move water from the Santa Ana creek, the furthest conversion. Mutual cannot get any water that they need. They must purchase water, and they can't use lake water. This is because of the powerhouse being down since 2019. We offered to fix the latest damaged pipe and they would not allow a third party to come out and repair. Mutual is worrying about how they are going to get water, they can request water, but ultimately they wouldn't see half of it, they could request the water if they can get the facility going.

Director Rehfuss asked if it would result in a change in the judgment if it didn't get fixed? Mr. Stephenson responded, yes, that is where we are at right now, it would have to change the judgment on how the distribution is to be done. The district has not changed anything to provide their water, but the situation down the mountain has changed since Seven Oaks Dam was built. Director Rehfuss is concerned that the money expense might be directly back to the MWD? Our water spills first, which is why we manage the water so closely, so we release and avoid spilling and we get credits for that. Valley will be getting the water if it were to overtop right now. Lastly, there is new classification for life jackets, based on offshore requirements.

Director Brewster asked about the fire dock. Ms. Lamson responded that the agreement has been reviewed by legal, I did request that since the boat was not going to be launched this winter that the builder not place the dock until after April 1 to be sensitive to the eagle closure. It will work out because we will open our east ramp first with this lake level, so the builder can set the dock at the west before the facility is open to the public.

C. No committees met since the last Board meeting.

5. CONSENT CALENDAR

- A. Minutes of a Regular Meeting on December 21, 2024.
- B. Warrant list dated 1/11/2024 in the amount of \$58,475.48

Discussion:

No comments were made.

With a motion made by Director Rehfuss, and seconded by Director Brewster, the consent calendar was approved unanimously:

AYES: Ludecke, Rehfuss, Brewster, Lee, Bradford

NO:

ABSTAIN:

6. BUSINESS

N/A

7. CLOSED SESSION:

President Ludecke adjourned to closed session at 1:38 PM. Before closing he asked if there were any comments from the public regarding the closed session items. Being none, the open session was adjourned to closed session.

The Board reconvened to open session at 2:53 PM and legal counsel reported, the first item in closed session was public employee appointment, Discussion of employee pursuant to government code 54957(b): Title: General Manager, which had no reportable action. The second closed session item was Conference with Legal Counsel Anticipated Litigation. Significant potential exposure to litigation pursuant to Government Code § 54956.9(b): One case, which did not have any reportable action. This concluded Counsels report.

8. ITEMS REMOVED FROM CONSENT CALENDAR

N/A

9. ANNOUNCEMENTS

No announcements were made.

10. DIRECTOR COMMENTS

Director Reh fuss is glad Mr. Stephenson is taking the time to dive into the Watermaster in depth of what is going on with the situation regarding the Edison powerhouse, Mutual and water distribution and how it will affect the District. It is important stuff for us to be informed about.

10. ADJOURN

There being no further business, the meeting was adjourned at 2:55PM .

DATE AND TIME OF NEXT MEETING

Date: February 1, 2024
Location: 40524 Lakeview Drive
Big Bear Lake, CA 92315
Time: 1:00 PM

Brittany Lamson, Interim General Manager
Secretary to the Board of Directors of
Big Bear Municipal Water District

[SEAL]

DRAFT UNTIL APPROVED BY BOARD

9:27 AM

01/29/24

Big Bear MWD Warrant List Detail January 12 - 29, 2024

Num	Type	Date	Name	Account	Paid Amount
161134	Bill Pmt -Check	01/18/2024	ALESHIRE & WYNDER LLP	1001-01 · Accounts Payable	
83371	Bill	01/11/2024		5520-01 · ADMIN-District Counsel	-8,196.06
TOTAL					-8,196.06
161135	Bill Pmt -Check	01/18/2024	AMAZON CAPITAL SERVICES	1001-01 · Accounts Payable	
17JN-1...	Bill	01/11/2024		5631-02 · OPS-Quagga Prevention Equip	-77.56
19FG-V...	Bill	01/14/2024		5580-41 · OPS-Boat Maintenance-Patrol	-75.91
1WYD-...	Bill	01/15/2024		5503-01 · ADMIN-Office Supplies-Office	-84.51
TOTAL					-237.98
161149	Bill Pmt -Check	01/24/2024	AMAZON CAPITAL SERVICES	1001-01 · Accounts Payable	
16CC-H...	Bill	01/18/2024		5620-12 · ADMIN-Computer Hardware	-1,307.04
1F41-N...	Bill	01/20/2024		5580-41 · OPS-Boat Maintenance-Patrol	-76.43
TOTAL					-1,383.47
161161	Check	01/25/2024	BBMWD	1001-01 · Accounts Payable	
				80000 · Ask My Accountant	-25.00
TOTAL					-25.00
161150	Bill Pmt -Check	01/24/2024	BIG BEAR DISPOSAL	1001-01 · Accounts Payable	
000009...	Bill	01/01/2024		5507-41 · OPS-Utilities-Main Office	-345.70
TOTAL					-345.70
161136	Bill Pmt -Check	01/18/2024	BUTCHER'S BLOCK AND BUILDING ...	1001-01 · Accounts Payable	
2312-95...	Bill	12/14/2023		5543-30 · MAINT-Small Tools/Tool Supplies	-94.81
2401-97...	Bill	01/11/2024		5503-01 · ADMIN-Office Supplies-Office	-40.92
2401-97...	Bill	01/12/2024		5630-42 · OPS-Bldg/Fac Mtn/Rep-EAST RAMP	-311.90
2401-97...	Bill	01/12/2024		5503-02 · ADMIN-Office Supplies-Ramps	-16.47
TOTAL					-464.10
161151	Bill Pmt -Check	01/24/2024	BUTCHER'S BLOCK AND BUILDING ...	1001-01 · Accounts Payable	
2401-97...	Bill	01/19/2024		5630-31 · MAINT-Bldg/Facil Maint/Rep-Shop	-47.39
TOTAL					-47.39
161137	Bill Pmt -Check	01/18/2024	BVBGSA C/O DWP (V)	1001-01 · Accounts Payable	
21196	Bill	01/10/2024		6000-03 · Lake Impr - Replenish BB (GSA)	-1,673.46
TOTAL					-1,673.46
EFT	Bill Pmt -Check	01/18/2024	BVE (EFT)	1001-01 · Accounts Payable	
010420...	Bill	01/04/2024		5507-41 · OPS-Utilities-Main Office	-123.98
010420...	Bill	01/04/2024		5507-41 · OPS-Utilities-Main Office	-9.83
010420...	Bill	01/04/2024		5507-42 · OPS-Utilities-Vacant Lot	-8.69
010420...	Bill	01/04/2024		5507-41 · OPS-Utilities-Main Office	-964.44
TOTAL					-1,106.94
161148	Bill Pmt -Check	01/24/2024	CSB DEPT OF INNOVATION & TECH...	1001-01 · Accounts Payable	
28916	Bill	08/31/2023		5506-41 · OPS-Radio Service Contract	-214.32
TOTAL					-214.32
161152	Bill Pmt -Check	01/24/2024	CSB SOLID WASTE MANAGEMENT ...	1001-01 · Accounts Payable	

