

RESORT VILLAGE OF CHITEK LAKE
IN THE PROVINCE OF SASKATCHEWAN

BYLAW 83/2009

LAKESHORE DOCK/LIFT AND BOATHOUSE BUILDING BYLAW

1. SHORT TITLE

1.1 This bylaw shall be cited as the Lakeshore Dock/Lift and Boathouse Building Bylaw.

1.2 In this bylaw, including this section:

- (a) "Dock" means a facility constructed and fixed to a shore with the remainder extending onto the water to be used to moor watercraft.
- (b) "Dock property" means property on which a dock shall be built with the issuance of a permit by the council of the Resort Village of Chitek Lake.
 - i. Permits and Leases shall only be given to registered owners of lands or buildings, which are lake front if the dock to be constructed or disposed of lies within the extension of the two sides of the lake front property most perpendicular to the water line.
- (c) "Boathouse" means a building built over water/over land adjacent to the shore and used as a marine garage for watercraft only.
- (d) "Boathouse property" means property on which a boathouse has been built in an area designated for this purpose.
- (e) "Boatlift" means a structure over water adjacent to the shore and used as marine storage for watercraft.

2. SCOPE OF THE BYLAW

2.1 No new boathouses can be constructed

2.2 Construction of the dock/lift shall be of treated wood, metal, fiberglass and plastic products with the following requirements:

- (a) The dock/lift must be floatation with the use of Styrofoam dock floats, or plastic flotation tanks, of sufficient quantity to provide stability and sufficient flotation for the safe movement of persons.
- (b) The dock/lift must be attached to the shoreline mooring that is capable of holding the dock/lift and allowing it to pivot according to the changing water level, currents and wind conditions.
- (c) The dock/lift length shall not exceed 60 feet and its width shall not exceed 4 feet, except with special consideration of council. The dock/lift is to have a marker with reflective lens on each side and end.
- (d) The dock/lift shall be maintained in good repair at all times.
- (e) The dock/lift shall be kept neat and tidy at all times by:
 - i. Avoiding unnecessary or unsightly storage on the dock/lift.
 - ii. Ensuring boats and other watercraft are neatly and safely moored.
 - iii. Ensuring where dock/lift anchors or mooring is relocated; old moorings must be removed to maintain tidiness and safety.

2.3 Repairs to an existing boathouse shall be of materials of treated wood, wood, metal, fiberglass and plastic products with the following requirements:

All structures are to adhere to the latest revisions of the National Building Code of Canada.

- (a) The base shall be:
 - (i) Maximum dimensions of the boathouses shall not exceed 24' in length from the high water mark and the 12' in height (ground to peak). No part of the building shall exceed the vertical perimeter of the leased lot.
 - (ii) Where the bottom of the area for the boathouse is solid, a series of cribs measuring 3' X 3' square adjacent to the shoreline, and 4' X 4' square further out, using 6" X 6" square or 6" flat treated timber. All crib material is to be predrilled, bolted and when in place to be filled with rock or other acceptable ballast material.
 - (iii) Where the bottom of the area for the boathouse is soft, a series of treated piles to be driven to bedrock, or hard base. Flotations should be considered in these areas.
 - (iv) Or a combination of (ii) and (iii).

