

DON PEDRO RECREATION AGENCY  
**REGULATIONS AND ORDINANCES**

**Section I**  
**AUTHORITY AND ENFORCEMENT**

**1.1 AUTHORITY:**

The Agency will use all applicable laws to carry out its duties including the following specific sections.

**1.1.1 §12970 California Water Code**

*"Water Agency", as used in this part means any public corporation, district, political subdivision, or any other agency or authority now or hereafter organized under the laws of this state which develops, stores, distributes or supplies water.*

**1.1.2 §12973 California Water Code**

*The governing body of a water agency may adopt regulations binding upon all persons covering the use of such recreational facilities. Any violation of such regulations is a misdemeanor.*

**1.1.3 § 830.31 California Penal Code**

*The following persons are peace officers whose authority extends to any place in the state for the purpose of performing their primary duty or when making an arrest pursuant to Section 836 as to any public offense with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of that offense, or pursuant to Section 8597 or 8598 of the Government Code. These peace officers may carry firearms only if authorized, and under the terms and conditions specified, by their employing agency...*

*(b) A person designated by a local agency as a park ranger and regularly employed and paid in that capacity if the primary duty of the officer is the protection of park and other property of the agency and the preservation of the peace therein...*

**1.1.4 §53069.4 (a) (1) California Government Code**

*The legislative body of a local agency, as the term "local agency" is Defined in Section 54951, may by ordinance make any violation of any ordinance enacted by the local agency subject to an administrative fine or penalty.*

**1.1.5 §54951 California Government Code**

*As used in this chapter, "local agency" means a county, city, whether general law or chartered, city and county, town, school district, municipal corporation, district, political subdivision, or any board, commission or agency thereof, or other local public agency.*

**1.1.6 §54952. California Government Code**

*As used in this chapter, "legislative body" means:*

*(a) The governing body of a local agency or any other local body created by state or federal statute.*

**1.2 ENFORCEMENT:**

Violations of applicable laws may result in any or multiples of the following:

**1.2.1** Issuance of Warnings

**1.2.2** Administrative Citations

**1.2.3** Criminal Citations/Notices to Appear

**1.2.4** Revocations of use permits

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- 1.2.5 Evictions from the Recreation Area
- 1.2.6 Personal property towing/impoundment
- 1.2.7 Restitution for damages to and clean-up of the Recreation Area and its facilities
- 1.2.8 Other actions deemed appropriate by the Director to carry out the enforcement of these Regulations and Ordinances

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**Section II:  
GENERAL**

**2.1 INTERFERING WITH AGENCY EMPLOYEES**

2.1.1 No person shall interfere with, harass, intimidate or threaten any Agency employee during the course of the employee's duties as charged by the Agency.

**2.2 PERMITS**

2.2.1 No person shall utilize the Recreation Area for any purpose without a valid permit from the Agency, except that permits are not required for authorized activities in dispersed areas accessed by non-motorized means.

2.2.2 No person shall utilize the Recreation Area without paying all applicable fees for required permits.

2.2.3 No person shall utilize the Recreation Area without displaying required permits in the designated location.

2.2.4 No person shall refuse to show their permit to Agency personnel upon request.

2.2.5 No person shall transfer their permit to another person without prior Agency approval.

**2.3 DOMESTIC ANIMALS**

2.3.1 No person shall allow domestic animals to run loose in areas of the Recreation Area where their presence is permitted.

2.3.2 No person shall place their domestic animal on a leash more than six (6) feet in length in the Recreation Area where their presence is permitted.

2.3.3 No person shall be allowed to bring a dog into the Recreation Area where their presence is permitted without proof of current rabies vaccination or current license.

2.3.4 No person shall deposit or leave any domestic animal unattended for any length of time within the Recreation Area.

2.3.5 No person shall fail to clean up, seal in a bag, and properly dispose of waste deposited by their domestic animal where the animal's presence is permitted.

2.3.6 No person shall fail to follow DPRA posted regulations, rules and ordinances, as well as, Tuolumne County Ordinance

2.3.7 No Pets shall be permitted in the Swimming Lagoon or adjacent picnic areas

**2.4 FIRES**

2.4.1 No person shall build or light a charcoal or other type of fueled fire directly on the ground or outside of an appropriate device designed for this purpose (such as the furnished campsite fire ring).

2.4.2 No person shall use a portable camp stove, barbecue, candle or lantern without clearing away all vegetation and combustible materials around the unit to a minimum of ten (10) foot plus the height of any device used to elevate the stove, candle, lantern etc. (or greater when conditions warrant).

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- 2.4.3 No person shall fail to observe any fire safety order issued by any authorized Agency representative.
- 2.4.4 No person shall possess firewood in the dispersed area of the Recreation Area.
- 2.4.5 No person shall build a fire using wood for fuel in the dispersed area of the Recreation Area.
- 2.4.6 No person shall add to a fire any fuel that exceeds in size the length, width or height of the container being used.
- 2.4.7 No person shall leave any fire unattended at any time without complete extinguishment.
- 2.4.8 No person shall leave or dispose of charcoal briquettes, ashes or other burned materials outside of the furnished campsite fire ring or a designated ash disposal receptacle.

## **2.5 FIREWORKS**

- 2.5.1 No person shall possess, discharge, set off, or cause to be discharged, in or into any portion of the Recreation Area any firecrackers, torpedoes, rockets, fireworks, explosives, or similar type substances.

## **2.6 WEAPONS**

- 2.6.1 No person shall discharge in or across the developed facilities of the Recreation Area any weapon, except for Sworn Peace Officers or persons authorized by the Agency in the performance of official duties.
- 2.6.2 No person shall possess any weapon within the developed facilities of the Recreation Area that is not deactivated, except for Sworn Peace Officers or persons authorized by the Agency in the performance of official duties.
- 2.6.3 No person shall use any weapon, except for hunting or fishing purposes in accordance with applicable laws, within the Recreation Area.
- 2.6.4 No person shall possess any weapon in the dispersed facilities that is not deactivated, except for persons hunting in accordance with applicable law, Sworn Peace Officers or persons authorized by the Agency in the performance of official duties.
- 2.6.5 No person may brandish, display or use any object that may be deemed to have the potential of serving as a weapon in any manner that may be deemed threatening or that may raise a level of public concern that such an item may be used as a weapon.

## **2.7 MINOR CHILDREN**

- 2.7.1 No person under the age of eighteen (18) shall camp in the Recreation Area without being accompanied by a parent or legal guardian.
- 2.7.2 No person under the age of eighteen (18) shall be outside of their campsite between the hours of 11:00 p.m. and 5:00 a.m. unless they are accompanied by a parent or legal guardian.

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**2.8 CONDUCT**

**PEACE AND QUIET**

- 2.8.1 No person shall fail to observe the quiet time hours of 10 p.m. to 7 a.m.
- 2.8.2 No person shall, at any time, use electronic equipment, including but not limited to powered speakers or other machinery within the 5 MPH zone at any launch ramp, in the launch ramp preparation area, in or near any parking or developed camping and day use areas or vessel mooring areas of the Recreation Area at a volume which emits sound beyond the immediate individual camp, picnic site, vehicle, vessel or vessel mooring location. This prohibition does not apply to authorized emergency vessels or when equipment is being operated to request assistance or warn of a hazardous situation.
- 2.8.3 No person shall operate an engine driven electrical generator which emits sound beyond the immediate limit of the campsite or vessel mooring location between the hours of 10 p.m. and 7 a.m.

**DISORDERLY CONDUCT**

- 2.8.4 No person(s) shall engage in fighting in the Recreation Area.
- 2.8.5 No person shall communicate in such a manner that is threatening, verbally offensive, or derisive.
- 2.8.6 No person shall make statements or actions toward another person that incites or produces imminent lawless action and is likely to incite or produce such action.
- 2.8.7 No person shall urinate or defecate in public.
- 2.8.8 No person over the age of five (5) shall appear, swim, bathe, sunbathe, walk or otherwise be in the Recreation Area in such a manner that the genital/pubic hair area of the body and the breast of any female person at or below the areola is exposed to public view.

**2.9 SANITATION**

- 2.9.1 No person shall litter or leave refuse of any type within the Recreation Area except in a receptacle or area designated for that purpose.
- 2.9.2 No person shall place or burn litter or refuse in fire rings or barbecues.
- 2.9.3 No person shall import any refuse from outside the Recreation Area and deposit such refuse within the Recreation Area.
- 2.9.4 No person shall place debris, construction materials and refuse including chemicals and containers resulting from the construction, remodeling or maintenance of houseboats, vessels, vehicles and concessionaire facilities in Agency waste receptacles or within the Recreation Area.
- 2.9.5 No person shall remove recyclable materials from Agency waste receptacles or designated Agency recycling containers.
- 2.9.6 No person shall rummage through or remove any items that are placed in or around any refuse or recycling receptacles.

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- 2.9.7** No person shall deposit waste, water, sewage or effluent from vehicles, vessels, wastewater holding tanks, sinks, portable toilets, or any other source into or onto anything other than an appropriate disposal site as designated by the Agency.
- 2.9.8** No person shall deposit human waste in any location other than a restroom facility toilet, portable toilet or appropriate disposal site as designated by the Agency.
- 2.9.9** No person shall fail to cooperate in maintaining restrooms in a neat and sanitary condition.
- 2.9.10** No person shall use restrooms set apart for the opposite gender.

**2.10 TRESPASSING**

- 2.10.1** No person, vessel or vehicle shall enter any area after posted closure hours or that has been posted by the Agency as closed.
- 2.10.2** No person shall open, drive around a closed gate or through a fence or remove, unlock, destroy or tamper with any door on any building or lock on any gate that has been placed by the Agency.
- 2.10.3** No person shall violate any Agency order posting conditions and limitations for the use of any facility or area, or operation, use, size, type, permissible equipment, beaching, landing, launching, mooring, docking, or berthing of a vessel, boat, vehicle, or any other object.
- 2.10.4** No person shall establish, build, install, leave, tie-up or secure any kind of developed improvement including but not limited to docks, permanent vessel mooring devices, trails, roadways, buildings, etc. within the Recreation Area land or waters.
- 2.10.5** No person shall access Recreation Area land or water from adjacent property by use of a motorized vehicle.
- 2.10.6** No person shall leave a vehicle, trailer or vessel that is inoperable or has expired registration in the Recreation Area.

**2.11 VANDALISM**

- 2.11.1** No person shall willfully deface, mar, paint, damage, destroy, dismantle, remove, modify, or relocate any developed improvement or natural resource within the Recreation Area.