Big Bear MWD
Warrant List Detail
 January 12 - 29, 2024

Num	Type	Date	Name	Account	Paid Amount
082352	Bill	01/16/2024		5630-30 · MAINT-Bldg/Facility Maint/Rep	-629.51
TOTAL					-629.51
161138	Bill Pmt -Check	01/18/2024	EGERER GAGE (REIMBURSE)	1001-01 · Accounts Payable	
01/15/2...	Bill	01/17/2024		5505-09 · ADMIN-Phone-Employee Reimb	-50.00
TOTAL					-50.00
161153	Bill Pmt -Check	01/24/2024	ENVIRO MONITORING SERVICES	1001-01 · Accounts Payable	
243086	Bill	01/18/2024		5900-00 · Contamination Project-BBLM	-3,129.00
TOTAL					-3,129.00
161154	Bill Pmt -Check	01/24/2024	EVENSON DON (REIMBURSE)	1001-01 · Accounts Payable	
1/15-1/1...	Bill	01/24/2024		5560-22 · WATER-Watermaster Meetings	-588.35
TOTAL					-588.35
161139	Bill Pmt -Check	01/18/2024	FOSTER & FOSTER CONSULTING A...	1001-01 · Accounts Payable	
29407	Bill	12/29/2023		5530-01 · ADMIN-Prof&Spec-AUDITOR	-1,600.00
TOTAL					-1,600.00
161140	Bill Pmt -Check	01/18/2024	KENT MICHAEL (REIMBURSE)	1001-01 · Accounts Payable	
01/11/2...	Bill	01/17/2024		5505-09 · ADMIN-Phone-Employee Reimb	-50.00
TOTAL					-50.00
161141	Bill Pmt -Check	01/18/2024	LAMSON BRITTANY (REIMBURSE)	1001-01 · Accounts Payable	
1/11/20...	Bill	01/17/2024		5505-09 · ADMIN-Phone-Employee Reimb	-50.00
TOTAL					-50.00
161155	Bill Pmt -Check	01/24/2024	MCMASTER-CARR	1001-01 · Accounts Payable	
20725840	Bill	01/22/2024	MCMASTER-CARR	2200-00 · Accounts Payable Liability 5630-30 · MAINT-Bldg/Facility Maint/Rep	2.02 -100.86
TOTAL					-98.84
161142	Bill Pmt -Check	01/18/2024	NAPA AUTO PARTS	1001-01 · Accounts Payable	
620659	Bill	01/12/2024	NAPA AUTO PARTS	2200-00 · Accounts Payable Liability 5600-32 · MAINT-Vehicle Maint-OFF ROAD	5.31 -229.44
TOTAL					-224.13
161143	Bill Pmt -Check	01/18/2024	OWL TELEPHONE EXCHANGE	1001-01 · Accounts Payable	
1496	Bill	02/01/2024		5630-10 · ADMIN-Bldg/Facility Maint/Rep	-160.00
TOTAL					-160.00
161144	Bill Pmt -Check	01/18/2024	PAPPAS DREW (REIMBURSE)	1001-01 · Accounts Payable	
12/30/2...	Bill	12/30/2023		5505-09 · ADMIN-Phone-Employee Reimb	-50.00
TOTAL					-50.00
161156	Bill Pmt -Check	01/24/2024	PITNEY BOWES PURCHASE POWER	1001-01 · Accounts Payable	
01192024	Bill	01/19/2024		5501-01 · ADMIN-Post&Ship OFFICE	-503.50

9:27 AM

01/29/24

Big Bear MWD Warrant List Detail January 12 - 29, 2024

Num	Type	Date	Name	Account	Paid Amount
TOTAL					-503.50
161145	Bill Pmt -Check	01/18/2024	SCHERMER MICHAEL (REIMBURSE)	1001-01 · Accounts Payable	
01/17/2...	Bill	01/17/2024		5505-09 · ADMIN-Phone-Employee Reimb	-50.00
TOTAL					-50.00
EFT	Bill Pmt -Check	01/25/2024	SOUTHWEST GAS (EFT)	1001-01 · Accounts Payable	
011120...	Bill	01/11/2024		5507-41 · OPS-Utilities-Main Office	-867.15
011120...	Bill	01/11/2024		5507-42 · OPS-Utilities-Vacant Lot	-11.00
TOTAL					-878.15
161146	Bill Pmt -Check	01/18/2024	STEPHENSON MIKE (REIMBURSE)	1001-01 · Accounts Payable	
02/01/2...	Bill	01/17/2024		5505-09 · ADMIN-Phone-Employee Reimb	-50.00
TOTAL					-50.00
161147	Bill Pmt -Check	01/18/2024	TWIN BEAR	1001-01 · Accounts Payable	
143026	Bill	12/11/2023		5630-42 · OPS-Bldg/Fac Mtn/Rep-EAST RAMP	-103.08
TOTAL					-103.08
EFT	Bill Pmt -Check	01/23/2024	US BANK (EFT)	1001-01 · Accounts Payable	
01042024	Bill	01/04/2024		5503-01 · ADMIN-Office Supplies-Office	-3.05
				5560-22 · WATER-Watermaster Meetings	-27.87
				5590-42 · OPS-Petroleum-VEHICLES	-64.51
				5509-12 · ADMIN-Software Subscriptions	-90.00
				5510-07 · ADMIN-Empl Recognition-Winter	-822.52
				5503-01 · ADMIN-Office Supplies-Office	-38.08
				5570-02 · ADMIN-Training/Seminars-Mgmt	-24.13
				5570-02 · ADMIN-Training/Seminars-Mgmt	-37.79
				5570-02 · ADMIN-Training/Seminars-Mgmt	-18.89
				5570-02 · ADMIN-Training/Seminars-Mgmt	-162.74
				5570-02 · ADMIN-Training/Seminars-Mgmt	-14.53
				5509-03 · ADMIN-Memberships-Subscriptions	-59.99
				5510-07 · ADMIN-Empl Recognition-Winter	-14.99
				5510-07 · ADMIN-Empl Recognition-Winter	-14.99
				5507-41 · OPS-Utilities-Main Office	-45.00
				5510-09 · ADMIN-Public Info - General	-50.40
				5631-01 · OPS-Quagga Mussel Prevention	-1.56
				5631-01 · OPS-Quagga Mussel Prevention	-1.56
				5631-01 · OPS-Quagga Mussel Prevention	-0.94
				5631-02 · OPS-Quagga Prevention Equip	-32.27
				5510-04 · ADMIN-Public Info-Ice Info/Sign	-1,107.68
				5580-41 · OPS-Boat Maintenance-Patrol	-54.58
				5510-05 · ADMIN-Public Info-Other Agency	-116.63
				5510-03 · ADMIN-Empl Recognition-Pub Info	-17.12
				5560-22 · WATER-Watermaster Meetings	-30.65
				5503-01 · ADMIN-Office Supplies-Office	-76.04
				5600-31 · MAINT-Vehicle Maint-ON ROAD	-21.53
				5510-07 · ADMIN-Empl Recognition-Winter	-38.96
				5503-01 · ADMIN-Office Supplies-Office	-658.00
				5509-20 · WATER-Memberships/Subs/Permits	-30.00
				5510-07 · ADMIN-Empl Recognition-Winter	-14.99
				5510-07 · ADMIN-Empl Recognition-Winter	-14.99
				5510-07 · ADMIN-Empl Recognition-Winter	-58.98
				5510-07 · ADMIN-Empl Recognition-Winter	-38.22
TOTAL					-3,804.18
EFT	Bill Pmt -Check	01/25/2024	VALERO (EFT)	1001-01 · Accounts Payable	
94703709	Bill	01/23/2024		5590-41 · OPS-Petroleum-VESSELS	-215.05
				5590-42 · OPS-Petroleum-VEHICLES	-703.35
TOTAL					-918.40
161157	Bill Pmt -Check	01/24/2024	VERIZON WIRELESS	1001-01 · Accounts Payable	

