

RESOLUTION NO. 2024-11

A RESOLUTION ESTABLISHING A POLICY AND PROCEDURE FOR ALLOWING INDIVIDUALS TO PLACE HOISTS AT THE END OF PUBLIC RIGHT-OF-WAYS IN THE CITY OF WEST OKOBOJI, IOWA

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Okoboji, Iowa as follows:

WHEREAS, there are public right-of-ways in the City of West Okoboji, Iowa, which dead-end at West Lake Okoboji and are suitable for constructing docks and placement of hoists; and,

WHEREAS, the City desires to establish a policy and procedure for issuance of permits for the construction of docks and placement of hoists at approved accesses within the City of West Okoboji, Iowa.

WHEREAS, the City owns and maintains lake access which some West Okoboji citizens utilize.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST OKOBOJI, IOWA;

1. Approved Accesses.

The approved accesses for issuance of a permit for construction of docks and placement of hoists shall be as follows:

- a. The access adjacent to 2402 Okoboji Blvd (2 hoists/boats),
and,
- b. The access adjacent to 1810 Jeppeson Road (6 hoists/boats) and,
- c. The access adjacent to 2613 1st Street (construction of dock, only) and,
- d. The access adjacent to 1105 Maywood Ave. (5 hoists/boats, 2 Jet-Ski/hoists).

2. Application for Permit.

- a. Any property owner of a single-family dwelling in the City of West Okoboji, Iowa, (residing in the back-lot area stretching from 1607 Jeppesen Road to 2615 Okoboji Blvd) may make an application for a permit for placement of a hoist on the approved accesses on Okoboji Blvd and Jeppeson Road upon form provided by the City Administrator on a yearly basis.
- b. Any property owner of a single-family dwelling in the City of West Okoboji, Iowa, (residing in the back-lot area stretching from 850 Terrace Park Blvd to Milford St. ranging from 1510 to 1304 Milford St., including the back-lot area east of Terrace Park Blvd,) may make an application for a permit for placement of a hoist on the approved access on Maywood Ave upon forms provided by the Zoning Administrator on a yearly basis.
- c. This application for a permit must be presented to the City Administrator on or before February 28 of each year, beginning January 1 - ONE PERMIT PER

DWELLING/OWNER, NO PERMITS WILL BE ISSUED FOR MULTIPLE PROPERTIES OF THE SAME OWNER.

- d. The property owners will apply for a dock permit.
- e. Applicant will not be considered if there are any outstanding payments owed to the city. Utility bills past due by 30 days will result in removal of dock assignment and will move to the end of the waiting list.
- f. Administration fee of \$100 will be imposed started January 1, 2025 for each permit.

3. Issuance of Permit.

In the event there is hoist space available for each applicant, each applicant must:

- a. Provide City of West Okoboji with a Certificate of Liability Insurance in the amount of \$1,000,000 per occurrence and add the City of West Okoboji as an additional insured to your policy. A contact person will be designated by the applicants of each dock with whom the City shall communicate and notice to such agent on any matter shall constitute notice to all designated permittees. The contact person shall at all times keep the City informed as to all persons who are sharing in dock expenses and using the facility for boat hoist storage. A dock assignment permit may be cancelled by the City at any time for failure to comply with regulations or when in the best interest of the public, as determined by the City.
- b. The City Administrator shall then issue a permit to those applicants effective for one year.

In the event there are more applicants per access than hoist spots available:

- a. The existing permit holders will have a space until they no longer apply for a permit or fail to apply for the yearly permit by the February 28th deadline, beginning January 1; or,
- b. Until the property changes ownership; or,
- c. The existing permit holder no longer installs a hoist and watercraft by July 1 of the permitted year.
- d. A new Resolution is passed by the City Council
- e. New applicants are to be placed at the bottom of the waiting list in the order in which they are received by the City Administrator. application will be carried over into the new year.
- f. If a hoist spot becomes available, the waiting list will be consulted to determine who is to receive it.

4. Rules and Regulations for Permitted Docks.

The following rules and regulations will apply with regards to any permit-authorizing placement of a hoist upon the approved public accesses:

- a. **Materials and Dimensions.** All docks shall be constructed or reconstructed with materials and dimensions that conform to applicable criteria in the DNR's dock rules.
- b. **Auxiliary Equipment and Facilities.** Hoists will be permitted only if specifically authorized in the "dock assignment and permit." A permitted hoist must be placed beside the permitted dock. No more than ONE hoist or watercraft will be allowed per permit. (Max. 26-foot boat and Max. 28-foot canopy.) Boats shall be measured from the farthest point forward to the farthest point rear. (This includes swim decks.)

