

# Marean Lake Advisory Committee

RM of Bjorkdale No. 426

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## **Policy: Docking on Public Lands**

***Approved: June 20, 2024***

The Marean Lake Advisory Committee (MLAC) assumed responsibility in 2015 for all environmental reserve land currently owned by the RM of Bjorkdale and under lease in 2014 to MLR Land Co. In 2023, after consolidation of the various resorts at Marean Lake under MLAC, the docking responsibility was expanded to include the Woulfe boat launch and one adjacent dock with seasonal slips.

The environmental reserve is public land that resort tenants have been allowed to access and use for the season. Please treat it with respect to ensure its continued use for generations to come.

The following definitions are used within this document:

- **MLAC:** The Marean Lake Advisory Committee as established by the RM of Bjorkdale No. 426.
- **Reserve:**
  - The portion of the environmental reserve between the beach and 1045 Lakeside Road.
  - The north boat launch, immediately west of 101 Lakeshore Drive.
- **Slip:** Slips are the designated spots for the placement of boats along a dock.
- **Sub-committee:** The docking sub-committee established by the MLAC consists of five members: four volunteer cabin owners and chaired by an MLAC member. The sub-committee assists MLAC with managing docking within the reserve in accordance with the guidelines in this document and is able to make recommendations to MLAC for ongoing improvements to docking processes and this document. Committee membership is available at [www.mareanlake.ca](http://www.mareanlake.ca).
- **Waterfront property addresses:**
  - Willow Street: lots 8000-8010
  - Lakeside Road: odd numbers 1045-1465
  - Marean Lake Road: 701
  - Lakeshore Drive: 101-141
  - Gaetz Crescent: 202- 206
  - Wolf Road: 207-217
  - Hill Avenue: 800, 802

### **Overview:**

- Currently two dock ownership options exist within the reserve, this hybrid is a legacy of the systems in place as the resorts were subdivided in recent years:
  - 1) Docks owned by the RM of Bjorkdale and maintained by MLAC.
  - 2) Co-operatively owned private docks that were in existence prior to 2015. The dock owners are responsible for the proper placement (as determined by the sub-committee), however the allocation of any available spots on these docks will be determined by the sub-

committee in accordance with these guidelines so as to maintain the integrity of the wait-list. To simplify management of the reserve and eliminate the need for private capital investment in docks on the reserve, MLAC may gradually purchase at fair market value the docks that are currently privately owned.

- Prior to 2024 a number of spots were reserved for daily rentals but these have been discontinued in favour of creating more seasonal spots.
- MLAC has implemented fees for both seasonal and Co-op slips, and will determine and publish these annually. It expects to run docking on the reserve on a break-even basis, factoring in operating and capital costs related to reserve projects including the replacement of docks. Fees will be invoiced by the RM of Bjorkdale and must be paid within 30 days of invoicing or slips will be reassigned. Fees will be differentiated based on the space occupied by boat types and placement on docks privately owned or owned by the RM of Bjorkdale.

#### **Assignment of slips:**

- Assignment of slips are made to individuals who must be titled owners of cabins that are under the jurisdiction of MLAC at Marean Lake. Owners of a property that does not contain a cabin (either completed or under construction) are not eligible to be added to the waitlist or to receive a dock assignment.
- Only 1 dock assignment will be made per titled cabin property under the jurisdiction of MLAC, and owners of multiple cabins are only eligible for 1 dock assignment.
- Slips will be made available for fishing/recreational boats and pontoon boats. Personal watercraft will only be accommodated on an in-fill basis in spaces unsuitable for other boats.
- All slip assignments are for one year and are subject to change when necessary. Individuals assigned spots will have first right of refusal to a slip the following year.
- All private docks in the reserve must be co-owned by all occupants assigned to the dock. People assigned slips will be responsible for paying the other owners on that dock for their portion. Disputes will be resolved by the sub-committee.
- Sub-rental of assigned slips is strictly prohibited.
- Slips that do not contain a lift by June 15<sup>th</sup> will be reassigned by the sub-committee unless specific alternate arrangement have been made with the sub-committee.
- Dock assignments cannot be sold with cabins, when someone with an assigned slip ceases to be a cabin owner their slip will be reassigned by the sub-committee based on the wait-list.
- For safety reasons all boats in slips must utilize a boat lift or sea-legs (in the case of a pontoon). No boats will be allowed to be floating or moored to docks. Small fishing boats may be allowed to be pulled onshore, but only with specific approval of the sub-committee.
- Dock spaces will be made available based on the wait-list which is maintained on a first-come basis. Slips will be made available to those at the top of the list taking into consideration the availability of space for various boat sizes.
- Anyone on the wait-list who has chosen to pass taking an available spot when one has become available will be moved to the bottom of the wait list.