9:27 AM

01/29/24

Big Bear MWD
Warrant List Detail
 January 12 - 29, 2024

<u>Num</u>	<u>Type</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Paid Amount</u>
995377...	Bill	01/09/2024		5505-11 · ADMIN-Phones Ramp Aircards	-55.18
				5505-11 · ADMIN-Phones Ramp Aircards	-61.62
				5505-06 · ADMIN-Phone Cell Phones	-281.70
TOTAL					-398.50
161158	Bill Pmt -Check	01/24/2024	VISUAL EDGE IT, INC	1001-01 · Accounts Payable	
24AR14...	Bill	01/17/2024		5620-13 · ADMIN-Copier Copy Counts	-134.96
TOTAL					-134.96
161159	Bill Pmt -Check	01/24/2024	VOLVO CONSTRUCTION EQUIPMENT	1001-01 · Accounts Payable	
P50404...	Bill	01/16/2024		5600-32 · MAINT-Vehicle Maint-OFF ROAD	-518.12
TOTAL					-518.12
161160	Bill Pmt -Check	01/24/2024	WAYNE'S ENGINE REBUILDING INC	1001-01 · Accounts Payable	
H2290	Bill	01/23/2024		5580-44 · OPS-Boat Maint-Engine/Outdrive	-4,354.06
TOTAL					-4,354.06

**BIG BEAR MUNICIPAL WATER DISTRICT
REPORT TO BOARD OF DIRECTORS**

MEETING DATE: February 1, 2024

AGENDA ITEM: 6A

SUBJECT:

THE ADMINISTRATIVE COMMITTEE (DIRECTORS LUDECKE & BREWSTER) RECOMMEND RESOLUTION NO. 2024-01 WHICH ESTABLISHES DOCK CLASSIFICATIONS AND STANDARDS FOR FULL BOARD APPROVAL.

RECOMMENDATION:

The Administrative Committee recommends approval of Resolution 2024-01 (repealing Res No. 2019-09).

DISCUSSION/FINDINGS:

District staff was reviewing resolutions regarding dock standards and classifications just to clarify a couple sections where the language appears to a little confusing. The new language clarifies timeframes from when docks are suspended and then revoked. The timeframe period for violations leading to suspension and/ or dock license revocation have not changed, this is only for clarification purposes.

OTHER AGENCY INVOLVEMENT: None

FINANCING: None

Submitted by: Brittany Lamson, Interim General Manager

RESOLUTION NO. 2024-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF BIG BEAR MUNICIPAL WATER DISTRICT
ESTABLISHING GENERAL DOCK CLASSIFICATIONS AND STANDARDS AND REPEALING
RESOLUTION NO. 2019-09

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

1. Purpose and Scope.

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

2. Definitions.

- 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:
 - i. Single Family Residential (SFR) Docks: any dock licensed to a qualifying residential parcel:
 1. Standard SFR Dock: any dock licensed to moor no more than three (3) boats per single family residence;
 2. Shared Dock: any dock where two (2) or more residential parcels share one dock by owners' choice;
 3. Dock in Common: any dock where two (2) or more residential parcels share one dock by mandate.
 - ii. Business/Multi-Family Residential Docks: any dock licensed to qualifying parcels with the potential for more than three (3) slips:
 1. Lodging/Multi-family Residential Dock: any dock licensed to a lakefront property having lodging or multi-family dwelling unit(s);
 2. Lakefront Business Dock: any dock licensed to a business operating on a lakefront property and not engaged in conducting commercial activities on the Lake;
 3. Dock Club: any dock system which serves both lakefront and non-lakefront property owners in a lakefront residential subdivision;
 4. 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:
 - i. *Slip (Berth)*: the space between two fingers of a dock for securing a boat;
 - ii. *Side Tie*: the area that is outside the dock, parallel to the fingers where a boat may be secured;
 - iii. *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 Type:
 - i. *Lakefront Parcel*: any parcel abutting the high water line and as show on the County Assessor's parcel maps;
 - ii. *Old Parcel*: any parcel existing prior to January 16, 1981;
 - iii. *New Parcel*: any parcel created and recorded on or after January 16, 1981 in accordance with applicable regulations of the County;
 - iv. *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;
 - v. *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;
 - vi. *Easement*: a legal description in a Grant Deed conveyed prior to January 16, 1981 that provides Lake access to a non-lakefront parcel;
 - vii. *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.
 - i. Only the owner of a lakefront parcel may obtain a dock license except as otherwise authorized by the District;
 - ii. 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;
 - iii. 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;
 - iv. No dock shall be placed or license issued to anyone other than the owner of record;
 - v. No dock shall be placed or license issued to the owner of a non-conforming new parcel;
 - vi. No dock shall be placed or license issued unless the license specifies an individual who shall be responsible therefore;

- vii. The use of the dock shall be restricted to the owner of the parcel and/or to tenants or guests;
 - viii. The dock shall not be used for any commercial purpose;
 - ix. 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;
 - x. Dock owners are prohibited from sub-letting, renting or otherwise realizing any value from the use of their dock by another party;
 - xi. 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:
- i. SFR Docks up to three (3) slips: \$300,000 minimum;
 - ii. SFR Docks more than three (3) slips: \$300,000 minimum plus \$100,000 minimum for each slip more than three (3);
 - iii. Business/Multi-Family Residential Docks: \$1,000,000 minimum.
- d. Placement.
- i. For safety and navigation concerns, and to accommodate fluctuating Lake levels, the District reserves the right to determine placement of any dock;
 - ii. Docks can be rotated to accommodate safer navigation. At no point can rotation impede navigation to neighboring docks;
 - iii. Rotated docks must be returned to the same position prior to rotation at District's request;
 - iv. 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;
 - v. 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;
 - vi. 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;
 - vii. When Lake levels drop, property owners in congested areas may lose their side tie privileges;
 - viii. 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;
 - 1. 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.
 - ix. 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;

1. In this case staff will advise the owner in regards to the dock parameters that will be allowable for their property;
 2. Existing docks in the area are "grandfathered" and have priority over placement of new dock systems;
 3. 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".
- x. 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.
1. If Lakefront property owners choose to join dock systems, only one gangway will be permitted to serve the combined dock system.
- e. Inspections.
- i. The District shall inspect each dock on the Lake at least once annually to ensure compliance with current resolutions;
 - ii. The owner of a dock failing an inspection shall be provided with a mailed copy of the inspection report;
 - iii. The owner shall correct all noted deficiencies and notify the District of compliance within thirty (30) days.
- f. Suspension and Revocation.
- i. the General Manager may suspend a dock license when terms or conditions of the license or other District regulations are violated;
 - ii. If licensee fails to remediate issues within 30 days of dated notice, the dock license will be suspended. A mailed notice shall specify the grounds for suspension, action necessary to cure the violation(s) and length of suspension;
 - iii. The General Manager shall revoke a license ten (10) days after the license has been suspended if violations have not be remediated;
 - iv. All use of the dock shall cease during such time as a license is suspended. When a license or privilege is revoked, the dock owner shall remove the dock from District property. If the dock is not removed, the District may cause the dock to be removed and stored or disposed of at the expense of the owner;
 - v. A person whose license is suspended or revoked may appeal the decision of the General Manager to the Board.