**2.12 SOLICITING/OUTSIDE VENDORS**

- 2.12.1** No person shall engage in soliciting, selling, or peddling any goods or services within the Recreation Area.
- 2.12.2** No person shall distribute, throw or deposit any handbills, circulars, pamphlets or advertisements, or affix to any tree, fence or structure any such handbill or advertisement.

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**Section III:  
VEHICLES**

**3.1 MOTOR VEHICLE OPERATION**

- 3.1.1 No person shall drive any vehicle off of designated roadways and parking pads or into any dispersed area of the Recreation Area.
- 3.1.2 No Person shall operate, nor shall an owner permit the operation of, a motor vehicle in a manner likely to cause malicious or unnecessary damage to the land, wildlife, wildlife habitat or vegetative resources.
- 3.1.3 No person shall operate within the Recreation Area any motorized vehicle or other mobility device in violation of applicable laws.
- 3.1.4 No person shall fail to observe posted regulatory traffic signs roadway markings or any other temporary sign installed by the Agency.
- 3.1.5 No person shall operate their vehicle in an unsafe manner.
- 3.1.6 No person shall ride in or upon any trailer in tow, in any truck bed or upon any tailgate, hood, or other external portion of any vehicle not designed to legally carry passengers except when a trailer carrying or designed to carry a vessel is engaged in the immediate launching or retrieval of a vessel.
- 3.1.7 No person shall operate any vehicle without the appropriate driver license or learner permit.
- 3.1.8 No person shall operate any vehicle under the influence of alcohol or other substance which impairs ability to drive.
- 3.1.9 No person shall operate any vehicle with an open container of alcohol in the vehicle.

**3.2 PARKING**

**VEHICLES**

- 3.2.1 No person shall park any vehicle in any area posted "No Parking" or in any location other than a designated parking area.
- 3.2.2 No person shall park any vehicle in a signed handicapped parking place without displaying the proper handicapped placard/license on their vehicle.
- 3.2.3 No person shall park any vehicle in a manner to block or obstruct the exit of another vehicle already legally parked.
- 3.2.4 No person shall park any vehicle in a time restricted parking zone for longer than the posted time allowance.

**TRAILERS**

- 3.2.5 No person shall leave any unattached/unattended boat trailer in any place other than a designated trailer parking area or campsite.
- 3.2.6 No person shall leave any unattached/unattended boat trailer in any designated trailer parking area without a boat trailer parking permit.

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**3.3 OPERATOR PROPELLED DEVICES**

- 3.3.1** No person shall ride any operator propelled device within the Recreation Area without proper personal safety equipment as required by applicable law.
- 3.3.2** No person shall ride any operator propelled device in an unsafe or discourteous manner or in a way to potentially cause property damage.
- 3.3.3** No person on any operator propelled device shall fail to observe posted use limitation signs, regulatory traffic signs, roadway markings or any other temporary sign posted by the Agency.



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**Section IV  
RECREATION AREA USE**

**4.1 CAMPING AND PICNICKING**

- 4.1.1 No person shall camp within the Recreation Area except in designated camping areas.
- 4.1.2 No person shall camp in the dispersed area of the Recreation Area where dispersed area camping is prohibited.
- 4.1.3 No person shall register for any campsite and then allow the overnight campsite occupancy limit of 8 persons per campsite to be exceeded.
- 4.1.4 No person shall occupy a campsite and/or vehicle parking pad other than the one to which they have been registered.
- 4.1.5 No person shall arrive to occupy a campsite for the coming night prior to the 4 p.m. check-in time (unless approved in advance by the Agency) without acquiring the previous night's camping permit.
- 4.1.6 No person shall occupy a campsite past the checkout time of 11 a.m. (unless approved in advance by the Agency) if they have not acquired a permit to camp in that site for the coming night.
- 4.1.7 No person shall occupy a campsite for more than 14 consecutive nights between May 1 and September 30 of any given year, or more than 90 consecutive nights between October 1 and April 30 of any given year.
- 4.1.8 No person shall occupy a campsite for a maximum length of time and then for a consecutive stay without observing the defined break in occupancy.
- 4.1.9 No person shall move any Agency provided campsite or picnic site furnishing from one camp or picnic site to another.
- 4.1.10 No person shall picnic in a developed camping area.
- 4.1.11 No person shall leave any campsite furnishings or other personal property unattended for more than 12 hours in any dispersed area.
- 4.1.12 No person shall use the electrical outlets (other than those located in an individual's assigned hook-up or group site) in any restroom or other Agency facility for the purpose of plugging in an extension cord, electric appliance used for food or beverage preparation, and/or other electric device not needed for personal grooming.
- 4.1.13 No person shall leave a hose connected to any water faucet in any camping area or restroom, other than in an individual's assigned hook-up campsite.
- 4.1.14 No person shall set up portable swimming/wading pools within the Recreation Area.

**4.2 GROUP USE**

- 4.2.1 No person shall exceed a maximum number of 200 persons per group campsite or 100 persons per group picnic site.

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**4.3 DAY USE**

- 4.3.1 No person shall exceed the day use hours of 5 a.m. to 10 p.m. without acquiring the appropriate additional day's use permit.
- 4.3.2 No person shall leave any day use furnishings in any dispersed area or other day use facility (such as swimming lagoon, lakeshore or picnic area) overnight (outside of the day use hours).

**4.4 NIGHT FISHING**

- 4.4.1 No person shall exceed the night fishing use hours of 5 p.m. to 10 a.m. without acquiring the appropriate additional day's use permit.

**4.5 AQUATIC AND BOATING**

**VESSEL REQUIREMENTS AND RESTRICTIONS**

- 4.5.1 All vessels that require registration numbers pursuant to applicable laws are required to have a current use permit from the Agency.
- 4.5.2 No person shall bring into the Recreation Area any vessel that is 12 feet or greater in width (during transport on land) other than an Agency permitted houseboat.
- 4.5.3 No person shall leave their vessel (except houseboats) unattended for more than 12 consecutive hours beached, moored, stored, or parked within the Recreation Area outside of an Agency authorized, assigned campsite, mooring or storage facility.
- 4.5.4 No person shall moor their vessel to or hang on with a vessel to any regulatory buoy, lake regulatory sign, hazard buoy, hazard marker, mooring buoy, supporting structures or beacon placed by the Agency or its authorized agents within the Recreation Area.
- 4.5.5 No person shall leave a vessel moored to an Agency or Marina courtesy dock, special use dock or floating restroom facility in excess of a posted maximum time limit.
- 4.5.6 No person shall moor any houseboat, private or rented, to an Agency courtesy dock, floating restroom facility, or to any buoy clearly marked "No Houseboats".
- 4.5.7 No person shall leave, moor, beach, or tie up any houseboat or sleeping capacity vessel on the shoreline of the developed Recreation Area facilities overnight during the time period of April 1 through September 30 of any year.
- 4.5.8 No person shall leave, moor, beach, or tie up any houseboat or sleeping capacity vessel in a manner during the day that creates congestion in a heavy use area (such as the launch ramp).
- 4.5.9 No person shall leave, moor, beach, tie up or secure any vessel in a manner which obstructs the navigation or access to any navigable water by any vessel.
- 4.5.10 No person shall leave, moor, tie up or secure any vessel to, otherwise use, or obstruct access to any Agency special use dock in conflict with a posted authorized reservation time period.

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**VESSEL OPERATION**

**4.5.11** No person shall operate or use any vessel, aquatic vehicle, or manipulate water-skis, aquaplane, or similar device in a reckless or negligent manner so as to endanger the life, limb or property of any person.

**4.5.12 655.2 Harbors and Navigation Code**

*(a) Every owner, operator, or person in command of any vessel propelled by machinery is guilty of a misdemeanor who uses it, or permits it to be used, at a speed in excess of five miles per hour in any portion of the following areas not otherwise regulated by local rules and regulations:*

*(1) Within 100 feet of any person who is engaged in the act of bathing. A person engaged in the sport of water skiing shall not be considered as engaged in the act of bathing for the purposes of this section.*

*(2) Within 200 feet of any of the following:*

*(A) A beach frequented by bathers.*

*(B) A swimming float, diving platform, or lifeline.*

*(C) A way or landing float to which boats are made fast or which is being used for the embarkation or discharge of passengers.*

*(b) This section does not apply to vessels engaged in direct law enforcement activities which are displaying the lights prescribed by Section 652.5. Those vessels are also exempt from any locally imposed speed regulation adopted pursuant to Section 660.*

**4.5.13** No person shall tow any aquaplane behind or alongside a vessel in an area posted "No Ski" by means of authorized regulatory buoys or signs.

**4.5.14 HOUSEBOAT RULES**

No person who is permitted to place their houseboat on Don Pedro Lake shall fail to follow the rules set forth in the DPRA Houseboat Rules (see appendix A).

**4.6 TRAILS**

**4.6.1** No person shall fail to observe posted trail use regulations or restrictions.

**4.6.2** No person shall operate any motorized vehicle on trails except for power driven mobility devices operated by persons with mobility disabilities in accordance with applicable laws.

**4.6.3** No person shall block any trail or set up campsite and/or day use furnishings on any trail.

**4.6.4** No person shall use trails for the purpose of accessing or trespassing upon adjacent private property.

**4.6.5** No person shall create their own trail or cut their own switchbacks or shortcuts.

**4.6.6** No bicyclist shall fail to yield to pedestrian, mobility disabled or other non-motorized trail users.

**4.6.7** No bicyclist, pedestrian, mobility disabled or other non-motorized trail user shall fail to yield to any equestrian where equestrian trail use is permitted.

**4.6.8** No bicyclist shall fail to announce their presence by voice or other audible signal to other trail users prior to passing them.

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**Section V  
NATURAL RESOURCES**

**5.1 MINING AND PANNING**

- 5.1.1 No person shall engage in the act of mining within the Recreation Area.
- 5.1.2 No person shall engage in panning in any developed facility of the Recreation Area.
- 5.1.3 No person shall leave any panning site in the dispersed area of the Recreation Area prior to restoring the area in which the panning took place to its original, natural condition.

**5.2 METAL DETECTING**

- 5.2.1 No person shall enter the developed facility of the Recreation Area for the purpose of metal detecting.
- 5.2.2 No person shall keep personal property found during the act of metal detecting in the dispersed areas of the Recreation Area without first having abided by the Agency Lost and Found policy.
- 5.2.3 No person shall leave any metal detecting site in the dispersed area of the Recreation Area prior to restoring the area in which the metal detecting took place to its original, natural condition.