- (b) The walls shall be:
 - (i) 2" X 4/6" studs with maximum spacing of 2'.
 - (ii) Exterior sheathing to be 3/8" plywood or 3/4" boards. If the structure is adequately lathed or braced, commercial plastic or metal sheathing shall be used in lieu of lumber.
 - (iii) External finish shall be a good grade of paint on wood; a non-rusting finish on metal or finished siding that will withstand moisture conditions.
- (c) The roof shall be constructed with:
 - (i) Engineered trusses of a minimum of 2" X 4" material, braced and not more than 2' centers or other materials capable of snow load up to 52 pounds per square foot.
 - (ii) Deck to be made of 1/2" plywood or 3/4" boards providing a minimum of load of 52 pounds per square foot.
 - (iii) Roof cover to be of asphalt shingles or non-rusting metal sheathing.
- (d) The walkways shall be constructed with:
 - (i) Minimum 2" thick treated wood.
 - (ii) Metal products.
 - (iii) Fiberglass and plastic products.
- (e) Adequate ventilation is to be installed in the gable ends or roof peak to avoid moisture accumulation.
- (f) Each boathouse, boatlift, or dock shall display on the shore end wall, identification of Lease number.
- (g) All flammable and dangerous material such as gas, oil, etc. must be stored in a secured and safe manner.
- (h) The areas on the sides, shoreline and within the boathouse are to be kept in a neat manner without the accumulation of garbage or debris.

3. BUILDING PERMIT/SASKATCHEWAN ENVIRONMENT PERMIT

- 3.1 Every application for a dock/lift or boathouse building permit shall be in form "A" attached hereto and forming part of this Bylaw, and shall be accompanied by a copy of the plans and specifications for the proposed dock/lift or boathouse on boathouse property.
- 3.2 If a proposed dock/lift or boathouse complies with the requirements of this Bylaw, the Administrator, upon receipt of the prescribed fee, shall issue a Permit/Rental Agreement in Form "B" attached to and forming part of this Bylaw.
- 3.3 The permit fee for construction, alterations or reconstruction of a dock/lift or boathouse shall be:

Dock/lift/boathouse:	\$15.00
----------------------	---------
- 3.4 Construction of a dock/lift shall be built within a period of one year from date of issue of a Dock/lift Permit/Rental Agreement.
- 3.5 For any work performed near, on, or in the water, a permit must be obtained from Saskatchewan Environment.

4. DEMOLITION OR REMOVAL PERMITS

- 4.1 There is no fee for a permit to demolish, move or remove a boathouse.
- 4.2 Where a boathouse is to be demolished, moved or removed, the Administrator, shall issue a permit for the demolition, moving or removing in Form "C", attached to and forming part of this Bylaw.
- 4.3 All permits issued under this section expire 1 year after the date of issue except that a permit shall be renewed for 1 year upon written application. All dock/lift or boathouse permits are issued upon the approval of the council of the Resort Village of Chitek Lake.
- 4.4 Permits will not be issued where there are outstanding taxes or fees owing for an existing dock/lift or boathouse.
- 4.5 No person shall sell, demolish or remove, or engage, employ or give permission to any person to demolish, move or remove any boathouse in respect of which there are any outstanding lease fees or taxes.
- 4.6 Any boathouse, for which miscellaneous use permit fees and/or taxes are not current, may result in the cancellations of the lease and disposal of boathouse by the Village.

5. GENERAL

- 5.1 The granting of any permit which is authorized by this bylaw shall not:
 - (a) Entitle the grantee, his successor or anyone on his behalf to erect any dock/lift/boathouse building that fails to comply with the requirements of any building restrictions agreement affecting the site described in the permit, or;

- (b) Make either the Resort Village of Chitek Lake or any of the Resort Village of Chitek Lake officials liable for damages or otherwise by reason of the fact that a dock/lift or boathouse, the construction of which has been authorized by permit, does not comply with the requirements of any such building restriction agreement.
- 5.2 Any boathouse property owner with a boathouse shall upon selling his property, ensure the transaction is registered with the Village in Form "E", transfer of Boathouse.
- 5.3 Upon any lease of a dock/lift sellers property, the lease is terminated immediately and will be unassigned by council.
- 5.4 The council of the Resort Village of Chitek Lake will assess lease fees annually.