4. Single Family Residential Docks.

- a. Dock Placement.
- i. As allowed by lake levels and/or property configurations;
 - ii. 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;
 - iii. 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;
 - iv. 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;

- v. 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;
 - vi. Conflicts involving any dock placement issues shall be resolved by the District, whose decision shall be final;
 - vii. Mooring Buoys shall not be permitted.
- b. Lakefront Parcels.
- i. Standard SFR Docks: Each parcel shall have not more than one dock capable of mooring up to three (3) boats;
 - ii. 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.
- i. 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;
 - ii. All parcels sharing the same easement shall share a Dock in Common, restricted to mooring one (1) boat per parcel;
 - iii. The District is unable to mediate or enforce terms of shared usage or ownership of any Dock in Common;
 - iv. 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;
 - v. Easement access docks shall conform to the size restrictions as established by resolution.
- d. Non-Conforming Parcels.
- i. 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;
 - ii. 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 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.
- i. 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:
 - 1. A maximum of six (6) dock licenses shall be issued;

2. Each dock license shall be for a maximum of six (6) slips;
 3. All dock licenses shall be issued in the name of the dock association formed in accordance with U.S. Forest Service regulations;
 4. Each dock shall have the required insurance as set forth in this resolution;
 5. All permittees in an association shall share a Dock in Common, restricted to mooring one (1) boat per permittee.
- ii. 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;
 - iii. 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:
 1. 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);
 2. 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

- i. 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;
- ii. In no event shall the number of moored boats exceed the number of slips;
- iii. 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.

- i. Regardless of the number of lakefront parcels that any lodging business encompasses, in no case shall the number of slips exceed the following:
 1. One (1) slip per dwelling unit for the first ten (10) dwelling units;
 2. 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;
 3. The only exception to these limits shall be Viking Estates (limited to twelve (12) slips per Board action on January 8, 1988);
 4. 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.
- ii. Mooring buoys shall not be permitted.
- iii. Boat Restrictions:
 1. Hotel, Motel and Bed and Breakfast
 - a. 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;
 - b. They shall not be available for rental or use by tenants or the general public;
 - c. 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.
 2. Timeshares, Townhouses and Condominiums

- a. 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;
 - b. Rental of the boats is prohibited;
 - c. 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:

 - i. 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;
 - ii. Mooring buoys shall not be permitted;
 - iii. Use of the dock shall be restricted to patrons of the business;
 - iv. 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:

 - i. In no case shall the number of slips exceed twenty (20);
 - ii. Mooring buoys shall not be permitted;
 - iii. Use of the dock(s) shall be restricted to patrons of the business;
 - iv. No overnight mooring of boats is permitted other than the owner (not to exceed three boats).
- e. Dock Clubs.
 - i. There are currently three (3) dock club licenses issued as follows:
 - 1. Papoose Bay Homeowners' Association;
 - 2. Eagles' Knoll Community Association (Hamilton Estates);
 - 3. Eagle Point #3 (Owl Drive)- no common area, approved for twenty (20) slips.
 - ii. No additional Dock Club licenses shall be issued after April 15, 1999.
 - iii. Existing Dock Clubs are managed under the following criteria:
 - 1. 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;
 - 2. 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;
 - 3. Any increase in the original number of docks or slips requires District authorization;
 - 4. 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 dock and slips shall be as follows:

 - i. 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;
 - ii. The use of the dock system shall be restricted to yacht club members, guests and tenants;

- iii. 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;
 - iv. 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;
 - v. 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;
 - vi. Any zone of influence or mooring radius specified in the commercial marina permit shall remain in effect for the yacht club;
 - vii. 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;
 - viii. 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;
 - ix. 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.
- i. 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;
 - ii. 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.
- i. 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;
 - ii. 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;
 - iii. Any person may appear at the hearing and present any matters material to the subject thereof;
 - iv. After conclusion of the hearing, the Board may approve, conditionally approve or disapprove said application.
- i. Action by the Board.
- i. The Board shall approve or conditionally approve an application for a business/multi-family residential dock if:
 - 1. 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;
 - 2. The proposed business/multi-family residential dock will be consistent with approved or adopted recreational plans and programs for the Lake;

3. 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:

- i. 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;
- ii. Mailed notice shall be given at least fourteen (14) days prior to the date specified therein for hearing;
- iii. Mailed notice shall be given to each owner of any parcel located within five-hundred (500) feet of the subject parcel;
- iv. 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;
- v. 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 sby resolution of the Board.

c. Public Hearing.

- i. Within sixty (60) days after filing of the Variance Application, required documents and filing fees, the Board shall hold a public hearing thereon;
- ii. 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;
- iii. Any person may appear at the hearing and present any matters material to the subject thereof;
- iv. After conclusion of the hearing, the Board may approve, conditionally approve or disapprove said application.

d. Action by the Board.

- i. The Board shall approve or conditionally approve an application for a variance only if:
 1. 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;
 2. 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;
 3. 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;

4. The proposed variance will be consistent with approved or adopted recreational plans and programs for the Lake.
 - ii. 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:
 - i. Any terms or conditions of the variance are violated; or
 - ii. 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;
- c. With any commercial marina that has been authorized by the District to store docks.

9. Dock Appurtenances.

- a. Canopies.
 - i. Only soft fabric covers shall be permitted over dock and covers shall not extend over gangways or head walks;
 - ii. No person shall construct, install or maintain a dock with a soft fabric cover, until the following conditions are met:
 1. The soft fabric cover and supporting structure shall withstand wind loadings of at least seventy-five (75) miles per hour;
 2. Standard soft fabric covers (without sides) are authorized for year-round use;
 3. 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;
 4. 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.

- i. Maximum size for dock boxes shall be no more than thirty-six (36) inches above the deck surface;
 - ii. Dock boxes shall be securely fastened to the dock;
 - iii. Dock boxes shall not have an automatic latching system.
- e. Head Walks.

The following use restrictions shall apply:

 - i. A head walk shall not be used for mooring of boats;
 - ii. 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;
 - iii. 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;
 - iv. 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. 2019-09 is hereby repealed.

PASSED, APPROVED AND ADOPTED on February 1, 2024.

Steve Ludecke, President

ATTEST:

Brittany Lamson, Secretary to the Board

[Seal]

**BIG BEAR MUNICIPAL WATER DISTRICT
REPORT TO BOARD OF DIRECTORS**

MEETING DATE: February 1, 2024

AGENDA ITEM: 6B

SUBJECT:

THE ADMINISTRATIVE COMMITTEE (DIRECTORS LUDECKE & BREWSTER) RECOMMEND RESOLUTION NO. 2024-02 WHICH ESTABLISHES COMMERCIAL MARINA AND PRIVATE DOCK SPECIFICATIONS FOR FULL BOARD APPROVAL.