**5.3 WILDLIFE, PLANTS, SOILS, MINERALS, AND WATER**

- 5.3.1 No person shall maliciously, intentionally or negligently molest, hunt, disturb, injure, trap, net, poison, harm, kill, feed, touch, tease or spotlight any wild animal except for persons hunting or fishing in accordance with applicable law.
- 5.3.2 No person shall introduce any non-native wild species or domestic animal into the Recreation Area.
- 5.3.3 No person shall willfully or negligently pick, dig up, cut, mutilate, destroy, injure, disturb, move, molest, burn or carry away any tree, plant or any portion thereof except that which is needed to clear away vegetation or combustible material in compliance with these rules, FIRES section 2.4.2.
- 5.3.4 No person shall disturb the soils (except as otherwise permitted in these regulations and ordinances), archaeological, historical or geological resources within the Recreation Area.
- 5.3.5 No person shall engage in any work or repairs or other activity that would introduce into the waters or soil of the Recreation Area any substance which is or becomes defined as a hazardous waste, hazardous substance, pollutant, or contaminant under any federal, state, or local statute, regulation, rule, or ordinance or amendment thereto, or that would result in the violation of the Porter-Cologne Water Quality Act (Cal. Water Code Sec. 13100 et seq.) or the Clean Water Act (33USC 1251-1376).

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**Section VI  
DEFINITIONS**

The following definitions will be used for the purpose of these regulations and ordinances, whether or not they are initially capitalized.

**AGENCY:**

The Don Pedro Recreation Agency (also referenced DPRA), which is the organization charged with the responsibility for the operation and maintenance of the Recreation Area. The Agency has the jurisdiction to enforce Applicable Laws within the Recreation Area. Agency includes all authorized Agency representatives acting within the scope of their authority.

**ANNUAL BOAT PERMIT:**

A permit that allows day use, storage or moorage of a boat that does not have sleeping capacity in the Recreation Area and is valid for a calendar year. Required for boats that are stored or moored in the Recreation Area for greater than 15 consecutive days.

**ANNUAL LAKESHORE CAMPING PERMIT:**

A permit that allows lakeshore camping use of the Recreation Area and is valid for a calendar year.

**ANNUAL PW PERMIT:**

A permit that allows day use, storage or moorage of a personal watercraft in the Recreation Area and is valid for a calendar year. Required for personal watercraft that are stored or moored in the Recreation Area greater than 15 consecutive days.

**ANNUAL SC PERMIT:**

A permit that allows day use, storage or moorage of a boat with sleeping capacity in the Recreation Area and is valid for a calendar year. Required for boats with sleeping capacity that are stored or moored in the Recreation Area greater than 15 consecutive days.

**ANNUAL SECOND VEHICLE PERMIT:**

A permit that allows vehicle day use of the Recreation Area and is valid for a calendar year, sold at a reduced rate when the vehicle's registered owner has already purchased an Annual Vehicle Permit or Annual Senior Citizen Vehicle Permit for another vehicle registered in his/her name.

**ANNUAL SENIOR CITIZEN VEHICLE PERMIT:**

A permit that allows vehicle day use of the Recreation Area and is valid for a calendar year, sold at a reduced rate for a vehicle whose registered owner is age 62 or over.

**ANNUAL VEHICLE PERMIT:**

A permit that allows vehicle day use of the Recreation Area and is valid for a calendar year.

**APPLICABLE FEES:**

All Agency approved Recreation Area permit and use fees.

**APPLICABLE LAWS:**

All Laws, Codes, Ordinances, Rules, Regulations (including these Regulations and Ordinances) and Standards currently in effect that pertain to or are relevant to the use of and/or the activities that take place within the Don Pedro Recreation Area.

**AQUAPLANE:**

All forms of water skiing, wakeboarding, barefoot skiing, skiing on skim boards, knee boards or other contrivances, parasailing, ski kiting, or any activity where a person is towed behind or alongside a boat with the exception of a vessel in tow.

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**BOAT:**

Any vessel that is less than 12' in width and requires numbering and registration per State Law.

**BREAK IN OCCUPANCY:**

48 hour vacancy time period required before a camper may occupy a given campsite again after occupying that campsite for the maximum number of nights.

**BOAT TRAILER PARKING PERMIT:**

Permit provided at developed facility for the purpose of leaving an unattended vessel trailer in any designated parking area while camping, house boating, or otherwise using the Recreation Area. Permit does not cover parking of unattended trailers if owner is not utilizing the Recreation Area facilities at the time the trailer is being left in the designated parking area.

**CAMPING:**

Overnight use of Recreation Area land other than for the sole activity of fishing. May include but is not limited to erecting a tent or shelter, arranging bedding, or using a parked or standing vehicle for staying overnight.

**CAMPSITE:**

Area established with Agency provided or user provided furnishings and utilized for the purpose of camping.

**DAY USE:**

Use of Recreation Area for parking and daytime activities.

**DAY USE FURNISHINGS:**

All portable structures that are brought in to facilitate day use activities.

**DEACTIVATED WEAPON:**

A weapon that is rendered temporarily inoperable by being cased, packed away, or stored in such a manner that will prevent ready use.

**DESIGNATED PARKING AREA:**

Paved or other area established for the purpose of parking vehicles and trailers. May be indicated by signage, proper striping, or obvious applicability for parking (such as for paved campsite parking pads).

**DEVELOPED CAMPSITE:**

Designated area (by number) that includes some or all of the following: Tent pad, site furnishing pad, and vehicle parking pad.

**DEVELOPED FACILITY:**

Designated area(s) within the Recreation Area that has been developed with permanent structures for Recreation use and is accessible only by Agency provided roadways.

**DEVELOPED IMPROVEMENT:**

Any structure or other object constructed or installed within the Recreation Area. Includes but is not limited to regulatory and hazard buoys, buildings, site furnishings, building furnishings, courtesy docks, floating restrooms, roadways, signs and utility connections.

**DISPERSED AREA:**

Areas within the Recreation Area that are available for recreation use but have no Agency provided roadways.

**DOMESTICATED ANIMALS:**

Any animal that is referred to as a pet or that has been "tended" by humans, such as, but not limited to cats, dogs, potbellied pigs, rabbits, horses, and cows.

**FIREWORKS:**

Adopted 8/3/99  
Amended 5/29/01, 8/31/10, 8/16/11, 10/22/13, 3/15/18, 12/10/21, 01/27/23, 02/17/23

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Includes all fireworks described as "Safe and Sane" and all illegal fireworks as described by applicable law.

**GROUND FIRE:**

Any fire that is built and ignited directly on the ground outside of an Agency provided fire ring.

**HOUSEBOAT:**

Private or concessionaire owned vessels that are 12' or greater in width, have sleeping capacity, are limited by a specific number of houseboat permits and are subject to specific Agency Houseboat Rules.

**LAKESHORE CAMPING:**

Camping in designated dispersed areas.

**LEGAL GUARDIAN:**

Parent or legal guardian (as defined by law) of a minor or adult over the age of 25 with a note from the minor's parents authorizing that adult to act in their stead.

**MINING:**

The process of disturbing the soil for the purpose of removing soil, ore, rock or minerals from the Recreation Area other than through the activity of panning.

**NIGHT FISHING:**

Use of the Recreation Area solely for the activity of fishing at night.

**OCCUPANCY:**

Authorized utilization of a given facility, location or area.

**OPERATOR PROPELLED DEVICE:**

Any device that is propelled by the person operating it, such as bicycles, skateboards, roller skates, and in-line skates.

**OUTSIDE VENDOR:**

Any person or entity that is or will be performing any type of work/duties for hire within the Recreation Area that does not fall within established Concessionaire Contract or other contract with the Agency.

**PANNING:**

Activity for the purpose of finding gold, accomplished by use of a pan no more than 18" in diameter and no motorized means of excavation.

**PERMIT:**

Authorization from the Agency to utilize the Recreation Area for a specific activity or purpose.

**PERSON:**

Any human being of any age.

**PERSONAL WATERCRAFT (also PWC, PW):**

A boat that is 13' in length or less, propelled by machinery, that is designed to be operated by a person sitting, standing, or kneeling on the vessel, rather than in the conventional manner of sitting or standing inside of the vessel.

**PERSONAL SAFETY EQUIPMENT:**

Any equipment worn or to be worn by persons engaged in operator propelled device activities - bicycling, skateboarding, roller skating, in line skating, etc. - that may or may not be required by applicable law.

**RECREATION AREA:**

All lands and water available for recreation use that fall within the Federally Licensed New Don Pedro Project Boundary - FERC License #2299.

**REFUSE:**

Adopted 8/3/99  
Amended 5/29/01, 8/31/10, 8/16/11, 10/22/13, 3/15/18, 12/10/21, 01/27/23, 02/17/23

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Any material, organic or inorganic, that is deposited or left within the Recreation Area.

**RULES:**

Term used to reference regulations, ordinances, and other applicable laws.

**SLEEPING CAPACITY (also SC):**

Equipped with built-in plumbing.

**SPECIAL USE PERMIT:**

Permit authorizing a use of the Recreation Area that may temporarily alter its normal operation, require special authorization for activities that would otherwise be prohibited, or exceed the realm of family camping or individual water oriented use.

**TOWING/IMPOUNDMENT:**

Lawful seizure of specific personal property associated with a failure to comply with applicable laws.

**TRAILERS:**

Any non-motorized mode of transportation on land to tow behind a vehicle for purpose of transporting living quarters, gear, supplies, vehicles or vessels.

**UNATTENDED:**

Any personal property that has not been watched, maintained, checked on or operated by the owner or authorized operator within a specific time period established by the Agency.

**VEHICLE:**

Any mode of motorized transportation for use on land.

**VESSEL:**

Any mode of motorized or non-motorized transportation for use on water with the exception of floating aircraft.

**WEAPON:**

Any object having potential to injure or kill, threaten injury or death to any living creature or to damage any public or private property. Includes but is not limited to firearms, archery equipment, gas or spring activated devices, slingshots, knives, laser pointers, traps, nets, vehicles, and vessels.



