

# CLEVELAND LAKEFRONT STATE PARK

## Dock Management Plan

Revised January, 2007

### **Overview of Dock Management Plan**

One of the Division of Parks and Recreation major program areas involves the administration of its public and private docking facilities. Approximately forty-five state parks offer more than ten thousand mooring spaces generating revenues in excess of three million dollars annually.

The regional park manager and park manager has been given the authority to develop and implement a dock management plan that is consistent with the dock manual. The plan should address types of mooring spaces, number of each type, size limits, fees, lottery procedures; renewal procedures and goals & objectives. Our plan will also address unique site specific circumstances and provide the flexibility to address these circumstances while still maintaining Division wide consistency.

### **Goals**

Develop a long-term strategic management tool that provides consistency, direction and flexibility when dealing with dock related issues and/or shoreline management.

### **Objectives**

Develop and implement a dock management plan at the local level that provides integrity, credibility, efficiency and provides effective public service.

Provide a written management tool, whereby, current and future employees will be apprised of the details of the dock management practices at the local level.

Address a number of issues that have been neglected such as: dock lotteries and procedures; fee structure; size limitations; renewal and transfer procedures; modification to public docking facilities; standards for constructing super aqueous structures and revocation procedures.

Create understanding and public awareness regarding docking facilities and boat safety.

## **Dock Season**

The dock season at Cleveland Lakefront State Park mooring facilities (E. 55<sup>th</sup> Street, Edgewater and Wildwood Marinas) shall be from May 1 through October 16 each year. Mooring at each public marina (park or concession operated). Dock holders must occupy their respective dock by June 1 each season or notify park management (E55) or concession operator (Edgewater /Wildwood) in writing when they plan to occupy their dock. Dock holders are afforded a fifteen (15) day grace period extending the boating season to October 31. Dock holders face a five dollar per day penalty after October 31 in addition to their annual dock fee. Any dock holder who fails to vacate the dock at E55 and Edgewater Marinas by November 7, the park management or concession operator may contact a commercial vendor of their choosing to have said watercraft removed. **The Wildwood Marina Concession Operator will contact a commercial hauler to remove any watercraft moored after October 31.** All fees associated with the removal and storage of the watercraft is the dock holder, boat owner or violator expense.

No mooring space may be left unoccupied more than twenty-one (21) consecutive days without prior written approval from the respective marina operator (regional park manager, park manager or concession operator). The concession operator is responsible for notifying park management of any dock unoccupied greater than twenty-one days.

Dock holders who fail to abide by the above procedures may result in the revocation of their docking privileges without refund and impoundment of the watercraft at the dock holders or boat owner's expense.

## **Identification of Shoreline Development**

For the purpose of this plan the following areas are identified as different and unique developed shoreline areas. The areas known as Edgewater Yacht Club, Gordon Shores, Forest City Yacht Club, Inter-City Yacht Club, Lakeside Yacht Club, Northeast Yacht Club and Wild wood Yacht Club remain under the control of the Ohio Department of Natural Resources (ODNR) and leased to the respective club. All maintenance and capital improvements are the respective club's responsibility.

The areas known as Edgewater and Wildwood Marinas are public facilities operated by a private vendor through the State of Ohio's competitive bid process. The marina's operations are governed by a lease agreement. All routine maintenance is the marina operator's responsibility. Major capital improvements or renovation projects are the ODNR'S responsibility and identified in the respective marina operator's lease agreement. Capital Improvement projects require the Department and Division of Parks and Recreation prior approval.

## **Existing Structures and Maintenance**

The listed marinas have the following type and number of mooring spaces. East 55<sup>th</sup> Marina...354 floating and 8-transient docks; Edgewater Marina...309 permanent Mediterranean cable mooring and several transient docks and Wildwood 22 floating docks & 2 transient mooring slips. There is a **14-day limit per season at East 55<sup>th</sup>, Edgewater and Wildwood Marina's transient docks.**

Approximately 1000 mooring spaces are provided by seven yacht clubs under lease with O.D.N.R. The type of structures at the clubs is floating or permanent. The total mooring spaces available is one thousand six hundred fifty-four (1654).