RECOMMENDATION:

The Administrative Committee recommends approval of Resolution 2024-02 (repealing Res No. 2019-10).

DISCUSSION/FINDINGS:

District staff was reviewing defined terms within this resolution as the term “Grandfathered” was confusing to some new homeowners. We have seen an increase in new owners around the lake who have not been informed by the seller that the dock is out of spec and no longer “grandfathered” in. The new definition clearly defines that a dock that was built prior to newer resolutions (making it out of spec now) by the homeowner who built the dock is no longer exempt from changes once escrow closes. If the home sells, the new owner must bring the dock up to current resolutions specifications prior to being able to receive a dock license. These types of clarifications were made throughout the document.

OTHER AGENCY INVOLVEMENT: None

FINANCING: None

Submitted by: Brittany Lamson, Interim General Manager

RESOLUTION NO. 2024-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF BIG BEAR MUNICIPAL WATER DISTRICT RE-ESTABLISHING COMMERCIAL MARINA AND PRIVATE DOCK SPECIFICATIONS AND REPEALING RESOLUTION NO. 2019-10.

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

1. DEFINITIONS

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

- a. 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");
- b. Dead Load: no load placed on the deck;
- c. Decking/deck surface: the pedestrian surface and describes the type of acceptable material to be used for the deck and general conditions of repair that shall be maintained;
- d. End tie: the area that is outside the dock, perpendicular to the fingers where a boat may be secured;
- e. Fingers: floating structures, usually attached to a headway, which physically define a slip and provide pedestrian access to a moored boat;
- f. Floating building: means a structure moored on Big Bear Lake at a commercial marina that is greater than 36" above the deck surface, has walls and a roof and may be occupied by one (1) or more persons;
- g. Flotation material: the acceptable types of non-polluting material to be used to provide buoyancy for the dock;
- h. Footprint square footage: calculation shall include all pedestrian access areas (including modular additions), finger and headway areas, and shall exclude slip areas and gangways;
- i. Freeboard: the distance from the top of the deck to the water line measured under either live load or dead load conditions;
- j. Gangway: a variable slope structure that provides pedestrian access between a fixed pier or shore and a floating dock structure;
- k. Grandfathered: a dock is grandfathered to the original owner only who had the dock built and placed;
- l. Headway: portion of a dock providing direct pedestrian access between a gangway and a finger and located at the closed end of a slip;
- m. High Water Line (HWL): a historic contour within Bear Valley at the Dam spillway elevation of 6743.25' (NGVD 29);
- n. Lake: Big Bear Lake;
- o. Lateral stability: movement from placed position;
- p. Live Load: twenty (20) pounds per square foot or concentrated load of 400 pounds placed anywhere on the deck surface, not applied simultaneously;
- q. Mooring Buoy: a buoy anchored to the Lake bottom for the express purpose of securing a boat;
- r. "Or equivalent": term intended to allow for latitude in construction and maintenance; however, the equivalency of any variation from these standards shall be approved by the District prior to actual construction;

- s. Outside perimeter square footage: shall be measured as a rectangle or square, including slips and removable and/or temporary modular additions (i.e. drive-up personal watercraft ramps) at the greatest length and width, but excluding gangways);
- t. 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;
- u. Pitch stability: motion in the vertical plane;
- v. Roll stability: motion about the centerline of a dock and finger;
- w. Side Tie: the area that is outside the dock, parallel to the fingers where a boat may be secured;
- x. Size: the minimum or maximum dimensions for docks, fingers, gangways, chains and pipe anchors, etc.;
- y. Slip (Berth): the space between two (2) fingers of a dock for securing a boat;
- z. Slip dividers: used to separate two (2) or more boats moored in a single slip;
- aa. Stability: the ability of a dock to remain stationary during use;
- bb. Yaw stability: motion in the horizontal plane.