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**§ 4.5.14 - HOUSEBOAT RULES**

**1. GENERAL RULES<sup>\*1</sup>**

- 1.01. The Primary Purpose for House boating on Don Pedro Lake shall be for Recreation.
- a. Any use of Houseboats found to be contrary to this purpose will not be permitted.
  - b. Houseboats shall not be used as a residence.
  - c. The Houseboat Permit Holder shall not rent, lease or assign Houseboat to others.
- 1.02. No Houseboat shall be in the Recreation Area without a valid Houseboat Permit from the Agency.
- a. Only the Registered owner(s) of a Houseboat may apply for an Agency Houseboat Permit or for the renewal of an Agency Houseboat Permit.
    1. Individuals with ownership rights to Houseboats with Non-Person Specific Registration will be considered the Registered Owners of that Houseboat.
    2. Official documentation listing all individuals with ownership rights to Houseboats with Non-Person Specific Registration shall be provided to the Agency before a Houseboat Permit will be issued or renewed.
  - b. A Houseboat Permit may not be transferred without the sale or transfer of ownership of the permitted vessel.
- 1.03. Houseboat Permit Holders and Persons using or having charge, care or control of the Houseboat must comply with Applicable Laws.
- a. The Agency is authorized to inspect each Houseboat at all times for compliance with Applicable Laws.
  - b. Houseboat Permit Holders may be held responsible for the actions of those Persons authorized to use or operate their Houseboat.
- 1.04. Houseboat Permit Holders must sign an Agency approved mooring agreement with the Assigned Concessionaire.
- a. All applicable requirements listed under section 2 of these Rules shall be met before a Houseboat mooring agreement is signed with a concessionaire.
  - b. Permitted Houseboats left Unattended on Don Pedro Lake for a period of 24 hours or more must be in an assigned slip or moored to an assigned mooring buoy operated / maintained by an Agency approved concessionaire.
  - c. A Houseboat Permit Holder(s) may not change their Assigned Concessionaire without prior Agency approval.
- 1.05. Houseboat Permit Holders must maintain in good standing Applicable Fees due the Agency and the Assigned Concessionaire.
- 1.06. **INSURANCE REQUIREMENT**  
Houseboat Permit Holders shall procure and at all times maintain general liability insurance, which will provide coverage for limits of not less than \$300,000.
- a. Such insurance shall be obtained from an insurer and in a form satisfactory to the Agency.
  - b. The Don Pedro Recreation Agency, the Turlock Irrigation District, the Modesto Irrigation District, and their governing boards shall be named as additional insureds under the Houseboat Permit Holder's insurance policy.
  - c. A certificate of insurance evidencing coverage shall be provided to the Agency when the Houseboat Permit is issued or when it is renewed.
  - d. Coverage shall not be canceled nor materially altered without at least thirty (30) Days written notice to the Agency.

**2. HOUSEBOAT PERMITTING PROCEDURES**

**2.01. HOUSEBOAT PERMIT RESTRICTIONS**

- a. Except as otherwise allowed by this section 2.01, a Houseboat Permit Holder and his or her spouse may own an interest in no more than one Houseboat on Don Pedro Lake.

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<sup>\*1</sup> Appendix A-1, which is incorporated into these Rules, defines capitalized terms (other than section and subsection titles) used in these Rules.

Adopted 8/3/99

Amended 5/29/01, 8/31/10, 8/16/11, 10/22/13, 3/15/18, 12/10/21, 01/27/23, 02/17/23

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1. A current Houseboat Permit Holder and his or her spouse may acquire an interest in a second Houseboat for the purpose of modifying Houseboat size and or quality only, provided that only one Houseboat may be operated on Don Pedro Lake at any time.
2. A second Houseboat may be moored on Don Pedro Lake while it is for sale, but shall be operated only with permission of the Agency.
- b. Prior Agency approval is required before the purchase of a second Houseboat with a permit for Don Pedro Lake.
  1. Interests in second Houseboat Permits may be owned for a maximum of two Years from the purchase date when the purpose is for remodeling, repair or New Construction of a Houseboat.
  2. Interests in second Houseboat Permits may be owned for a maximum of one Year only when no remodeling, repair or New Construction of a Houseboat is to take place.
- c. No Person or Persons who have ever had a Houseboat Permit revoked or have ever been subject to non-renewal of their Houseboat Permit shall be eligible to apply for a Houseboat Permit again.

**2.02. HOUSEBOAT PERMIT WAITING LIST.**

- a. The Agency at its discretion may open or close the Waiting List to new applicants.
- b. Applicants for Houseboat Permits must submit a written request to the Agency to have their names added to the Waiting List.
- c. No current Houseboat Permit Holder will be placed on or shall remain on the Waiting List.
- d. Priority on the Waiting List will be ranked in order of the date and time each written request is received by the Agency with the oldest receipt date having the highest priority.
- e. When a Houseboat Permit is available, the highest applicant on the Waiting List will be offered the Houseboat Permit subject to these Rules:
  1. Applicants will be sent a "Notice of Houseboat Permit Availability" by certified mail to the address listed on the request.
  2. Applicants must accept or decline the offer for a Houseboat Permit in writing received by the Agency within 30 Days after the date of "Notice of Houseboat Permit Availability." If an acceptance is not received within the 30 Day time period, the offer will be deemed declined and the applicant will be removed from the waiting list.
  3. The required "First Year Permit Fee" must be paid to the Agency within five Days of the date of the applicant's acceptance of the permit. Failure to pay the required First Year Permit Fee to the Agency within this five-Day period, for whatever reason, will result in the denial of the Houseboat Permit and removal of the Applicant(s) from the Waiting List.
  4. Failure of the Applicant(s), for whatever reason, to receive a Notice of Houseboat Permit Availability shall not entitle the Applicant(s) to any relief from the Agency's denial of the Houseboat Permit or from removal from the Waiting List.
- f. Applicant(s) on the Waiting List cannot sell, trade, give, assign, or otherwise transfer their position on the Waiting List to another Person or entity.
- g. The Houseboat Registration at the time the Houseboat Permit is issued must include all Applicants names as shown on the Waiting List.

**2.03. NEW APPLICATIONS**

Applicant(s) will be issued a new Houseboat Permit upon meeting all of the following requirements:

- a. Applicants must obtain an authorized mooring space from the applicable Marina Concessionaire and shall pay in advance to the Marina Concessionaire monthly mooring fees for three (3) months.
- b. Applicants must pay the required "First Year Permit Fee" to the Agency.
- c. Applicants must complete an Application for Houseboat Permit, which meets the approval of the Agency.
- d. Applicants must submit a current copy of their Houseboat Registration to the Agency.
- e. Applicants must submit a certificate of insurance evidencing coverage as described in section 1.06 of these Rules and regulations to the Agency.
- f. Applicants must place their Houseboat on Don Pedro Lake within two years of issuance of the Houseboat Permit.

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2.04. *RENEWAL APPLICATIONS*

An existing Houseboat Permit will be renewed upon meeting all of the following requirements:

- a. Applicable Fees must be in good standing.
- b. It is the renewal applicant(s) responsibility to pay the Annual Renewal Fee(s), and complete an Application for Houseboat Permit form signed by all registered owner(s), which meets the approval of the Agency, before February 1<sup>st</sup> of the renewal Year. Failure to receive a renewal reminder or application form does not absolve the renewal applicant from this responsibility.
- c. A current copy of the renewal applicant(s) Houseboat Registration must be on file with the Agency before February 1<sup>st</sup> of the renewal Year.
- d. A certificate of insurance evidencing coverage as described in section 1.06 of these Rules must be on file with the Agency before February 1<sup>st</sup> of the renewal Year.
- e. Houseboat Permit Holders that fail to meet all of the requirements of section 2.04.a. through d. before February 1<sup>st</sup> will be required to pay the Non-discount Annual Renewal Fee.

2.05. *CHANGE OF OWNERSHIP*

When a Change of Ownership occurs, the following must be done:

- a. The current Houseboat Permit Holder(s) must notify the Agency within fourteen (14) Days of the date of the Change of Ownership and provide the following information:
  1. The type of Change of Ownership that occurred [sale, transfer, change or addition or deletion of name(s)].
  2. The names, addresses and telephone numbers of the new owners or the Persons added or deleted.
  3. A "Permit Release Form" that has been signed by all current Houseboat Permit Holders who are releasing their interest in the Houseboat.
  4. The current Houseboat Permit Holder(s) shall provide the new owner(s) with current copies of these Rules and the D.P.R.A. Rules and Regulations and notify the new owner(s) that they must file a completed Application for Houseboat Permit and pay the required Change of Ownership Fee to the Agency within fourteen (14) Days of the date of the Change of Ownership.
- b. The new owner(s) must file with the Agency a completed Application for Houseboat Permit form and must pay to the Agency, the required Change of Ownership Fee, all within fourteen (14) Days of the date of the Change of Ownership.
- c. The new owner(s) must provide to the Agency a copy of the current Houseboat Registration within fourteen (14) Days of the date of Change of Ownership.
- d. When registration is by United States Coast Guard Documentation the following will be required:
  1. If proof of USCG documentation cannot be secured within fourteen Days, the new owner(s) shall submit a copy of their USCG National Vessel Documentation Center application to the Agency within fourteen Days.
  2. The new owner(s) shall submit a copy of their official USCG Certificate of Documentation to the Agency no later than three months from the date of the Change of Ownership.
- e. The new owner(s) must provide to the Agency a certificate of insurance evidencing coverage as described in section 1.06 of these Rules within fourteen (14) Days of the date of Change of Ownership.

2.06. *CHANGE OF ASSIGNED CONCESSIONAIRE*

Houseboat Permit Holders wishing to change the authorized mooring location of their Houseboat from one marina concession area to another must make a written request to the Agency identifying the permit Holder's new preferred location. The Agency will maintain a Relocation List of all Houseboat Permit Holder(s) desiring to relocate their Houseboats.

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- a. Relocation applicants will be ranked on the Relocation List in order of the date that their respective written requests were received by the Agency with the oldest requests having the highest priority.
- b. Relocation requests received on the same Day will be ranked in order of the length of time each relocation applicant has held his Houseboat Permit with the most senior Houseboat Permit Holder having the highest priority of the relocation requests received on the same Day.
- c. When a mooring space is available at the marina concession area of choice, the Agency will notify by mail the requesting Houseboat Permit Holder having the highest priority on such list.
- d. The Houseboat Permit Holder will then notify the respective marinas, sign a mooring agreement with the new Assigned Concessionaire and pay the Agency the required Change of Assigned Concessionaire Fee.
- e. Location change will not take place until written notification from the Agency is given to the Houseboat Permit Holder stating the designated relocation date.

**3. HOUSEBOAT REPAIR, REPLACEMENT, CONSTRUCTION AND MAINTENANCE**

**3.01. HOUSEBOAT REMOVAL AND LAUNCH**

Houseboat Permit Holder(s) must obtain prior authorization from the Agency to use launch ramps for Houseboat removal and Houseboat launch.