6. ENFORCEMENT OF BYLAW

- 6.1 If any boathouse, or part thereof, or addition thereto is erected, altered, or placed in contravention of any provision of this bylaw, the Administrator in Form "C" may cause a notice in writing to be delivered to the owner personally or by registered letter at his place of residence or business requiring him within a period of time, mentioned therein, being at least three days from the date of delivery or mailing thereof, by a statement in writing under his hand or that of his agent and served upon the Administrator, to show sufficient cause why the dock/lift or boathouse or part thereof or addition thereto should not be demolished or removed.
- 6.2 If at the expiration of the time mentioned in the notice such person shall have failed to show sufficient cause why such dock/lift or boathouse, part thereof, or addition or condition thereto has not been demolished or removed, it will then cause the same to be done at the expense of such person.
- 6.3 Where a dock/lift or boathouse is damaged or allowed to deteriorate beyond 50% of the structure value, the structure is not to be repaired or rebuilt except in accordance with this bylaw.
- 6.4 If any person fails to do anything required by this bylaw to be done by him, the Administrator may cause such thing to be done at his expense and may recover the expense thereof with costs by action in any court or in like manner as municipal taxes.
- 6.5 Non-conforming docks/lifts or boathouses may be used but shall not be enlarged or added to and no structural alterations made except in accordance with this bylaw. Repairs or maintenance that do not alter the size or involve the rearrangement or replacement of structural supporting elements are not considered to be structural alterations.

7. PENALTY

- 7.1 Any person found guilty of an infraction of any of the provisions of this bylaw is guilty of an offence and shall upon summary conviction be liable to the penalties provided by the General Penalty Bylaw of the Resort Village of Chitek Lake.

8.0 That bylaw 49/04 is hereby repealed.

Certified to be a true copy
of Bylaw 83/2009 adopted
by the Council of the
Resort Village of Chitek Lake
on the 13th day of January, 2011.



Mayor



Clerk



Clerk

The Planning and Development Act, 2007
Section 194



BYLAW 83/2009

FORM "B"

SHORELINE LEASING AGREEMENT

THIS AGREEMENT MADE THIS _____ DAY OF _____, 20 ____.

BETWEEN

THE RESORT VILLAGE OF CHITEK LAKE

AND

_____ OF _____

IN THE PROVINCE OF _____

(herein after called the "Lessee")

Agrees to Lease Number (s) _____

for the term of January 1st to December 31st of the current year.

And shall pay the sum of \$ _____ for the term annually, the said term fee shall be subject to readjustment as set by Council.

1. The Lessee will pay the said lease fees in the manner aforesaid.
2. The Lessee shall be a taxpayer of the Resort Village of Chitek Lake.
3. The Council of the Resort Village of Chitek Lake reserves the right to approve or deny any lease.
4. In the event the fee is not paid by December 31st, the lease reverts back to the Resort Village of Chitek Lake.
5. In the event of a sale of property, the tenant may transfer the lease to the new property owners with the approval from the Resort Village of Chitek Lake.
6. Only one surveyed shoreline lease is allowed per base taxed lot in the Resort Village of Chitek Lake, as of January 1st, 2007, regardless of who administers the lease; The Resort Village of Chitek Lake or Ministry of Parks, Culture and Sport-Parks Service.
7. Any Lessee that defaces or alters Village property will lose their leases.
8. Dock lease notices will be mailed out with tax notices.
9. The Lessee will clearly display the lease number on the dock or Boat House.
10. No alterations to the shoreline without an aquatic permit from The Water Security Agency.
11. No fire pits or briquette BBQ's will be permitted on any lease space. LP Gas BBQ's only.

SIGNED BY

Administrator

Lessee

Date

THE RESORT VILLAGE OF CHITEK LAKE

POLICY 13/2012

A POLICY RESPECTING BOAT DOCK LEASE AND LEASE TRANSFERS

The Council for the Resort Village of Chitek Lake has approved a policy respecting Boat Dock Lease and Lease Transfers.

New Boat Dock Leases and Lease Transfers will not be issued if:

1. The applicant owes monies on accounts receivable or tax arrears with the Resort Village of Chitek Lake.
2. The applicant must have a residence on their property within the corporate limits of the Resort Village of Chitek Lake.