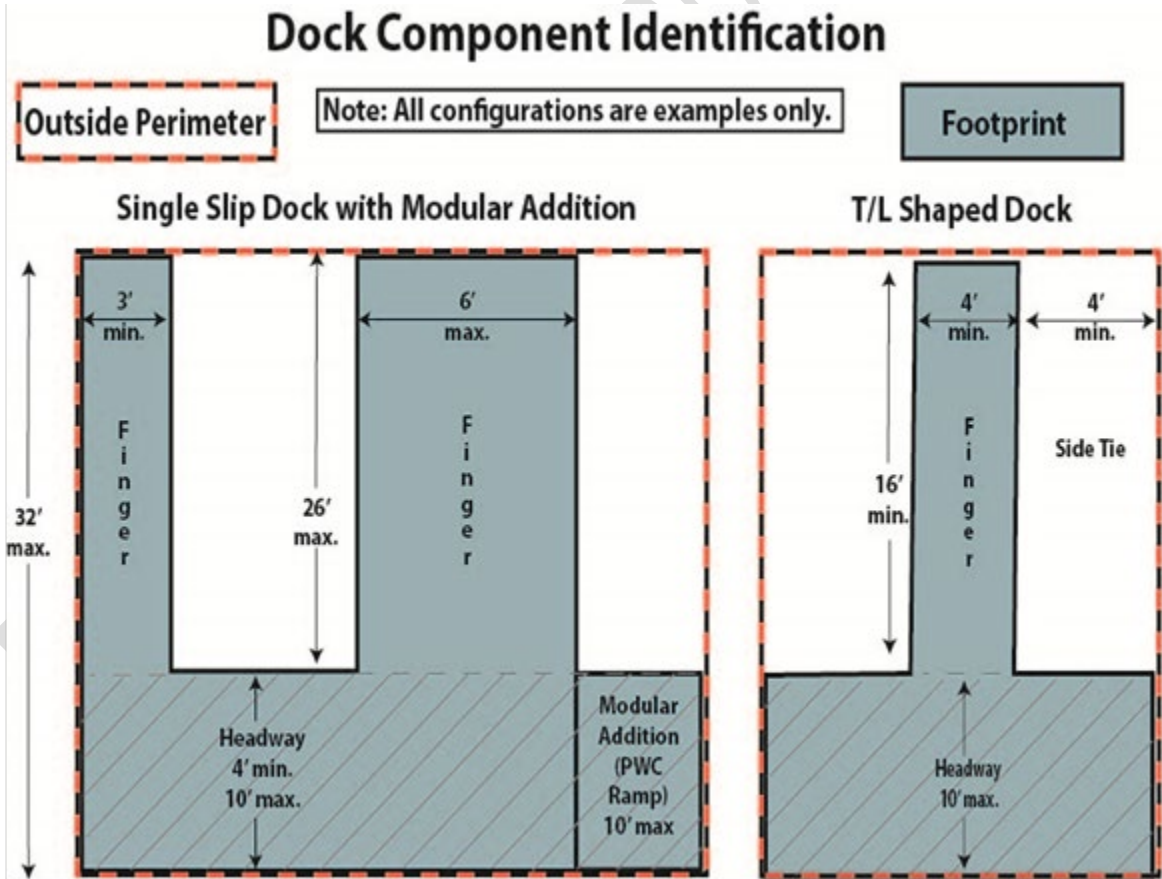
2. STABILITY

- a. **General**: All dock components shall be constructed, maintained and secured to provide a firm, stable footing for persons stepping onto the dock either from shore or from a boat moored to the dock;
- b. **Pitch Stability**: All dock components shall be constructed to minimize pitching due to wind and wave action on, or use of the dock. To provide pitch stability, the following freeboard conditions shall be maintained:
 - i. Freeboard with dead load on any deck surface shall be at least eight (8) inches but not more than twenty (20) inches;
 - ii. Freeboard under live load conditions shall be sufficient to prevent water from wetting any portion of deck surface.
- c. **Yaw Stability**: All portions of docks shall be constructed to minimize yaw due to any action or activity on the dock, without appreciable lateral movement. To provide yaw stability, the following anchoring or equivalent shall be provided on all docks:
 - i. Pipe anchors: shall have an inside diameter of at least two (2) inches through metal gussets or sleeves. The pipes shall be dropped onto the Lake bottom using no mechanical means of driving sufficiently to eliminate any appreciable lateral movement. To ensure that the pipe is affixed to the dock, a collar, pin, cap or other suitable device shall be placed on the pipe to prevent the pipe from sliding completely through the gusset during periods of extreme lake level fluctuation;
 - ii. Chain or Cable: A minimum of five-sixteenths (5/16) inch galvanized chain or equivalent, attached to an anchor(s) of sufficient weight to minimize lateral movement. The chain or cable shall be attached to the dock through a metal support or gusset. The chain or cable shall be secured to the licensed parcel or within the imaginary extension of the property boundaries over the high water line.
- d. **Roll Stability**: All dock components shall allow minimal roll or rocking motion during use. All dock components shall be so constructed that a live load placed anywhere on the deck surface shall not cause any deck surface to tilt more than six (6) degrees from the horizontal;
- e. **Lateral Wind Stability**: The design of all dock components and anchoring systems shall be sufficient to withstand reasonably expected lateral loads to occur.

3. SINGLE FAMILY RESIDENTIAL DOCK SIZE RESTRICTIONS.

- a. No dock shall be licensed or placed on Big Bear Lake until construction plans have been submitted to the District for plan check and approval has been given;
- b. Docks built and placed by the original owner before resolution changes in size restrictions are grandfathered in; until which time the property is sold; at the time the new owner takes ownership of the property, the dock must be modified to fit size restrictions; **it is the responsibility of the seller to notify the buyer;**
- c. Only docks that are configured so that all slip openings are parallel to each other will be approved;
- d. Dock components shall be constructed within the size restrictions described below;
- e. **Minimums and maximums for all residential docks:**
 - i. Rectangular docks shall be at least six (6) feet wide;
 - ii. Fingers shall be at least three (3) feet wide, but no more than six (6) feet wide:
 - 1. For T or L shaped docks: fingers shall be at least four (4) feet wide, but no more than six (6) feet wide.
 - iii. Gangways shall be at least thirty (30) inches wide, but no more than forty-eight (48) inches wide, with a maximum slope of 3:1 (horizontal to vertical);
 - iv. Slip shall be no more than twenty-six (26) feet long;
 - v. Headway shall be no less than four (4) feet and no more than ten (10) feet wide.

Example to illustrate Section D



- f. Residential parcels with lake frontage of fifty (50) feet or more may construct a dock as follows:
 - i. Dock width cannot exceed parcel's lake frontage and dock length cannot exceed 32 feet as measured from the end of the finger to the outside edge of the headway;

- ii. One (1) slip dock:
 - 1. Outside perimeter shall not exceed 702 square feet;
 - 2. Footprint square footage shall not exceed 489 square feet.
 - iii. Two (2) slip dock:
 - 1. Outside perimeter shall not exceed more 1,056 square feet;
 - 2. Footprint square footage shall not exceed 653 square feet.
 - iv. Three (3) slip dock:
 - 1. Outside perimeter shall not exceed 1,440 square feet;
 - 2. Footprint square footage shall not exceed 750 square feet.
 - v. Platform dock (no slips):
 - 1. Outside perimeter shall not exceed 300 square feet;
 - 2. No dimension shall exceed thirty (30) feet.
 - vi. T/L-shaped dock:
 - 1. Outside perimeter shall not exceed 832 square feet;
 - 2. Footprint square footage shall not exceed 515 square feet;
 - 3. Each side tie area shall be a minimum of four (4) feet wide and sixteen (16) feet long.
- g. Residential parcels with lake frontage of more than twenty-five (25) feet and less than fifty (50) feet may construct a dock as follows:**
- i. Dock width cannot exceed parcel's lake frontage and dock length cannot exceed 32 feet as measured from the end of the finger to the outside edge of the headway;
 - ii. One (1) slip dock:
 - 1. Outside perimeter shall not exceed 702 square feet;
 - 2. Footprint square footage shall not exceed 489 square feet.
 - iii. Two (2) slip dock:
 - 1. Outside perimeter shall not exceed more 1,056 square feet;
 - 2. Footprint square footage shall not exceed 653 square feet.
 - iv. Platform dock (no slips):
 - 1. Outside perimeter shall not exceed 300 square feet;
 - 2. No dimension shall exceed thirty (30) feet.
 - v. T/L-shaped dock:
 - 1. Outside perimeter shall not exceed 832 square feet;
 - 2. Footprint square footage shall not exceed 515 square feet;
 - 3. Each side tie area shall be a minimum of four (4) feet wide and sixteen (16) feet long.
- h. Residential parcels with lake frontage of twenty-five (25) feet or less may construct a dock as follows:**
- i. T-shaped dock:
 - 1. No wider than sixteen (16) feet;
 - 2. No longer than thirty (30) feet;
 - 3. Finger shall be a minimum of sixteen (16) feet long;
 - 4. Side tie areas shall be no less than four (4) feet wide.
 - ii. L-shaped dock:
 - 1. No wider than sixteen (16) feet;
 - 2. No longer than thirty (30) feet;
 - 3. Finger shall be a minimum of sixteen (16) feet long;
 - 4. Side tie area shall be no less than four (4) feet wide.
 - iii. U-shaped dock:
 - 1. No wider than sixteen (16) feet;