- a. Houseboat Permit Holders shall notify the Agency a minimum of seven Days in advance of the date when a Houseboat is to be removed from Don Pedro Lake for repairs or replacement, except in emergencies.
- b. Houseboat Permit Holders shall notify the Agency and arrange for a pre-launch inspection of their Houseboat a minimum of fourteen Days in advance of the planned launch date.
- c. All Houseboats must pass the Agency inspection prior to launch.
- d. Vendors hired to remove or launch Houseboats shall be subject to Applicable Laws, vendor permit and insurance requirements.
- e. Permitted Houseboats removed from Don Pedro Lake shall re-launch within five Years from the date of their removal.
- f. Permitted Houseboats already removed from Don Pedro Lake shall have a maximum of five Years from the effective date of these Rules to re-launch.

**3.02. REPAIR FACILITIES**

The Agency has established facilities within the Recreation Area for repair of Houseboats moored on Don Pedro Lake.

- a. Only Houseboats with valid Houseboat Permits are authorized to use the Blue Oaks Houseboat Repair Yard
- b. The Agency Board of Control shall adopt Regulations for operation of the Repair Yard with which all Houseboat Permit Holders must comply.

**3.03. REPAIR OR REPLACEMENT REQUIREMENT**

The Houseboat Permit Holder shall repair or replace the Houseboat in the event the Houseboat is damaged, destroyed, the motor inoperable, or the Houseboat is removed from the Recreation Area.

- a. All such repairs or replacement shall commence within ninety (90) Days after the Houseboat has been damaged, destroyed, rendered inoperable, or removed from the Recreation Area.
- b. Houseboat Permit Holders will notify the Agency of any intent to construct or acquire a replacement Houseboat.
- c. During repairs and/or replacement all Houseboat Permit owners must maintain in good standing all applicable Agency and Concessionaire fees, including but not limited to, Assigned Concessionaire mooring/buoy fees.
- d. Liability insurance as prescribed by section 1.06 of these Rules shall be maintained on all Houseboats that remain within the Recreation Area during repairs and / or replacement.
- e. With prior approval of the Agency, replacement Houseboats for current Houseboat Permit Holders may be constructed in the Blue Oaks Houseboat Repair Yard prior to removal of the currently owned and permitted Houseboat from the lake.
- f. Houseboats being replaced shall be removed from the Recreation Area and the permit transferred to the replacement Houseboat prior to launch.

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3.04. *HAZARDOUS MATERIALS*

- a. At no time shall any work or repairs be made on any Houseboat while on the lake that involves the following:
  1. Any work or repair that involves structural alteration or modification without prior Agency approval.
  2. Any work or repair or any by-product of such work or repair that could result in the introduction of any materials into the waters of Don Pedro Lake.
- b. At no time shall any work or repairs be made on, or other activity take place on any Houseboat that would introduce into the waters or soil of the Recreation Area any substance which is or becomes defined as a hazardous waste, hazardous substance, pollutant, or contaminant under any federal, state, or local statute, regulation, rule, or ordinance or amendment thereto, or that would result in the violation of the Porter-Cologne Water Quality Act (Cal. Water Code Sec. 13100 et seq.) or the Clean Water Act (33USC 1251-1376).
- c. Houseboat Permit Holders, their agents, employees, or contractors are required, at their sole cost and expense, to promptly take all actions to remediate the release of any substance prohibited by this section into the Recreation Area and to immediately notify the Agency of any violation of this section. If Houseboat Permit Holders, their agents, employees, or contractors fail to perform the duties required by this section, Agency reserves the right to perform the remediation at Houseboat Permit Holder's cost.
- d. All Houseboat Permit Holders shall be responsible for the proper disposal of hazardous wastes, hazardous substances, pollutants, or contaminants resulting from the operation, repair or maintenance of their Houseboat.
- e. Battery Disposal: The Houseboat Permit Holder is responsible for proper disposal and or recycling of their Houseboat's batteries.
  1. A battery drop off area will be provided at each campground for proper disposal and recycling of batteries.
  2. Campground personnel can be contacted for the location of this battery drop-off area.

3.05. *USE OF OFF-SITE VENDORS WITHIN THE RECREATION AREA*

- a. Agency approved Marina concessionaires hold exclusive rights to provide certain approved services within their assigned concession lease agreement areas.
- b. The hiring of any vendors, contractors or entities other than approved marina concessionaires by Houseboat Permit Holder(s) to perform any work or service within the Recreation Area shall be subject to all applicable Agency regulations, vendor permit and insurance requirements.
- c. Outside vendors shall not be restricted from performing services for any Houseboat Permit Holder when the marina concessionaires are incapable or cannot perform the desired work or service required in a timely manner.

3.06. *MAINTENANCE AND CONSTRUCTION STANDARDS*

- a. All Houseboats shall be maintained in a good and proper state of repair and shall be aesthetically neat in appearance.
- b. All Houseboat propulsion systems shall be maintained in a safe and operable condition at all times.
- c. All Houseboats shall be kept maintained, painted, stained, coated or otherwise protected so as to present a neat and well-kept appearance and to furnish protection against weathering and corrosion.
  1. Colors shall blend with the surroundings.
- d. All Houseboats shall be constructed and maintained in conformance with Applicable Laws.
  1. The Houseboat Permit Holder is responsible for ensuring that all construction standards are met.
- e. All decking and roofs shall be protected from weathering or constructed with a suitable weather proofed material. Carpeting and other deck and roof coverings shall remain firmly attached and kept free of tears, mildew and other forms of deterioration.
- f. A general description of all proposed New Construction must be submitted to the Agency for its approval prior to the start of such work. Routine repair and maintenance of the cabin, roof, deck(s), fascia, pontoons,

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holding tank, connected plumbing and railing alone will not be considered New Construction and will not require submission of such a description.

- g. All newly constructed Houseboats and newly constructed replacement railings shall meet or exceed the following railing requirements:
  - 1. Upper deck - full railing, 36-inch height, 6-inch spaces.
  - 2. Bottom deck - optional, none, full, or partial is acceptable, recommend 36-inch height, 6-inch spaces.
- h. With the exception of those Agency Houseboat construction standards established for New Construction Only those Houseboats on Don Pedro Lake as of the effective date of these Rules which are not in compliance with these construction standards must be corrected and in full compliance prior to first re-entry to the lake after a takeout.

**3.07 REQUIRED EQUIPMENT**

- a. Houseboats shall carry or be equipped with all equipment required by Applicable Laws.
- b. Houseboats shall be equipped with permanently and properly installed operable navigation and anchor lights.
- c. Houseboats shall display all required numbers, letters, names and stickers in accordance with Applicable Laws.
- d. All Mechanical Compartments used for propulsion of the Houseboat that extend below the water line shall be equipped with an operable bilge pump and an Agency approved bilge absorbent material or filtration system that prevents pollutants from entering the lake when the bilge pump is operated.

**3.08. FLOTATION DEVICES**

- a. Flotation Devices including Monohull design flotation shall be fitted with transverse and/or longitudinal Watertight bulkheads that provide Compartmentation sufficient to keep the fully loaded vessel afloat with positive stability, with any one main compartment flooded.
- b. When pontoons are used for flotation, no single compartment in a pontoon shall comprise more than 20% of the total available flotation volume.
- c. Flotation Devices shall be constructed of metal, wood that has been covered with fiberglass or other materials as approved by the Agency. Barrels and other containers will not be acceptable as Flotation Devices.
- d. The exterior surfaces of all Flotation Devices shall be Watertight (Weather tight hatch covers are permitted when applicable) and thoroughly protected from rust, corrosion, solvents, and weather.
- e. Flotation Devices shall be structurally sound and securely fastened to the main Houseboat structure.
  - 1. The Agency reserves the right to require Houseboat Permit Holders (at their expense) to perform reasonable tests in order to determine the structural condition of questionable Flotation Devices.
  - 2. Those Flotation Devices found to be structurally unsound as a result of such tests shall be promptly replaced or repaired when applicable at permit holder's expense.
- f. All Hatch Covers leading to Storage or Mechanical Compartments in a Houseboat's Flotation Devices shall be at least Weather tight, preferably Watertight and Mechanically Fastened down.
  - 1. Hatch Covers on Mechanical Compartments that are hinged on one side and deemed sufficiently secured by other means (such as heavy weight) may, at the Agency's discretion, be exempted from this Mechanically Fastened requirement.
- g. New Construction only:  
The following requirements shall apply to Flotation Devices (including replacement Flotation Devices) constructed after the effective date of these regulations:
  - 1. Flotation Device Storage Compartments may be ventilated but the outlet of the vent must be a minimum of 15" above the deck and will be capped with a 180-degree elbow.
  - 2. Vents for Mechanical Compartments in Flotation Devices shall comply with the Standards and Recommended Practices for Small Craft and any other applicable State or Federal standards.
  - 3. All new hollow Flotation Device compartments that do not contain Storage or Mechanical Compartments shall be fitted with Watertight pressure test fittings.

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4. All new hollow Flotation Device compartments that do not contain Storage or Mechanical Compartments shall be pressure tested prior to their launch and shall be capable of holding positive pressure.
5. Metal Flotation Devices:  
All new Flotation Devices constructed of metal shall meet or exceed the following requirements:
  - ◆ Minimum of ten gauge (1/8 inch) thickness for all mild steel construction.
  - ◆ Minimum of ten gauge (1/8 inch) thickness for all aluminum construction.
  - ◆ Minimum of twelve gauge (3/32 inch) thickness 304 grade stainless steel, or other twelve gauge 300 series stainless steel with characteristics equal to or greater than the characteristics of 304 grade.
  - ◆ All mild steel and aluminum Flotation Devices shall be fitted with appropriate anti-electrolysis "anode" plates or other Agency approved systems that protect against electrolysis.
6. A plan detailing Flotation Device dimensions, displacement, and boatload capacity shall be submitted to the Agency prior to completion of any new Houseboat construction or Flotation Device reconstruction.
- h. The minimum lower (main) deck height (excluding swim decks) of all Houseboats when fully loaded shall not be less than 12 inches above the water line.

**3.09. SANITARY FACILITIES.**

Each Houseboat's Wastewater system shall be maintained in strict compliance with Applicable Laws.