Alfred C Lee
Mayor

March 15th, 2012
Date

Yana S
Administrator



FORM C
RESORT VILLAGE OF CHITEK LAKE
BYLAW 83/2009
APPLICATION

BOATHOUSE DEMOLITION OR REMOVAL

THIS PERMIT MADE THIS _____ DAY OF _____, 2_____

BETWEEN:

THE RESORT VILLAGE OF CHITEK LAKE AUTHORIZES

_____ DEMOLITION

_____ REMOVAL

OF

_____ DOCK/LIFT

_____ BOATHOUSE

OWNED BY _____ OF _____ AND

SITUATED AT _____

FURTHER COMMENTS: _____

DATED

(ADMINISTRATOR)

FORM D RESORT VILLAGE OF CHITEK LAKE BYLAW 83/2009

TRANSFER OF LEASE/DOCK/LIFT/BOATHOUSE OWNERSHIP

ON THE _____ DAY OF _____, 2 _____

THE FOLLOWING

_____ DOCK/LIFT

_____ BOATHOUSE

_____ LEASE

SITUATED AT _____

AND PREVIOUSLY OWNED BY _____

OF _____

HAS BEEN TRANSFERRED TO _____

OF _____

THEREBY TRANSFERRING OWNERSHIP. WE THE UNDERSIGNED ACKNOWLEDGE THIS TRANSFER.

(PREVIOUS OWNERS SIGNATURE)

(CURRENT OWNERS SIGNATURE)

(ADMINISTRATOR)

FORM A
RESORT VILLAGE OF CHITEK LAKE
BYLAW NO. 83/2009

APPLICATION FOR DOCK/LIFT/BOATHOUSE PERMIT

I HEREBY MAKE APPLICATION FOR A PERMIT TO CONSTRUCT A

_____ DOCK/LIFT
_____ BOATHOUSE RENOVATIONS ONLY

ACCORDING TO THE INFORMATION SHOWN BELOW AND ACCORDING TO THE PLANS ATTACHED TO THE APPLICATION.

NATURE OF WORK: _____

LOCATION: _____

CONSTRUCTION DETAILS:

DOCK/LIFT: _____ SIZE: _____ LENGTH: _____ WIDTH: _____

MATERIAL: _____

MATERIAL: _____ SIZE: _____

EXISTING BOATHOUSE

SIZE: _____ LENGTH: _____ WIDTH: _____ HEIGHT: _____

MATERIAL AND DESCRIPTION:

I HEREBY AGREE TO COMPLY WITH THE PROVISIONS OF THE BOATHOUSE/DOCK/LIFT BYLAW OF THE RESORT VILLAGE OF CHITEK LAKE. TO BECOME RESPONSIBLE FOR AND TO PAY FOR ANY DAMAGES DONE TO ANY PROPERTY AS A RESULT OF THE DEMOLITION OR MOVING OF THE SAID STRUCTURE, AND TO DEPOSIT SUCH SUM AS MAY BE REQUIRED BY THIS BYLAW OF THE RESORT VILLAGE.

SIGNED

Application fee \$15.00 paid _____

INSTRUCTIONS FOR OWNERS OR CONTRACTORS

Every lessee of property or every contractor shall:

1. Permit the Administrator to enter any boathouse for the purpose of administering or enforcing Bylaw 83/2009 being a bylaw respecting boathouses.
2. Obtain, where applicable, from the Administrator or other appropriate official of the Resort Village of Chitek Lake permits relating to building, demolish, moving or removing boathouses.
3. You are advised that neither the granting of a permit, nor the approval of the drawings and specifications nor inspections made by the Administrator shall in any way relieve the owner of such building from full responsibility for carrying out the work or having the work carried out in accordance with the requirements of Bylaw 83/2009 being a bylaw respecting boathouses.
4. Also, no person shall alter or modify any plans or specifications upon which a dock/lift/boathouse permit has been granted, unless the Administrator has agreed in writing to such changes.
5. All building permits shall expire 12 months from the date of issue except that a permit may be renewed for 6 months upon written application to the Administrator.
6. Prior to the demolition or removal of a boathouse all outstanding taxes/leases must be paid or approval for such demolition or removal approved in writing by council.