## **Modification or Variances**

Many dock holders modified docks to fit their personal needs. Modifications include carpet, bumpers, boat steps and just about everything imaginable. While many dock holders desire modifications, other dock holders and park staff oftentimes view them as unsightly, damaging in terms of lumber rot and structural integrity and often unnecessary. Once a pattern of modification begins, modifications are view as a right. Effective January 1, 2000 modification to any State dock is not permitted excluding the following: (**at E55th Marina only** stair-steps, and dock boxes). Dock boxes must be fiber glass, triangular and measure 27"H x 48"L x 24"D. The box will be installed according to the local park guidelines and at the dock holder's expense. Dock boxes must be removed by October 31<sup>st</sup> annually. See addendum "A" for mounting instructions and dealers who can supply dock boxes.

## **Lottery Procedure**

The local park manager is responsible for ensuring applicants and dock holder follow established procedures. Dock lotteries shall be conducted at all public docks which are operated by the Division unless prior commitments by the Division exist. So that fairness and consistency apply and every boater has a fair chance to obtain a state dock, our goal is not only to rent the docks for maximum usage but also to provide an equitable means of allotment.

## **Length of Lottery Period**

Lease agreements are one year with the option for renewal. Cleveland Lakefront State Park marinas docks vary in size therefore; a percentage of each size dock may be available each boating season.

## **Public Dock Lottery**

The public dock lottery will be held on the third Saturday in September. Boat dock lottery cards (applications) will be accepted from August 1<sup>st</sup> through August 31<sup>st</sup> annually. One week after the lottery, the Park Office, East 55<sup>th</sup>, Edgewater, and Wildwood Marinas will post a list of winners and alternates for a least one month. The list is good for one (1) year. Winners will be notified approximately the second week of April by mail/phone and given five (5) working days to accept or decline. Failure to do so will indicate they are no longer interested, whereas the dock space will be assigned to the next person on the alternate list. It is the responsibility of the operator (park or concession operator) to document telephone calls or correspondence to the winners.

Dock holders prior to 1990 will be grandfathered with annual renewal rights until such time they fail to renew dock privileges. If a spouse dies, the surviving spouse may retain dock privileges. Effective 1990, all new dock holders for docks 30' and under are limited to one year with a 14 year option for renewal; for docks 31' to 34', one year with a 19 year option for renewal and 35'-38', a one year with a 24 year option for renewal...providing they meet the annual renewal guidelines (20 percent annual rollover).

The Cleveland Lakefront Dock Lottery will consist of five (6) separate drawings, boats sixteen (16) to twenty-two (22) feet, for a twenty-four (24) foot dock: twenty-three (23) to twenty-six (26) feet for a twenty-eight (28) foot dock: twenty-seven (27) to thirty (30) feet for a thirty-two (32) foot dock: thirty-one (31) to thirty-four (34) feet for a thirty-six (36) foot dock: and thirty-five (35) to thirty-eight (38) feet for a forty (40) foot dock. All lottery cards entered shall be separated according to the above criteria. All cards in each grouping shall be drawn and numbered sequentially, in ascending order, as determined by the drawing. All lotteries conducted after 1988 must comply with the above requirements and/or restrictions.

The distribution of the docks will follow the order an applicant name was drawn in the lottery (1, 2, 3...etc) for the size dock (A, B, C...F). Accordingly, those persons drawn later will be given the option to select from those docks, which are remaining.

The stipulation that all boats shall be two feet less than the length of the dock shall be enforced. Boats will be further restricted by width. All boats' widths must be one (1) foot less than the width of the dock (e.g. two boats occupy a dock eighteen (18) feet wide, they are entitled to half the width of the dock, in this case nine (9) feet, however, their boat cannot exceed eight (8) feet in width. Mooring techniques may be obtained from the Division of Watercraft.

### **Lottery Application Procedures - E55th Marina**

The Division of Parks and Recreation, Lottery Application Policy (5.007 High Demand Docks) requires that an individual may submit only one request for a dock, regardless of the number of boats owned by the individual. This also requires that no person under the age of 18 may enter the lottery nor shall more than one request be submitted or accepted for each residential address or a boat owned by more than one individual.

In fairness to persons not currently in existing dock spaces, dock holders while having a renewal option shall not be permitted to enter the lottery.