- a. All Wastewater shall be delivered into on-board holding tanks.
- b. All Wastewater holding tanks shall be emptied only by pumping into an Agency approved Wastewater system.
- c. No Wastewater of any type shall at any time be in any way discharged into the lake.
- d. All Houseboats shall be provided with a toilet facility and Wastewater holding tank.
- e. The Wastewater holding tank and connected plumbing shall be constructed and maintained in such a manner that the tank can be emptied only by pump-out equipment.
- f. No drain plugs shall be installed below the bottom of the toilet level.
- g. Any Houseboat having a sink, shower, washbasin or other facility must provide plumbing so that all Wastewater from these facilities is piped to the holding tank(s).
- h. Holding tanks may be constructed of stainless steel, mild steel, aluminum, reinforced fiberglass or Wastewater grade reinforced plastic.
  1. All new holding tanks are subject to the New Construction requirements so set forth in section 3.09.k.
  2. Holding tanks shall be painted, coated or otherwise fully protected from rust, corrosion and weathering.
  3. Holding tanks shall be Watertight and free of any leaks.
  4. The Agency reserves the right to require replacement of holding tanks believed to be in a state of deterioration.
- i. Holding tanks shall have a combined minimum total capacity of 100 gallons.
- j. Holding Tank Attachments and Fittings:
  1. Openings to pump-outs, vents, clean-outs, etc., must be a minimum of 15" above the lower deck.
  2. Pump-outs for more than one holding tank shall be located together.
  3. All fittings to holding tanks shall be glued, welded or otherwise permanently sealed and attached.
  4. Where attachments and fittings are clamped, a permanent clamp shall be used whenever possible.
  5. Prior Agency authorization is required to use screw clamps on any Wastewater plumbing.

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- k. New Construction Only: In addition to the requirements in 3.09.a. through j., the following requirements shall apply to all new holding tanks constructed or replaced after the effective date of these regulations:
1. All new holding tanks shall have a combined minimum total capacity of 200 gallons.
  2. All new holding tanks shall not exceed a combined maximum total capacity of 600 gallons.
  3. The interior surfaces of all new holding tanks (including replacement tanks) unless constructed of chemically resistant stainless steel, fiberglass or Wastewater grade reinforced plastic shall be sandblasted and lined / coated with a suitable impervious material such as Coal Tar Epoxy or equivalent prior to installation.
  4. Any new or replacement holding tank installed so that it is in contact with lake water shall meet or exceed the following New Construction requirements:
    - ◆ Minimum of twelve gauge (3/32 inch) thickness 304 grade stainless steel or other twelve gauge 300 series stainless steel with characteristics equal to or greater than the characteristics of 304 grade will be permitted for single wall holding tanks.
    - ◆ Holding tanks constructed of other materials shall be a separate tank constructed of chemically resistant materials that is located within an approved outer flotation wall. Such tanks shall be equipped with a Watertight fitting that would permit inspection for leakage between this outer flotation wall and the inner tank.
  5. Center mount holding tanks that are constructed and installed in a manner so that they will ride above the Waterline when the Houseboat is fully loaded may be of single wall mild steel or other approved material construction.

3.10. **SIZE LIMITATIONS.**

- a. The following size limitations shall be in effect for all Houseboats unless an exception or exemption is listed:
1. Minimum Size:
    - ◆ 12 feet width, 30 feet length.
    - ◆ Existing Houseboats constructed prior to December 8, 2017 that are less than 12' in width and 30' long will be exempt from this rule.
  2. Absolute Maximum Size:
    - ◆ 22 feet width, 56 feet length (all inclusive).
    - ◆ 24 feet width, 56 feet length (all inclusive) shall be permitted only when the assigned mooring location is designated by the Assigned Concessionaire to accommodate a vessel of up to 24 feet in width.
    - ◆ Out-drives, motor gear, swim decks and all other parts of the Houseboat shall remain within these dimensions whenever the Houseboat is left Unattended and is moored at its assigned mooring location.
    - ◆ With prior Agency approval, bumpers or similar devices attached to the perimeter of the Houseboat for protection purposes only may exceed these dimensions.
    - ◆ With prior Agency approval, Houseboats owned by an Agency approved concessionaire for the purpose of rental to the public may vary from the size limitations in this section.
  3. Maximum Height:
    - ◆ The Agency recommends one story with open upper deck.
    - ◆ No enclosed structures shall be permitted to extend beyond 15 feet above the Waterline.
    - ◆ Enclosed structures shall be permitted to extend to a maximum of 16 feet above the Waterline only when the assigned mooring location is designated by the Assigned Concessionaire to accommodate a vessel with such height.
    - ◆ The upper deck may be covered by use of open frame and awning provided that the awning is firmly attached, maintained in good condition, is constructed of flame resistant materials and allows for the passage of wind.
    - ◆ Those Houseboats with existing permanent structures (excluding add-on walk-in storage buildings) that exceed these height limits that were constructed prior to August 13, 1999 shall be exempted from this rule.



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- b. Houseboats, which exceed the size limitations under section 3.10.a., may not be reconstructed to exceed those size limitations.

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3.11. *HOUSEBOAT TO MOORING BUOY HOOKUP.*

- a. A Primary Mooring (connecting) device between the Houseboat and mooring buoy is required.
  - 1. This Primary Mooring Device when attached between the Houseboat and its mooring buoy shall be of sufficient size and strength to hold the Houseboat no further than thirty-six (36) inches away from its mooring buoy.
  - 2. The Primary Mooring Device shall conform to all standards established by the Assigned Concessionaire.
    - ◆ The Assigned Concessionaire shall provide these standards in writing to all Houseboat Permit Holders assigned to that marina.
- b. In addition to the Primary Mooring device, a Secondary Safety Mooring Device between the Houseboat and the mooring buoy is also required.
  - 1. The Secondary Safety Mooring Device shall be of chain, cable or wire rope of sufficient size and strength to hold the Houseboat to the mooring buoy in the event of the failure or disconnection of the Primary Mooring Device.
  - 2. The Secondary Safety Mooring Device shall conform to all standards established by the Assigned Concessionaire.
    - ◆ The Assigned Concessionaire shall provide these standards in writing to all Houseboat Permit Holders assigned to that marina.
- c. All Houseboats shall be equipped with the Primary Mooring Device and the Secondary Safety Mooring Device however; those Houseboats, which are moored in slips at a Marina, need not use these devices while moored there.
- d. The Moccasin Marina Concessionaire shall provide written specifications for "rear tie-up" to Houseboat Permit Holders assigned to mooring buoys at Moccasin whose Houseboats cannot free swing and must be tied end to end.
  - 1. A minimum of 5/8" poly- propylene or equivalent rope shall be used for all rear tie-ups.

3.12. *PRECEDENCE OF STATE AND FEDERAL REQUIREMENTS OVER AGENCY CONSTRUCTION STANDARDS*

- a. While every effort is made to ensure that Agency construction standards are consistent with Applicable Laws, there can be no guarantee that compliance with the Agency construction standards will assure compliance with applicable Federal and State requirements.
  - 1. The Federal and State requirements, to the extent they are inconsistent with the Agency construction standards, will supersede the Agency standards.
  - 2. Agency requirements may exceed State and Federal requirements.
- b. Houseboat Permit Holders should consult the manual of Standards and Recommended Practices for Small Craft published by the American Boat and yacht Council as well as the U.S. Coast Guard and the Tuolumne County Sheriff's Boat Patrol for Federal and State Standards.

**4. ENFORCEMENT OF HOUSEBOAT RULES**

4.01. *ADMINISTRATION.*

- a. The Agency may make inspections and take actions to enforce the provisions of these Rules.
- b. The Agency may inspect any Houseboat at any time for the purpose of insuring compliance with Applicable Laws.
  - 1. Right of Entry: No Houseboat Permit Holder or any other Person using or having charge, care or control of any Houseboat shall fail or neglect, after an authorized Agency representative has identified himself or herself, to promptly permit entry therein by the Agency representative for the purpose of such an inspection.
  - 2. All Houseboat Permit Holders shall make all Persons using their Houseboat aware of the Agency's right of entry, as specified in this section 4.01.

4.02. *COMPLIANCE.*

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- a. After any order of the Agency or decision of the Houseboat Appeals Board made pursuant to these Rules, no Person to whom any such order or decision is directed shall fail, neglect, or refuse to obey any such order.

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- b. If, after any order or decision made pursuant to these Rules, the Person or Persons to whom such order or decision is directed shall fail, neglect or refuse to obey such order or decision, the Agency may institute any appropriate action under Applicable Laws.
- c. The Agency may issue Warnings, assess Non-Compliance Fines, seek restitution if applicable, issue Notice and Orders, Red Tags and any combination thereof and may also revoke or not renew a Houseboat Permit for violations of Applicable Laws.
- d. All Non-Compliance Fines, restitution sought, Notice and Orders and Red Tags will be directed to the designated Houseboat Permit Holder contact Person(s) listed on the completed Application for Houseboat Permit.

**4.03. WARNINGS.**

The Agency may issue verbal or written Warnings to Houseboat Permit Holders and the Person or Persons using or having charge, care or control of the Houseboat for violations of Applicable Laws. Documented warnings may be used as evidence to support further punitive action against Houseboat Permit Holders.

**4.04. NON-COMPLIANCE FINES AND RESTITUTION.**

The Agency may assess Non-Compliance Fines against Houseboat Permit Holders and seek restitution if applicable for violations of these Rules. A Non-Compliance Fine and restitution procedure shall be established.

- a. Houseboat Permit Holders will be notified of Non-Compliance Fines and / or applicable restitution in accordance with the Notice and Order procedures set forth in section 4.05.
- b. Failure to pay Non-Compliance Fine(s) and / or applicable restitution pursuant to the conditions set forth in the Notice and Order may result in the assessment of additional Non-Compliance Fines, Red Tag and / or Revocation of the Houseboat Permit.