2. No longer than thirty (30) feet;
 3. Finger shall be a minimum of sixteen (16) feet long.
- iv. Platform dock:
 1. No wider than six (6) feet;
 2. No longer than thirty (30) feet.
 - v. No modular additions (i.e. PWC ramp) shall be allowed outside the slip area of docks in this category.
- i. **Private property across a right-of-way, with no intervening buildable property may construct a dock as follows:**
 - i. T-shaped dock:
 1. No wider than sixteen (16) feet;
 2. No longer than thirty (30) feet;
 3. Finger shall be a minimum of sixteen (16) feet long;
 4. Side tie areas shall be no less than four (4) feet wide.
 - ii. L-shaped dock:
 1. No wider than sixteen (16) feet;
 2. No longer than thirty (30) feet;
 3. Finger shall be a minimum of sixteen (16) feet long;
 4. Side tie area shall be no less than four (4) feet wide.
 - iii. U-shaped dock:
 1. No wider than sixteen (16) feet;
 2. No longer than thirty (30) feet;
 3. Finger shall be a minimum of sixteen (16) feet long.
 - iv. Platform dock:
 1. No wider than six (6) feet;
 2. No longer than thirty (30) feet.
 - v. When two (2) or more parcels with across a right-of-way privileges wish to construct a shared dock, they may construct a dock system with one (1) slip per parcel, with District approval:
 1. Fingers shall be three (3) feet wide;
 2. Headways shall be four (4) feet wide;
 3. Slips shall be no less than eight (8) feet and no more than ten (10) feet wide and no less than sixteen (16) feet and no more than twenty-six (26) feet long;
 4. The dock system must pose no adverse impact to the dock privilege of neighboring parcels.
 - vi. No modular additions (i.e. PWC ramp) shall be allowed outside the slip area of docks in this category.
 - j. **Forest Service docks:**
 - i. USFS Cabin # 58 may construct and maintain an individual dock as follows:
 1. T-shaped dock:
 - a. No wider than sixteen (16) feet;
 - b. No longer than twenty-six (26) feet;
 - c. Headway no less than four (4) feet wide and no more than six (6) feet wide;
 - d. Finger shall be a minimum of four (4) feet wide;
 - e. Side tie areas shall be no less than four (4) feet wide.
 2. L-shaped dock:
 - a. No wider than sixteen (16) feet;
 - b. No longer than twenty-six (26) feet;

- c. Headway no less than four (4) feet wide and no more than six (6) feet wide;
 - d. Finger shall be a minimum of four (4) feet wide;
 - e. Side tie area shall be no less than four (4) feet wide.
 - 3. U-shaped dock:
 - a. No wider than sixteen (16) feet;
 - b. No longer than twenty-six (26) feet;
 - c. Headway no less than four (4) feet wide and no more than six (6) feet wide.
 - 4. Platform dock:
 - a. No wider than six (6) feet;
 - b. No longer than twenty-six (26) feet.
 - ii. When two (2) or more USFS cabins join to form an association, they may construct a dock system with one (1) slip per permittee in the association, with District approval:
 - 1. Fingers shall be three (3) feet wide;
 - 2. Headways shall be four (4) feet wide;
 - 3. Slips shall be no less than eight (8) feet and no more than ten (10) feet wide and no less than sixteen (16) feet and no more than twenty-six (26) feet long;
 - 4. The dock system must pose no adverse impact to the dock privilege of neighboring parcels.
 - iii. No modular additions (i.e. PWC ramp) shall be allowed outside the slip area of docks in this category.
- k. Residential easement docks
 - i. When up to two (2) parcels share easement dock privileges, they may construct and share a T, L, U-shaped, or platform dock:
 - 1. T-shaped dock:
 - a. No wider than sixteen (16) feet;
 - b. No longer than twenty-six (26) feet;
 - c. Headway no less than four (4) feet wide and no more than six (6) feet wide;
 - d. The side tie areas shall be no less than four (4) feet wide;
 - e. The fingers shall be no less than four (4) feet wide.
 - 2. L-shaped dock:
 - a. No wider than sixteen (16) feet;
 - b. No longer than twenty-six (26) feet;
 - c. Headway no less than four (4) feet wide and no more than six (6) feet wide;
 - d. The side tie area shall be no less than four (4) feet wide;
 - e. The fingers shall be no less than four (4) feet wide.
 - 3. U-Shaped Dock:
 - a. No wider than sixteen (16) feet;
 - b. No longer than twenty-six (26) feet;
 - c. Headway no less than four (4) feet wide and no more than six (6) feet wide.
 - 4. Platform dock:
 - a. No wider than six (6) feet;
 - b. No longer than twenty-six (26) feet.
 - ii. When three (3) or more parcels share easement dock privileges, they may construct a dock system with one (1) slip per parcel, with District approval:

1. Fingers shall be three (3) feet wide;
 2. Headways shall be four (4) feet wide;
 3. Slips shall be no less than eight (8) feet and no more than ten (10) feet wide and no less than sixteen (16) feet and no more than twenty-six (26) feet long;
 4. The dock system must pose no adverse impact to the dock privilege of neighboring parcels.
- iii. No modular additions (i.e. PWC ramp) shall be allowed outside the slip area of docks in this category.

4. BUSINESS/MULTI-FAMILY RESIDENTIAL DOCK SIZE RESTRICTIONS

a. Lakefront business, Lodging, and Multi-family residential:

- i. Docks in this category may construct a system as follows:
 1. Fingers: Minimum thirty-six (36) inches but not more than forty-eight (48) inches wide;
 2. Headway: Maximum width of six (6) feet;
 3. Slips: Minimum single slip size of no less than eight (8) feet and no more than ten (10) feet wide; no less than sixteen (16) feet and no more than twenty-six (26) feet long.

5. FLOTATION MATERIAL

- a. In order to provide long-term flotation capability and prevent pollution of the Lake due to decomposition of materials, the following shall apply:
 - i. All deteriorating flotation shall be replaced;
 - ii. All flotation shall be secured so as not to separate from the dock;
 - iii. Any new or replacement flotation must comply with the following:
 1. Tanks: Cement, fiberglass or polyethylene tanks filled with a closed cell, expansion-type foam that completely fills the tank;
 2. Foam Billets: High density extruded polystyrene closed cell foam (1.5 lb. /cu. ft. density minimum, 3.5 lb./cu. ft. maximum). Expanded polystyrene billets or billets with density less than 1.5 lb./cu. ft. must be coated or encased in polyethylene, polyurethane, light weight concrete;
 3. Pre-fabricated modular systems designed without separate flotation may be acceptable.

6. DECKING AND DECK SURFACE

- a. All decking and deck surfaces (including carpeting or other materials) shall provide a reasonably non-skid surface free from tripping hazards such as loose material, holes or tears;
- b. Decking for all docks shall be a minimum of three-quarter inch, ACX exterior plywood or two (2) inch planking, and all untreated wood shall be fully primed with a protective coating applied on all surfaces and edges;
- c. Composite materials such as vinyl, aluminum, plastic wood and fiberglass shall be acceptable.

7. MOORING BOUY STANDARDS

- a. Standards for installation and maintenance of buoys on the Lake are as follows:

- i. Color and Markings:
 1. All mooring buoys shall conform to California Administrative Code, Title 14;
 2. Section 7007 (a), as to color and markings (...white, with a blue band clearly visible above the water line...);
 3. Section 7007 (c) as to placement (...and shall not be placed where they will obstruct navigation, cause confusion or constitute a hazard).
- ii. Anchoring:
 1. All buoys shall be anchored sufficiently to withstand wind loads and wave stress reasonably expected at the site without failure or appreciable lateral movement;
 2. A minimum of three-sixteenths (3/16) inch chain shall be used;
 3. All mooring buoys shall be maintained with sufficient freeboard for visibility and navigational safety.