It will be the responsibility of an individual to ensure that dock lottery cards are properly filled out and submitted. Any dock or lottery cards not properly filled out will not be entered in the lottery. Lottery cards may be accepted via "Certified mail", with a return receipt, to the individual entering the lottery. However, the deadline for all mail-in registrations is August 31<sup>st</sup> at 5 P.M. When accepting cards in person, particular attention should be given to boat OH numbers, name, address, phone numbers and length and width of craft. Applicants must include current and valid OH or Documented (Federal) numbers to enter the lottery. Exceptions: Persons who have recently purchased a new boat can enter if they show proof of ownership (e.g. sales receipt).

For those individuals or corporations owning and/or leasing a boat, they must submit the above listed information to enter the lottery. Corporations owning or leasing boats must list an individual as the responsible party and contact person. Boats that display ZZ (dealers tags) are prohibited from docking and entering any public lottery.

### **Lottery Application Procedures – Edgewater and Wildwood Marinas**

As stated in the Edgewater and Wildwood Marina lease agreements, the concessionaire will follow the local park's established procedures. The Division Dock Manual procedures for high demand usage (5-007) along with all other procedures in Chapter 5 shall apply. The concessionaire, at their cost and expense, shall make dock lottery applications available to the general public. The dock lottery shall be conducted on the third Saturday of September each year, and a representative from the park may be present. Before the dock lottery, the concessionaire shall inform the park manager of all open docks to be filled. Upon completion of the lottery, the concessionaire shall provide the park manager with a list of all lottery applicants in the order drawn including name, address, phone number and OH number. All vacant docks will be filled from the lottery list. The concessionaire shall not grant special dock privileges.

The concessionaire will conduct annual dock renewal between March 1<sup>st</sup> and March 31 (allow 5 business days for mail-in renewals) and issue a dock agreement or contract in a form to be approved by the Department, for each boat docked at the marina.

Historic dock holders will be grandfathered with annual renewal rights until such time they fail to renew or purchase a new boat requiring a larger or smaller dock size. Overall maximum and minimum boat lengths along with other specialty stipulations shall be established for each dock size by the concessionaire. All vacant docks shall be filled facilitating a 20 percent rollover each year. Separate dock renewal and lottery procedure fact sheets shall be developed by the concessionaire with a copy of each submitted to the park manager. Upon completion of the annual renewal and filling of vacant docks, the concessionaire shall provide a list of all dock holders to the park manager including dock number, name, address, phone number, OH number and boat name. The Concessionaire shall notify the park manager of any vacancies throughout the year and shall fill the vacancies from the lottery waiting list and shall provide updated dock information to the park manager.

### **Procedures for Current Dock Holders**

Current dock holders must renew their contracts between March 1<sup>st</sup> and March 31<sup>st</sup>. Contracts and payments must be renewed no later than March 31<sup>st</sup> (Allow five business days for mail-in renewals) Any contracts postmarked later than March 31<sup>st</sup> will not be accepted. Any contracts not renewed by the above date will be voided and the dock assigned to the next person on the lottery list. The park will mail contracts to each dock holder in advance of a renewal period. The contract will include specific information covering fees, proof of ownership, payment procedure, size limitations, boating season, stipulations, etc.

The following conditions shall also apply: Persons who lease a boat must provide a notarized copy of a lease agreement, signed by both parties.

### **Transfers**

Request for transfers will be accepted during the renewal period except as noted below. Current dock holders will have the option of only one (1) transfer in a five year period within the same dock size.

Determination and applicability of transfer will be made by the park manager. Approval or denial will be based upon such factors as reason for transfer (e.g. timeliness of request and ease of transfer). Dock holders may agree to switch for the benefit of both parties within the same dock size.

Effort will be made to accommodate transfer requests however, no guarantees will be made to honor any request. If the request is disapproved, it will be noted on the form and returned with an explanation to the sender.