**4.05. NOTICE AND ORDERS.**

Whenever the Agency has determined that any Houseboat or Houseboat Permit Holder is in violation of any Applicable Laws, a Notice and Order will be issued to the record Houseboat Permit Holder(s) of the Houseboat under the following circumstances:

- a. Non-Compliance Fines are to be assessed and / or restitution sought (if applicable) against the Houseboat Permit Holder(s).
- b. The Houseboat is to be Red Tagged.
- c. The Houseboat Permit is to be revoked or not renewed.
- d. The Notice and Order shall contain:
1. The Houseboat Registration identification number and Agency Houseboat Permit number.
  2. A statement that the Agency has found the Houseboat to be in violation of Applicable Laws and a brief and concise description of the conditions found to render the Houseboat in violation of these Applicable Laws.
  3. A statement of the action required to be taken by the Houseboat Permit Holder.
- e. If the Notice and Order is for a Houseboat Permit Revocation or Houseboat Permit Non-Renewal it shall additionally contain:
1. A statement advising that the Houseboat Permit Holder and any Person having any record title or legal interest in the Houseboat may appeal to the Houseboat Appeals Board, provided the appeal is made in writing as provided in Section 5 of these Rules, and filed with the Director within twenty-one (21) calendar Days of service of such Notice and Order.
  2. A statement advising the Houseboat Permit Holder that failure to appeal will constitute a waiver of all right to a hearing and determination of the matter.
- f. Service of Notice and Orders:
1. Each Notice and Order shall be served upon the record Houseboat Permit Holder either personally or by certified mail sent to the address indicated for such Houseboat Permit Holder in the Houseboat Permit records of the Agency.
  2. The failure of the Houseboat Permit Holder to receive such notice actually mailed shall not affect the validity of any proceedings taken under this section.

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3. No other Persons are required to be served with the Notice and Order.
4. Service by certified mail in the manner provided herein shall be effective on the date of mailing.

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4.06 *RED TAGS, PERMIT REVOCATION AND PERMIT NON-RENEWAL*

The Agency may issue Red Tags pursuant to these Rules which:

- a. Immediately revoke or prohibit renewal of a Houseboat Permit or
- b. Immediately prohibit the operation and use of a Houseboat.
- c. A Red Tag immediately revoking a Houseboat Permit, prohibiting renewal of a Houseboat Permit or immediately prohibiting the operation and use of the Houseboat in question may be issued with a Notice and Order under any one of the following circumstances:
  1. The Houseboat Permit Holder has failed to comply with any lawful Agency order or requirement made pursuant to these Rules.
  2. The Houseboat is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or to any Person operating or using the Houseboat.
  3. The Houseboat is in such condition as to indicate that its permit holder or Person or Persons using or having charge, care or control of the Houseboat have intentionally, willfully, or negligently failed to maintain the Houseboat Wastewater system in strict compliance with Applicable Laws.
  4. The Houseboat Permit Holder or Person or Persons using or having charge, care or control of the Houseboat have intentionally, willfully, or negligently failed to comply with Applicable Laws.
  5. Whenever any ordered repair made pursuant to these Rules is not commenced within thirty (30) calendar Days of the order or is not pursued with sufficient diligence to enable the ordered repair to be completed within a reasonable period of time.
  6. If pursuant to section 2.03 of these Rules, the applicant's Houseboat is not placed on Don Pedro Lake within two Years of the issuance of the permit.
    - (a) The First Year Permit Fee shall also be forfeited unless a written extension of time is granted by the Agency.
    - (b) If the Houseboat is not placed on Don Pedro Lake at the expiration of any such extension of time, then the permit shall be automatically revoked.
  7. If pursuant to section 2.04 of these Rules, the Non-discount Annual Renewal Fee and or a Completed Application for Houseboat Permit are not received within thirty (30) Days of the mailing date of the Agency's delinquency notice to the renewal applicant.
  8. If the Houseboat is damaged, destroyed, inoperable or removed from the Recreation Area and the Houseboat Permit owner has not commenced repairs or replacement within ninety (90) Days after the Houseboat was damaged, destroyed, inoperable, or removed.
- d. When possible a Red Tag stating the purpose for the Red Tag shall be posted on the affected Houseboat.
- e. When a Houseboat Permit is revoked all paid Permit Fees shall be forfeited to the Agency and all paid moorage fees shall be forfeited to the assigned Marina Concessionaire.
- f. Upon revocation or the non-renewal of a Houseboat Permit, the Houseboat owner(s) shall remove the Houseboat at their own expense from the Recreation Area within thirty (30) Days of the revocation or non-renewal. If the Houseboat is not removed, the Agency may dispose of the Houseboat pursuant to the Boaters Lien Law, Harbors and Navigation Code Section 500 et seq.

**5. APPEAL OF NOTICE AND ORDERS**

5.01 *HOUSEBOAT APPEALS BOARD.*

A Houseboat Appeals Board (sometimes referred to as the "Appeals Board") has been established by resolution of the Board of Directors of the Turlock Irrigation District and the Board of Directors of the Modesto Irrigation District.

- a. The Appeals Board shall consist of two members:

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1. One member who shall be the Chairperson of the Appeals Board shall be appointed by the Board of Directors of the Turlock Irrigation District.
2. The other member shall be appointed by the Board of Directors of the Modesto Irrigation District.

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3. Each District may designate one or more alternates to act as its representative on the Appeals Board in the absence of the regular member.
- b. The presence of both members of the Appeals Board shall constitute a quorum for the transaction of business.
  1. Less than a quorum may adjourn meetings of the Appeals Board from time to time.
  2. Any action or determination of the Appeals Board requires a unanimous vote of both members.
- c. The Appeals Board shall review the history, evidence, actions and decisions of the Agency regarding Houseboat Permit Holder appeals and determine if the Agency has acted in accordance with Applicable Laws.
- d. The Appeals Board is not empowered to set forth or establish its own conditions or requirements in regards to Houseboat Permit Holder appeals.

**5.02 RIGHT TO APPEAL.**

Any Houseboat Permit Holder and any Person having any record title or legal interest in the Houseboat may appeal Notice and Orders issued for the purpose of Houseboat Permit Revocation or Houseboat Permit Non-Renewal by filing at the office of the Director a written appeal in the form specified in Section 5.03.

a. Staying of Permit Revocation and Non-Renewal Orders Pending Appeal:

1. Enforcement of any Houseboat Permit Revocation or Houseboat Permit Non-Renewal order issued under these Rules shall be stayed during the pendency of an appeal there from which is properly and timely filed.
2. Except that unless specifically authorized in writing by the Agency, a Houseboat issued a Red Tag may not be operated or used (other than to be removed from Don Pedro Lake) pending the appeal.

**5.03 FORM OF APPEAL.**

All appeals must be in writing and contain the following:

- a. A heading in the words: "Before the Houseboat Appeals Board of the Recreation Area".
- b. A caption reading: "Appeal of \_\_\_\_\_," giving the names of all appellants participating in the appeal.
- c. A brief statement setting forth the legal interest of each of the appellants in the Houseboat involved in the appeal.
- d. A brief statement in ordinary and concise language of the specific order protested, together with all material facts claimed to support the contentions of the appellant.
- e. A brief statement in ordinary and concise language of the relief sought, and the reasons why it is claimed the Agency did not act in accordance with Applicable Laws.
- f. The signatures of all parties names as appellants, and their official mailing address.
- g. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

**5.04. TIME FOR FILING APPEAL.**

The appeal shall be filed within twenty-one (21) calendar Days from the date of the service of such order.

**5.05 PROCESSING OF APPEAL.**

Upon receipt of any appeal filed pursuant to this section:

- a. The Director shall present it at the next regular or special meeting of the Appeals Board.
- b. As soon as practicable after receiving the written appeal, the Appeals Board shall fix a date, time, and place for the hearing of the appeal by the Board.
- c. Written notice of the date, time, and place of the hearing shall be given at least ten (10) calendar Days prior to the date of the hearing to each appellant by the Secretary of the Board either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at his address shown on the appeal.

**5.06 EFFECT OF FAILURE TO APPEAL.**

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- a. Failure of any Person to file an appeal in accordance with the provisions of this Section 5 shall constitute a waiver of his right to a hearing and adjudication of the Notice and Order, or any portion thereof.
- b. The order becomes final upon expiration of the appeal period specified in Section 5.04 above.

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5.07 *SCOPE OF HEARING ON APPEAL.*

Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal.

5.08. *CONDUCT OF HEARING.*

- a. Hearings need not be conducted according to the technical Rules relating to evidence and witnesses.
- b. Oral evidence shall be taken only on oath or affirmation.
- c. Any relevant evidence shall be admitted if it is the type of evidence on which responsible Persons are accustomed to rely in the conduct of serious affairs regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this state.
- d. Irrelevant and unduly repetitious evidence shall be excluded.
- e. Each party shall have these rights, among others:
  - 1. To call and examine witnesses on any matter relevant to the issues of the hearing;
  - 2. To introduce documentary and physical evidence;
  - 3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
  - 4. To impeach any witness regardless of which party first called him to testify;
  - 5. To rebut the evidence against him; and
  - 6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.

5.09. *BASIS FOR APPEALS BOARD DECISIONS*

- a. If the Appeals Board finds that the Agency has acted appropriately and in accordance with Applicable Laws, the Appeals Board shall uphold the Houseboat Permit Revocation or Houseboat Permit Non-Renewal.
- b. If the Appeals Board finds that the Agency has not acted appropriately and in accordance with Applicable Laws, the Appeals Board shall include the specific reason(s) for this finding in their statement of decision. Only then may the Appeals Board rescind the Houseboat Permit Revocation or Houseboat Permit Non-Renewal.

5.10. *FORM OF DECISION AND FINALITY OF THE DECISION.*

- a. The decision of the Appeals Board shall be in writing and shall contain findings of fact, a determination of the issues presented and the effective date of the decision.
- b. A copy of the decision shall be delivered to the appellant personally or mailed to him, postage prepaid, addressed to the address shown on the appeal.
- c. The decision of the Appeals Board becomes final on the effective date of the decision.