The permit holder must remove the hoist from the public area from November 15 – March 1st. Boats must be out of the hoist by October 1st.

The hoist shall be used solely for the pleasure of the permit holder, and shall not be used in any commercial activity or undertaking.

The permit holder shall not sublet the use of the hoist or charge any fee for use of permitted hoist. If the permit holder does not install a hoist and boat by July 1st of the permitted year, the permit holder will lose that spot and the first person on the waiting list will take over that permit.
- c. **Permittees Responsible for Construction and Maintenance.** Permittees are responsible for construction, installation, and removal of docks. The assigned permittees named on the application shall be solely responsible for the safe condition of the dock at all times and specifically further agree to maintain and keep the access free of weeds, litter, and other debris. Maintenance of the access shall at all times be compatible with private properties on either side of the access. Any repair requested by the City shall be performed within 15 days of the request. Permittees shall pay contact person within 30 days of receiving statement for work done to the Public Access.
- d. **Regulations.** All permittees are required to comply with all IDNR statutory rules and administrative regulations governing docks and dock usage as well as any applicable City Ordinances.
- e. **Rafts, Diving Boards and Unattended Boats.** No rafts, diving boards or other appurtenances (including unattended chairs) is permitted on any docks. No unattended or tying up of boats allowed at any time.
- f. **Electrical Facilities.** Electric facilities must include underground wiring with a ground fault interrupter and comply with the National Electric Code (NFOA).
- g. **Bulk Fuel.** No bulk fuel, explosive, hazardous material, or fuel distribution line will be permitted on public property.
- h. **Retaining Walls and Steps.** Existing retaining walls and steps may be used if maintained in good repair and are safe for public use.
- i. **Winter Storage of Dock Materials.** Docks shall be removed from the lake by November 15 of each year. All dock materials stored on the lakeshore public area must be stored in a neat, safe, and orderly manner so as not to obstruct public pedestrian access along the walkway or from the walkway to the shoreline. Docks must be placed in the lake or removed from public land by Memorial Day each year. Boat hoists stored during the winter on public land shall meet the same requirements stated above or be stored on private property or another location if these requirements cannot be met.

- j. **Storage Buildings.** Storage buildings of any type are not permitted on public access areas.

5. DOCK SHARING REQUIRED

The permittees shall agree on the equitable sharing of the costs of installation of the dock, dock materials, maintenance, and removal of the dock. Failure to participate in the sharing of these costs may result in that permittee's loss of dock and hoist privileges, and the permit being granted to the next party whose name appears numerically on the waiting list.

6. RIGHTS OF THE GENERAL PUBLIC

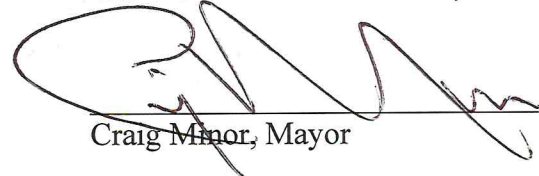
The general public shall have the right to use any public access and the dock, except boat hoists. The dock will be posted as a "public dock" at both ends of the dock with the City providing and installing these signs. Should these signs disappear from the public access area it is cause for the City Administrator to revoke all permittee's dock and hoist privileges, regardless of who was responsible for taking the public access signs down. The same loss of privileges may also be applied if the general public is harassed at the public access or dock in anyway. No other signage allowed except those posted by the city.

7. REVOKE PERMIT

In the event the permittee does not comply with all the rules and regulations, the City Administrator shall give notice to the permit holder of the failure to comply with the rules and regulations and unless the permit holder complies with the rules and regulations within seven (7) days after notice is given by the City Administrator, the dock permit may be revoked and the hoist shall be removed from the public access at the owners expense.

PASSED AND APPROVED this 12th day of February, 2024.

CITY COUNCIL OF THE
CITY OF WEST OKOBOJI, IOWA



Craig Minor, Mayor

Attest:



Carol Chicoine, City Administrator / Clerk