A copy of Bylaw 83/2009 being a bylaw respecting docks/lifts/boathouses may be obtained from the Administrator.



Private Temporary or Seasonal Docks and Boat Lifts

Why Shorelines are Important

Our shorelines provide habitat for many aquatic species, including fish, and the nearshore area is where many of the organisms lay their eggs, feed and seek protection from predators. Aquatic vegetation, rocks, and woody debris provide important habitat for fish and other aquatic species, and they protect our shorelines from ice and wave erosion. Trees, shrubs, and grasses provide habitat for wildlife, and protect shorelines and stream banks from ice, waves, and other erosional forces as well. Vegetation also acts as a filter for surface runoff.

When a shoreline is altered it can negatively affect aquatic habitat, potentially altering the ability for some species to survive. When you build / install your seasonal or temporary dock or boat lift you can help protect aquatic habitat in your lake or river by choosing low impact materials, designs, and locations for these structures. To reduce potential impacts to shorelines, consider using one of these low impact dock and boat lift options:

- floating docks
- post-supported or wheeled docks
- cantilevered docks
- post or wheel supported boat lifts

These types of designs are preferred over permanent structures such as rock filled crib docks, metal sheeting, or concrete structures because they don't cover benthic (bottom) habitat, or alter shoreline water movements. Temporary structures, because they are removed at the end of the open water season, are less likely to be damaged by ice movement during ice break-up in the spring. The document titled "The Dock Primer" by Fisheries and Oceans Canada provides further fish friendly information on dock designs (<http://www.dfo-mpo.gc.ca/Library/337921.pdf>).

Most shorelines, which include the bed, bank and boundary of the water body in Saskatchewan, are Crown lands and are protected under *The Environmental Management and Protection Act, 2010 (EMPA)*. (See the Water Security Agency Information Sheet titled "Shoreline Development" for more information.) Under EMPA any person planning work in or near a water body or watercourse, must contact the Water Security Agency to:

- alter the bed, bank or boundary of a water body or watercourse,
- remove or add material to the bed, bank or boundary of a water body or watercourse, or
- remove vegetation from the bed, bank or boundary of a water body or watercourse.

A permit from the Water Security Agency (WSA) is required for the construction or removal of a permanent dock (e.g., a crib dock), or boat lift (i.e. a structure that will be left in the water body after freeze-up); or for the

construction of a structure that is attached, though permanent anchoring systems, driven post/piles, or other permanent anchoring systems to the bed, bank or boundary of a water body.

Also be aware that work proposed within municipal lands requires consent from the appropriate authority such as the Rural Municipality, Village or District. This includes, but is not limited to, work proposed on land designated as Municipal Reserve, Public Reserve, Environmental Reserves or municipal road allowance. Works proposed within Crown lands, such as Provincial Parks may require consent or a permit, please contact the Crown land administrator for more information.

Best Management Practices to Protect Aquatic Habitat When Building your Dock or Boat Lift

- A dock / boat lift should not block public access along the bed, bank or boundary (also known as beach or foreshore) of the water body.
- A dock / boat lift should not excessively obstruct navigation, or enclose or isolate any part of the water body.
- All docks should be oriented at right angles (i.e., 90°) to the general trend of the shoreline.
- In-water activities should not occur during local fish spawning and nursery periods since it could disturb spawning behavior, smother eggs with sediment, and kill young fish.
- A dock / boat lift must not block the free flow of water, or have any features such as steel sheeting, concrete or any other skirting that trap or accumulate aquatic plants or sediment.
- A dock must not enclose or isolate any part of a water body or watercourse.