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**Appendix A-1 Glossary of Terms Used**

<b>Agency</b>	The Don Pedro Recreation Agency, which is the organization charged with the responsibility for the operation and maintenance of the Don Pedro Recreation Area. The Agency has the jurisdiction to enforce Applicable Laws within the Recreation Area. Citations/Notices to Appear may be issued by authorized personnel, and / or personal property towed / impounded in accordance with State law for violations of these regulations, ordinances, and laws. The term "Agency" as used in these Rules shall include all authorized Agency representatives acting within the scope of their authority.
<b>American Boat and Yacht Council (ABYC)</b>	A non-profit, public service, membership organization incorporated in 1954 with worldwide membership that is dedicated to boating safety. The ABYC is a recognized authority in the area of technical practices and engineering standards for small vessels. They are the publishers of the manual of "Standards and Recommended Practices for Small Craft".
<b>Annual Renewal Fee</b>	An approved yearly fee required of all Houseboat Permit Holders due and payable to the Agency prior to February 1 <sup>st</sup> of every calendar Year.
<b>Applicable Fees</b>	First Year Permit Fees, Annual Renewal Fees, Change of Ownership Fees, Change of Assigned Concessionaire Fees, Mooring Fees, use fees including annual permit fees for all vehicles and vessels stored or moored within the Recreation Area, Monthly Blue Oaks Houseboat Repair Yard fees, and other fees that the Agency may adopt from time to time. Not included as Applicable Fees, are charges for personal services, sundries, beverages, fuels and oils, repairs and other miscellaneous supplies.
<b>Applicable Laws</b>	All Laws, Codes, Ordinances, Rules (including these Rules), Regulations and Standards currently in effect that pertain to or are relevant to Houseboat Permit Holders, their guests and all Houseboats that are operated, moored, stored, occupied, maintained or constructed within the Don Pedro Recreation Area. (examples: U.S. Coast Guard Requirements, California Boating Law, Tuolumne County Ordinances and Codes, ABYC Standards and Recommended Practices for Small Craft, the D. P. R. A. Rules and Regulations).
<b>Application for Houseboat Permit</b>	A form requiring proof of current Houseboat Registration and proof of insurance as described in section 1.06 that shall be signed by all Registered Owners of a Houseboat before any renewal, Change of Ownership or issuance of a Houseboat Permit can take place.
<b>Assigned Concessionaire</b>	The Agency authorized marina concessionaire that maintains and operates the mooring facilities for all private permitted Houseboats assigned to their concession area.
<b>Blue Oaks Houseboat Repair Yard</b>	Facilities subject to Applicable Laws established within the Don Pedro Recreation Area for the maintenance, repair or replacement of permitted Don Pedro Lake Houseboats.
<b>Change of Assigned Concessionaire</b>	A change in the authorized concessionaire mooring location of a permitted Houseboat from one marina concession area to another subject to the terms of Section 2.06 of these Rules.
<b>Change of Assigned Concessionaire Fee</b>	An approved fee due and payable to the Agency before any "Change of Assigned Concessionaire" can take place.

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**Change of Ownership** Any sale, transfer or release of a permitted Houseboat, any deletion, change or addition of any name(s) on a Houseboat Registration or any deletion, change or addition of any Person with rights to ownership of a Houseboat except in the case of death of a spouse when that deceased spouse's name is removed from the permit and permit application.

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**Appendix A-1 Glossary of Terms Used**

<b>Change of Ownership Fee</b>	An approved fee due and payable to the Agency that is required when any Change of Ownership takes place.
<b>Coal Tar Epoxy</b>	A two-part coating comprised of a combination of coal-tar and epoxy resin designed to provide protection and waterproofing to steel and other materials.
<b>Compartmentation</b>	Divided into completely separate sections.
<b>Day</b>	Shall mean a calendar day, including Saturdays, Sundays, and holidays.
<b>Director</b>	The Don Pedro Recreation Agency Director.
<b>Don Pedro Lake</b>	All water available for Houseboat operation and use that falls within the Federally licensed New Don Pedro Project Boundary – FERC License #2299.
<b>D.P.R.A. Rules and Regulations</b>	The general Agency rules and regulations that are binding upon all Persons utilizing the Don Pedro Recreation Area.
<b>First Year Permit Fee (New Permit Fee)</b>	An approved fee due and payable to the Agency within 5 Days after the date of applicant(s) acceptance of an available Houseboat Permit.
<b>Flotation Device</b>	Watertight pontoons, floats, the hull or any other device used to keep a Houseboat afloat or aid in its flotation. Motor compartments, holding tanks, fuel tanks, water tanks or any other part of a Houseboat that displace lake water and effect flotation will be considered a Flotation Device and must comply with all applicable Flotation Device requirements.
<b>Houseboat</b>	Private or concessionaire owned vessels that are 12' or greater in width, 30' or greater in length, have sleeping capacity (built in plumbing), limited by a specific number of Houseboat Permits and subject to Applicable Laws.
<b>Houseboat Appeals Board</b>	A Review Board (sometimes referred to as the "Appeals Board") that can be convened in accordance with these rules for the purpose of hearing the appeals of Houseboat Permit Holders (and any person having any record title or legal interest in the Houseboat). (9.01)
<b>Houseboat Permit</b>	Authorization from the Agency to place and utilize a Houseboat within the Recreation Area. Validity of permit is subject to Applicable Laws.
<b>Houseboat Permit Holder(s)</b>	The registered owner(s) of an Agency permitted Houseboat subject to Applicable Laws.
<b>Houseboat Permit Non-Renewal</b>	The non-renewal or non-reissue of a Houseboat Permit pursuant to Applicable Laws.
<b>Houseboat Permit Renewal</b>	The annual renewal or reissue of a Houseboat Permit pursuant to Applicable Laws.
<b>Houseboat Permit Revocation</b>	The withdrawal or cancellation of authorization from the Agency to place and utilize a Houseboat within the Recreation Area pursuant to Applicable Laws.

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**Houseboat Registration** Official documentation of a Houseboat provided by the California State Department of Motor Vehicles or the United States Coast Guard.

**Mechanical Compartment** Any compartment on a Houseboat containing permanently installed mechanically operated, fuel powered, electrical equipment.

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**Appendix A-1 Glossary of Terms Used**

**Mechanically Fastened** Firmly secured by means of an automatic or manual, external or internal fastening device. (examples: latches, locks, screws, hydraulic openers and closers, etc.)

**Monohull** A type of vessel flotation where the line of intersection of the water surface and the vessel at any one of its operating drafts forms a single closed curve.

**National Vessel Documentation Center** The Department of the USCG that is responsible for documenting vessels and providing USCG Certificates of Documentation.

**New Construction** The replacement of the entire Houseboat or replacement, reconstruction, structural alteration or modification of: the cabin and it's supporting members, (2) the roof, (3) the deck(s), fascia and their supporting members, the pontoons or other Flotation Devices, (5) the holding tank and connected plumbing and, (6) the railing around the upper and lower decks. Routine repair and maintenance of the cabin, roof, deck(s), fascia, pontoons, holding tank(s), connected plumbing and railing alone will not be considered New Construction.

**Non-Compliance Fines** Approved penalty fees that may be assessed against Houseboat Permit Holders for violations of the Rules.

**Non-discount Annual Renewal Fee** An approved fee, due and payable to the Agency, required of Houseboat Permit Holders that fail to pay the Annual Renewal Fee or submit a Completed Application for Houseboat Permit before February 1st.

**Non-Person Specific Registration** Official documentation of a Houseboat provided by the California State Department of Motor Vehicles or the United States Coast Guard that does not specify individual names of Persons such as but not limited to: beneficiary type registration (i.e. family trust, living trust), business owned registration or partnership registration.

**Notice and Order** A written notification to Houseboat Permit Holders, in accordance with section 4.05 of these Rules, that informs them of required Non-Compliance Fines, Red Tag issue, Houseboat Permit Revocation or Houseboat Permit Non-Renewal.

**Notice of Houseboat Permit Availability** A written notice sent by certified mail to applicants on the waiting list informing them of the availability of a houseboat permit

**Permit Release Form** An Agency approved form signed by the Houseboat Permit Holder(s) that relinquishes a Houseboat Permit back to the Agency. Required for any change of ownership.

**Person** Any human being of any age

**Primary Mooring Device** A primary connecting device that holds the Houseboat to its mooring buoy pursuant to the requirements of Section 3.11 of these Rules.

**Recreation Area** All lands and water available for recreation use that fall within the Federally licensed New Don Pedro Project Boundary – FERC License #2299.

**Red Tag** A written notice issued by the Agency pursuant to sections 4.05 and 4.06 of these Rules that immediately revokes a Houseboat Permit, prohibits renewal of a Houseboat Permit, or prohibits the operation and use of a Houseboat.



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**Registered Owners (of a Houseboat)** All registered owner(s) of a Houseboat as listed by either the official records of the California State Department of Motor Vehicles or a valid United States Coast Guard Certificate of Documentation. All individuals with ownership rights to Houseboats registered in Non-Person Specific form will be considered the Registered Owners of that Houseboat.

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**Relocation List** A listing maintained by the Agency of Houseboat Permit Holder(s) desiring to relocate the authorized concessionaire mooring location of their Houseboat from one marina concession area to another.

**Rules** These Don Pedro Houseboat Rules that are binding upon all privately owned Agency permitted houseboats and when applicable, Agency permitted concessionaire owned houseboats.

**Secondary Safety Mooring Device** A secondary connecting device, pursuant to the requirements of Section 3.11 of these Rules, that is of sufficient size and strength to hold the Houseboat to the mooring buoy in the event of the failure or disconnection of the Primary Mooring Device.

**Standards and Recommended Practices for Small Craft** A manual published by the American Boat and Yacht Council that provides generally applicable technical practices and engineering standards for small vessels. These standards and practices are voluntary for the general public. Those standards within this manual that are applicable to Houseboats will be required by the Agency. The Agency keeps a current (continuously updated) copy of this manual at its headquarters. This manual is available for Houseboat Permit Holder reference.

**Storage Compartments** Any compartment on a Houseboat containing only temporarily stored items and no permanently installed mechanically operated, fuel powered, electrical or battery powered devices, appliances and / or batteries.

**Unattended** Any Personal property that has not been watched, maintained, checked on or operated by the owner or authorized operator within a specific time period established by the Agency.

**Uniform Building Code** Sections of the Building Code applicable to Houseboat construction as defined by the Tuolumne County Building Department.

**USCG Certificate of Documentation** A certificate proving that a vessel has been documented by the United States Coast Guard.

**USCG Documentation** A national form of vessel registration administered by the United States Coast Guard available only to vessels of at least 5 net tons that are owned by U.S. citizens. California State law does not require Dept. of Motor Vehicles Registration of vessels that are documented by the U.S. Coast Guard.

**Waiting List** A waiting list maintained by the Agency as a basis for awarding any Houseboat Permits that the Agency may make available to applicants.

**Warning** A written or verbal notification issued to Houseboat Permit Holders and or the Person or Persons using or Having charge, care or control of the Houseboat for violations of Applicable Laws.

**Wastewater** All sewage and non-sewage liquid discharges from a vessel including but not limited to black water (human body wastes, wastes from toilets) and gray water (liquid discharges from sinks, showers, baths etc.). Non-polluting vessel wash down water or non-polluting water discharges necessary for the propulsion or stability of a vessel will not be included in this definition.

**Waterline** The line to which the surface of the water comes up to on the Flotation Device(s) of a Houseboat.

**Watertight** Constructed to effectively resist the passage of water.

**Weather tight** Constructed to provide effective protection against seepage when exposed to rain or spray.

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**Year**

365 calendar Days