8. ELECTRICAL ON DOCKS, HEAD PIERS, AND OTHER STRUCTURES

- a. For docks with electrical powered by extension cords, solar equipment and other permanent connections:
 - i. Electrical of any voltage on docks or head piers or any other structures placed below the high water line of Big Bear Lake shall require an electrical permit from the authority having jurisdiction (City of Big Bear Lake or County of San Bernardino);
 - ii. A copy of the permit and final inspection shall be provided to the District;
 - iii. The owners of structures with electrical installations in existence on August 17, 2000 shall have ninety (90) days to provide evidence a permit has been secured from the appropriate agency;
 - iv. All of these existing electrical installations shall be brought into compliance within 180 days from date of permit issuance unless granted a 180-day extension from the authority having jurisdiction;
 - v. Not more than one (1) 180-day extension will be granted;
 - vi. Extension cords must be rolled up and stored above the high water line when not in use.
- b. For docks with electrical powered by a portable generator:
 - i. Portable generators must be equipped with GFCI protected outlets in order to operate electrical below the high water line;
 - ii. Portable generators cannot be stored on the dock itself or anywhere below the high water line.
- c. For docks with electrical, it is strongly recommended that Electrical Hazard signage be posted on the dock.

9. SPECIAL SITUATIONS

- a. Due to individual parcel situations including, but not limited to area geography and property configurations, additional restrictions may be included in the individual dock license.

10. COMMERCIAL MARINAS: subject to the following additional standards

- a. Marina Docks:
 - i. Headway segments shall have a minimum unobstructed width of four (4) feet;
 - ii. Gangways shall be at least three (3) feet wide with a maximum slope of 3:1 (horizontal: vertical);

- iii. Handrails shall be between thirty-two (32) and forty-five (45) inches high and shall be provided on each side of gangways when the slope is steeper than 5:1 (horizontal: vertical), or when any part of the gangway exceeds two (2) feet above ground or water surface;
- iv. Cleats: A minimum of three (3) serviceable cleats or rings (one at bow and two (2) at the stern) shall be provided for each boat at each slip;
- b. **Fire Protection**: Five (5) pound fire extinguishers rated at least 2A-10BC and placed in readily accessible cabinets or other storage devices shall be installed throughout the facility such that no slip is more than seventy-five (75) feet from any fire extinguisher. Fire extinguisher locations shall be clearly identified by red coloring and signs;
- c. **Informational Buoys**:
 - i. Private aids to navigation shall conform to California Code of Regulations, Sections 7002, 7003, 7004 and 7007 that state in part:
 - 1. Section 7002 (4) "A rectangular shape of international orange with white center will indicate information. The message will be presented within the rectangle in black letters.";
 - 2. Section 7003 (a) "No waterway marker shall be placed on, in, or near the waters of the State unless such placement is authorized by the agency or political subdivision of the State having power to give such authorization...";
 - 3. Section 7004 "Waterway markers shall be maintained in proper condition, or be replaced or removed.";
 - 4. Section 7007 (c) "Such markers shall not be of a color, shape, configuration or marking which could result in their confusion with any federal or state aid to navigation or any state regulatory marker, and shall not be placed where they will obstruct navigation, cause confusion, or constitute a hazard."
 - ii. Buoy placement shall be determined by the District;
 - iii. Buoy may not be outside speed-controlled area;
 - iv. The anchoring system shall prevent drifting and rotation of the buoy using a minimum of 3/16 (three-sixteenth) inch chain. Counter weights to maintain roll stability shall be used if needed;
 - v. Buoy shall be outfitted with an amber flashing light in serviceable condition, or a minimum of 24 (twenty-four) square inches of retro-reflective tape on each side;
 - vi. Buoy construction shall be as follows:
 - 1. Size shall be between 4 (four) and 6 (six) feet square;
 - 2. Freeboard shall be between 10 (ten) and 20 (twenty) inches;
 - 3. No boats shall be used as a platform to mount signage.
- d. **Floating Buildings**:
 - i. Intent & Purpose:
 - 1. These floating building regulations are intended to give commercial marina operators the opportunity to provide the services normal and customary to their operations, but to ensure land-based operations are not conducted on the Lake;
 - 2. Any request for a variance from any of the criteria set forth below shall require submittal of a master plan to the District and the agency having jurisdiction (City of Big Bear Lake or County of San Bernardino) for review and approval;
 - 3. The master plan shall show full build-out of the marina facility, both below and above the high water line of Big Bear Lake;
 - 4. Nothing in these regulations changes or otherwise affects the rights conferred in the commercial marina permits.

- ii. Floating Buildings shall be allowed at commercial marina under the following terms and conditions:
 - 1. Floating buildings shall be constructed within the provisions of the applicable model codes;
 - 2. Floating buildings may be approved for the following uses by the Big Bear Municipal Water District and the agency having jurisdiction, provided that any uses in such buildings are accessory and incidental to the primary marina operations:
 - a. Incidental retail sales of marina-related items, including but not limited to, bait and fishing tackle, pre-packaged food, canned and bottled beverages, sundries and other marina items;
 - b. Storage of items related to the boat and dock rental activities of the marina (i.e. personal flotation devices, oars, etc.). Only inert materials shall be stored in a floating building;
 - c. Marina rental activities;
 - d. Outside seating for the convenience of the marina customers, so long as the seating area is limited to 500 square feet or 50% of the square footage of the footprint of the floating building, whichever is greater.
- iii. Prohibited uses of floating buildings:
 - 1. There shall be no restrooms, dining facilities, sleeping quarters or overnight accommodations;
 - 2. The general public shall not have access to the roof of the building.
- iv. Maximum of three (3) floating buildings allowed:
 - 1. Footprint of the total combined square footage may not exceed 2,000 square feet as follows:
 - a. The total combined square footage of any retail sales and/or marina rental building(s) shall not exceed 1,500 square feet, excluding any deck area;
 - b. The total combined square footage of the footprint of any storage building(s) shall not exceed 500 square feet, excluding any deck area.
- v. Height shall be limited to 25 feet above the deck surface as measured to the highest point of the roof, a sloped appearance is encouraged and any roof-mounted mechanical equipment should be screened;
- vi. Lighting shall comply with the following requirements:
 - 1. Lighting levels should be of sufficient intensity to provide security and safety, but should not over-power the nightscape;
 - 2. Illumination should be low-level to the extent feasible;
 - 3. Exterior lighting fixtures shall be of a color or shielded and directed downward to minimize glare.
- vii. An application accompanied by three (3) copies of a plot plan showing a proposed zone for the location of each building shall be provided to the District for review and approval by the Board of Directors. The District acknowledges that the building may need to be relocated to accommodate fluctuating Lake levels;
- viii. All floating buildings shall be subject to the applicable planning process, building permit requirements, and inspections of the agency having jurisdiction;
- ix. Floating buildings in existence in commercial marinas on February 20, 2003 shall be authorized to remain so long as the use is consistent with Section 2 of this resolution and the building continues to be maintained in a condition that is not substandard;

- x. Any replacement or substantial alteration of the building shall require compliance with current regulations. Substantial alteration shall mean any change in area, dimension, bulk or other structural modification of greater than ten (10) percent;
- xi. The conditions set forth in this resolution do not waive compliance with the rules and regulations of other agencies having jurisdiction.

11. REPEALS

- a. Resolutions No. 2019-10 is hereby repealed.

PASSED, APPROVED AND ADOPTED on February 1, 2024.

Steve Ludecke, President

ATTEST:

Brittany Lamson, Secretary to the Board

[Seal]