**TRANSFERS WITHIN THE E.55<sup>TH</sup> STREET MARINA WILL BE ADDRESSED IN THE FOLLOWING WAY:**

- 1) Mandatory transfers will come first.
  - a) You will be moved first according to size of boat. For example: if you own a 32' boat and are in "C" dock, you will be moved before someone who owns a 31' boat in "C" dock.
  - b) When two or more boats on the same dock need to be moved and the boats are the same size, then the administrative staff will start at the beginning of the dock and move in numerical order. Example: If B-1 and B-2 are 35' boats, then B-1 will be moved before B-2.
- 2) Formal requests will then be honored after all mandatory moves are taken care of.
  - a) Health problems will receive priority. Subjects requesting a move because of health problems must bring a doctor's statement detailing the problem.
  - b) First-Come/First-Serve requests will then be taken care of on a first come/first serve basis.

**HOW REQUESTS TO MOVE WILL BE HANDLED BY THE ADMINISTRATIVE STAFF:**

- 1) Requests to move will only be taken during dock renewal time while boat owner is renewing dock in person.
- 2) Subject will fill out a Transfer Request Form and return it to the person who is renewing subject's dock.
- 3) Management will then review each form and decide if the request will be approved/denied. Each request will be answered and notified of the approval/denial.
- 4) If approved, subject will then be put on the list in order of time/date received.
- 5) Boat owner will be notified in the first or second week of April if request can or cannot be honored.

\*There are no guarantees that all requests can be accommodated.  
**PURCHASE OF AN UNAUTHORIZED BOAT WILL RESULT IN DOCK FORFEITURE!**  
This is a new transfer procedure and will be followed beginning with the 1990 season.

### **Cancellations/Refund Procedures**

For those who wish to cancel their dock contract, it shall be granted, however, the refund shall be prorated until July 15<sup>th</sup>, if applicable. Prorated refunds after July 15<sup>th</sup> will be granted if the dock is re-rented and will be based upon the season extending from May 1<sup>st</sup> to October 31<sup>st</sup> annually. All requests for refunds must be submitted in writing to the park manager. The park manager's recommendation will be submitted with a copy of the applicant's request.

### **Posting of Dock Information**

All pertinent dock information will be posted at the park office, 8701 Lakeshore Blvd. NE., Cleveland, Ohio, 44108, E.55<sup>th</sup> Street Marina and on the park web site at [www.clevelandlakefront.org](http://www.clevelandlakefront.org).

Items that will be posted periodically are the following:

- 1) Annual dock lottery announcement.
- 2) Revision in dock rules, regulations and stipulations.
- 3) Winners and alternative list for public dock lottery.
- 4) Cleveland Lakefront Dock Procedures.

### **Transporting Gasoline to Public Docks**

Based on the Division's added liability within our marina areas (since a fee is charged), as well as the number of crafts moored in a very close proximity, refill on watercraft fuel tanks should be restricted to designated areas only. The concern is for safety and fire hazards when dock holders fill their crafts at their docks. Many boaters do not transfer fuel in approved containers. Fuel is spilled on dock fingers and many refuel with open fires close by, such as: cigarettes, cigars, pipes and propane stoves. Many do not have a fire extinguisher close at hand. One explosion could destroy many boats within a marina, along with visitor injury and public property destructions. Transporting gas on state docks is prohibited per OAC-R: 1501:41-12-18, except in areas approved for such as proposed by the park manager. Areas included at Cleveland Lakefront State Park are:

- 1) Edgewater Gas Dock.
- 2) East 55<sup>th</sup> Gas Dock.
- 3) Wildwood Gas Dock.

## **Public Dock Administration**

### **3-002 Subleasing Public Docks/Permission to Use Docks**

OAC-R 1501:41-12-03 (see below) addresses the issue of the use of a public dock by parties other than the licensee and specifically forbids subleasing, transferring or assigning dock rights.

Further, the dock holder cannot give permission for others to occupy the dock. Violations of this provision can lead to enforcement action and/or revocation of the dock permit. In the past, permission could be given by the dock licensee for use not in excess of 24 hours. A complete prohibition against dock usage was instituted due to:

- 1) Concerns that security to authorized persons and boats within the area was jeopardized.
- 2) Widespread abuse of the 24 hour limit.
- 3) Significant administrative burden caused by need for dock checks, notifying "guests" during emergencies, etc.
- 4) Abuse of the "subleasing" prohibition
- 5) Conduct of the "guests" which impaired the recreational experience of the other dock holders.

1501:41-12-03 – Subleasing, transfer, Assignment or Unauthorized use of Dock Prohibited.