If you are installing a temporary/ seasonal: floating dock, post dock, or a cantilever dock, or a post or wheel supported lift and you can meet all of the following conditions, then you do not need to apply to the WSA for an Aquatic Habitat Protection Permit:

- The configuration of the bank or bed of the water body or watercourse shall not be altered: sand, gravel, rock or other material from within the bank shall not be removed or added.
 - To create a more stable footing for the dock or boat lift, a few rocks, or woody debris may be moved (by hand) outside of the footprint of your dock or boat lift, but they must be relocated to a nearby area, at a similar depth from which they were originally taken. These materials must not be removed from the water body or watercourse.
- Your project must not involve in-water excavation or dredging, and should avoid covering or removing aquatic vegetation.
- All in-water work must be performed by hand.
- Operate machinery only on land and in a manner that minimizes disturbance to the banks of the watercourse.
- Your temporary dock or boat lift shall not have a solid bottom (e.g., metal or pre-cast concrete pad) to support the dock or boat lift.
- Temporary boat docks or boat lifts shall be removed prior to freeze-up each year.
- Storage of docks and boat lifts must occur on the owner's property, or property where storage of the dock or boat lift has been deemed to be acceptable by the land owner.
- Disturbed or exposed areas must be re-vegetated by planting or seeding, preferably with native trees, shrubs or grasses.
- If work is performed at the end of the growing season, the site should be stabilized (e.g., cover exposed areas with erosion control blankets to keep the soil in place and prevent erosion) and re-vegetated the following spring.
- Maintain effective sediment and erosion control measures until re-vegetation of disturbed areas is achieved.
- All debris encountered during the dock or boat lift installation must be removed and disposed of appropriately so that they cannot re-enter any watercourse. This includes materials such as garbage, tires, or other debris.

Protect Water Quality

- Use acceptable construction materials for docks and boat lifts such as aluminum, untreated wood, or wood that has only been treated with compounds that are safe for use in water.
 - Preservative materials no longer acceptable for use in water include creosote, pentachloro-phenol (PCP) and other organic wood preservatives banned in Canada.
 - The use of old railroad ties, oil drums and other materials that may leach chemicals into the water body must not be used.

You must apply for an Aquatic Habitat Protection Permit from WSA if you are planning any one the following:

- The installation or removal of a permanent dock such as a crib dock, concrete, or sheet metal dock etc.
- The installation of a community boat dock or marina.
- The removal of aquatic vegetation.
- Creating an access trail to the boat dock which will require the removal of riparian vegetation.
- Any alteration of the bed, bank or boundary of a shoreline.
- Dredging of the bed of the water body or watercourse.

Please ensure all persons working on the dock or boat lift are aware of the requirements of this Dock/Boat Lift Checklist and that you have obtained copies of all other required permits (Municipal, District, Village, etc.) before installing the dock or boat lift. The project proponent (the person owning the project) must also respect all municipal, provincial, and federal legislation (e.g., Fisheries and Oceans Canada) that applies to the work being carried out. Please contact WSA if you have further questions, or if your project cannot meet the requirements of this Temporary Dock Checklist.

Contact Information:

Water Security Agency, Aquatic Habitat Protection
420-2365 Albert Street
Regina, SK S4P 4K1
306.787-0726

<https://www.wsask.ca/Water-Programs/Aquatic-Habitat-Protection/>

Also Contact: Municipal authority or Provincial Park for your shoreline area as some have bylaws about dock placement within water bodies. The Ministry of Environment may require a Crown Land Disposition if your dock is located within Crown Resource Land – Application for Crown Land Disposition.

Definitions:

Bed: That portion of the water body typically (but not always) covered by water

Bank: The rising ground bordering a water body that serves to confine the water to a channel or bed

Boundary: The line or elevation contour surrounding a water body or watercourse where the aquatic vegetation and terrestrial plant species known to tolerate water saturated soils change entirely to terrestrial vegetation tolerating little or no soil saturation and included a minimum surrounding area of five metres measured outward from the top of the bank.