

CORDRY-SWEETWATER CONSERVANCY DISTRICT

RESOLUTION NO: 2015-6



**RESOLUTION CLARIFYING STATUS OF BOATLIFTS AS PERMANENT OR NON-PERMANENT
STRUCTURES AND CLARIFYING PERMITTING PROCESS**

WHEREAS, the Cordry-Sweetwater Conservancy District ("CSCD") is an Indiana Conservancy District organized and operating pursuant to I.C.14-33; and,

WHEREAS, the Board of Directors of CSCD has adopted building rules and regulations applicable to structures constructed within CSCD, including, but not limited to, boatlifts; and,

WHEREAS, CSCD interprets its rules and regulations to require that permanent structures, including, but not limited to, boatlifts constructed upon property owned by CSCD, including, but not limited to, the bottom of Cordry and Sweetwater Lakes, if the lake bottom is owned by CSCD, may only be constructed if approved by the CSCD Board of Directors and that non-permanent structures which may include boatlifts depending upon how the boatlift is constructed, may be constructed upon property owned by CSCD, including, but not limited to, the bottom of Cordry and Sweetwater Lakes, if the lake bottom is owned by CSCD, if the construction is approved by CSCD's Building Commission, the CSCD board member appointed to the Building Commission, and the Building Compliance Officer; and,

WHEREAS, CSCD's existing rules and regulations do not provide a clear definition to be used to determine whether a boatlift is a permanent or non-permanent structure and do not clearly describe the permitting process applicable to permanent or non-permanent boatlifts, if the boatlift is to be constructed on land not owned by CSCD; and,

WHEREAS, the CSCD Board of Directors desires to clarify the building rules and regulations to define a permanent boatlift, the construction of which requires CSCD Board approval and to define a non-permanent boatlift, the construction of which requires only the approval of the Building Commission, the CSCD board member appointed to the Building Commission, and the Building Compliance Officer, if either a permanent or non-permanent boatlift is to be constructed upon property owned by CSCD, and to clarify the permitting process for permanent and non-permanent boatlifts constructed upon property not owned by CSCD.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of CSCD that:

1. The building rules and regulations previously approved on October 17, 2006, Resolution No: 2006-08, and all amendments thereto, is further amended to provide that, for purposes of approval and permitting, a boatlift which is permanently affixed to the bottom of Cordry or Sweetwater Lake, upon property owned by CSCD, or permanently affixed to any property owned by CSCD must be ultimately approved by the Board of Directors of CSCD. A boatlift whose support structures are driven into or otherwise implanted into the ground is, by way of example and not limitation, considered to be a permanent structure boatlift. Approval to construct a permanent structure boatlift affixed to the bottom of Cordry or Sweetwater Lake,

upon property owned by CSCD, or upon any property owned by CSCD may only be granted by the CSCD Board of Directors upon recommendation of the Building Commission, the CSCD board member appointed to the Building Commission, and the Building Compliance Officer.

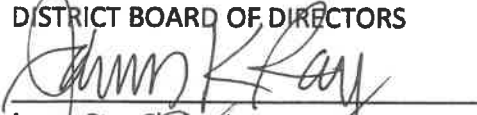
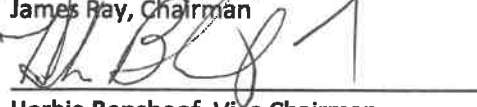
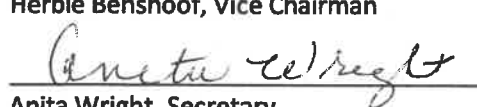
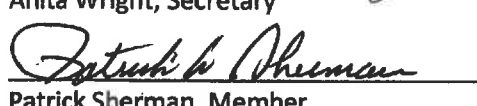
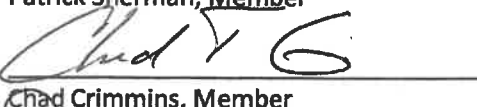
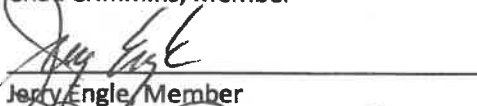

2. Non-permanent boatlifts, including, by way of example and not limitation, boatlifts whose support structures are not driven into or otherwise implanted into the bottom of Cordry or Sweetwater Lake, upon property owned by CSCD, or upon other property owned by CSCD, but whose support structures simply rest upon the bottom of Cordry or Sweetwater Lake, upon property owned by CSCD, or upon other property owned by CSCD, shall be considered non-permanent boatlifts. The construction and placement of non-permanent boatlifts is authorized if approved by the Building Commission, the CSCD board member appointed to the Building Commission, and the Building Compliance Officer, without further approval of the CSCD Board of Directors.

3. Permanent structure boatlifts and non-permanent structure boatlifts may be constructed upon property not owned by CSCD upon obtaining approval of the construction from the Building Commission, the CSCD board member appointed to the Building Commission, and the Building Compliance Officer, without further approval of the CSCD Board of Directors.

4. This Resolution shall be in full force and effect from and after its adoption by the CSCD Board of Directors.

PASSED AND ADOPTED THIS 20 DAY OF October, 2015.

CORDRY SWEETWATER CONSERVANCY
DISTRICT BOARD OF DIRECTORS

	<u>Aye</u>	<u>Nay</u>
 James Ray, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Herbie Benshoof, Vice Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Anita Wright, Secretary	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Patrick Sherman, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Chad Crimmins, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Jerry Engle, Member	<input type="checkbox"/>	<input type="checkbox"/>
 Matthew Petersen, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>