- The sub-committee will maintain and publish, on the MLAC website, the dock layout within the reserve and a wait-list of people requesting spots.
- If an owner no longer requires their slip assignment, the sub-committee should be immediately notified so it can be reassigned.

#### **Annual installation and removal**

- Generally the seasonal docks will be put in on or before the May long weekend and taken out at the end of the season no later than Thanksgiving. Placement of lifts must be done in co-ordination with the sub-committee to ensure efficiency of the layout. The sub-committee will endeavor to schedule dates after the May long weekend when they will be available to assist in coordinating the installation of lifts in a coordinated fashion. All occupants of assigned slips will be expected to participate on those dates.
- Depending on space availability, lifts and docks may either be left on the reserve during the off-season or stored in the green space near the volleyball court. This will be at the discretion of the sub-committee and monitored on a yearly basis. Lifts may need to be moved on short notice if left incorrectly. Prior confirmation from the sub-committee is required. All lifts stored on reserve or in the green space MUST be removed by June 1.

#### **Additional Requirements:**

- All Patrons on the reserve must sign a liability waiver prior to installing any dock or lift. Information regarding the appropriate form will be emailed annually.
- Owner are responsible for liability and property insurance for their boats and lifts, the RM of Bjorkdale and MLAC will assume no liability for private property.
- Patrons on the reserve will be responsible for the conduct of their families and guests, including any indebtedness or liability incurred by them related to their actions on the reserve. Please inform guests of the rules.
- Fueling of all boats must be done to ensure there is no spillage into the lake.
- The consumption of alcohol on the reserve is prohibited.

#### **Enforcement and disputes:**

- All Violations of the rules as well as any disputes should be brought to the attention of the sub-committee
- Enforcement of the regulations as well as disputes regarding the reserve will be dealt with by the sub-committee.
- Breaking of rules could result in termination of docking privileges and eviction from a docking assignment.
- Any owner may have docking privileges revoked if they are in arrears of any fees or taxes owed to MLAC and/or the RM of Bjorkdale.
- Decisions of the sub-committee can be appealed to MLAC for final adjudication.

#### **Dock Construction Requirements:**

- All existing docks in satisfactory condition will be 'grandfathered' for use. Replacement docks will be required to follow these specifications from Fisheries and Oceans Canada.

- All new construction must be made from suitable materials. Aluminum is preferred. All decking must be constructed from cedar, hemlock, plastic, aluminum or any other material approved by the sub-committee. All dock supports that will be submerged should be constructed of aluminum legs or plastic floatation devices. Pressure treated lumber is not allowed in any application as it may leach into the water.
- All sealing of lumber must be done on land and be dry prior to placement in the water.
- All barrels used for floatation must be cleaned and free of chemicals prior to placement in the water.
- Under no circumstances may anyone alter the shoreline or the reserve without approval of the MLAC.

**Parking at the Reserve:**

- Due to limited space, parking of vehicles along the road adjacent to the reserve will be limited to pick-up and drop-off.
- Parking of golf carts and small quads will be acceptable as long as no damage is occurring to the reserve. During wet times or if the reserve is crowded alternate parking will be required.