No person shall sublease, transfer or assign his dock permit or rights there under to any other person, or permit any other person or watercraft not owned or leased to him to occupy or use his dock, tie up, or storage space except by written permission of the chief or his authorized agent. In addition to any penalty which may attach to a violation of this rule, such violation shall be cause for revocation of the offender's dock permit and all rights and privileges attached thereto. (Effective 1988).

OAC-R 1501:41-12-04 (see below) outlines the circumstances when non-dock license holders may use licensed docks.

1501:41-12-04\* - **Permission Required to Use Licensed Dock:**  
**Exceptions.**

- A) No person shall anchor, moor, dock or tie-up to any licensed dock or any licensed tie-up space **UNLESS THAT PERSON HAS A LICENSE ISSUED BY THE CHIEF OF THE DIVISION OR HIS AUTHORIZED AGENT TO USE SAID DOCK OR SPACE.**
- B) **NO PERSON SHALL LOITER ON OR USE IN ANY WAY NOT CITED ABOVE ANY STATE DOCK WITHOUT OBTAINING PERMISSION FROM THE PERSON HAVING CONTROL OF SUCH DOCK OR TIE UP SPACE, EXCEPT WHEN AN ACTUAL EMERGENCY EXISTS TO PREVENT OBTAINING SUCH PERMISSION.**

### 3-003 Unauthorized Watercraft

A problem is encountered at high demand park marinas where unauthorized watercrafts are moored from dock to dock. In the eyes of the violator, citations and ensuing fines are a cheap means of dockage and enforcement actions are of little significance.

**POLICY:** This Division will address the above problem by impounding unauthorized watercraft at the owner's expense.

To implement this policy, the following standard impounding procedure will be implemented.

Impounding shall begin with chaining of the unauthorized craft within the dock for the first two violations with notice of the violation and release procedures posted on the craft. The third violation shall result in the removal of the craft by a commercial marine operator just as motor vehicles are towed within the park. This impounding procedure should not be compared or confused with the removal of watercraft upon expiration of the dock permit under 1501:41-1-07, or disposal of abandoned property under 1501:41-3-17.

### 3007 Fishing from Public Docks, Marinas, Seawalls

In many areas, visitors create problems and security risks by fishing from licensed docks, concession docks, within restricted marina areas, from seawalls with licensed docks close at hand, and within harbor areas. Conversely, boaters also create problems for fishermen within harbor entrances through negligent operation resulting in damage or loss of fishing gear when lines become tangled in propellers.

To resolve these management and visitor conflicts, a park manager may identify specific areas (excluding licensed public docks from which fishing is already prohibited per OAC-R 1501:41-12-04) through the chain of command and request permission to restrict fishing to certain areas. The policy of the Division will continue to be to allow fishing in all areas, unless a significant threat to public safety, health, and enjoyment is present. Based on the potential for theft the E.55<sup>th</sup> Marina will be off limits to fishing. Exception: Docks leased by the staff to specific individuals or by permit only.

### 3-009 Placement of Commercial/Non-Commercial Trailers, Motor Homes and Commercial Vehicles within Marinas.

In many, but most certainly not all, marina areas, commercial/non-commercial trailers, motor homes and commercial vehicles create a parking problem. If not restricted, some licensed dock holders might attempt to use marina parking lots as summer storage areas for items.

Not only do the items compete for limited space, but they attract criminal activity; OAC-R 1501:41-13-03 is an effective tool to handle these matters.

\*Please note that in OAC-R 1501:41-13-03 (B) the non-authorized parking of any "vehicle" for more than twenty-four (24) hours is prohibited. "Vehicles" and "Motor Vehicles" are defined in ORC 4501.01(A) and (B). Trailers are considered Vehicles thus 1510:41-13-03(B) is applicable.

### 3-001 Charter Operations From Public Docks

Based on public demand for access to increasing walleye, perch, and trout population, many fishing charter services have been started. Their increasing number has affected both Division boat ramps and park operated /concession operated marinas on Lake Erie and, to a lesser degree, at some inland lakes within the Division. At times, charter captains have violated OAC-R 1501:41-3-26, their clients have competed with other park visitors for parking, and complaints regarding charter boats occupying dock spaces rather than "pleasure" boats have occurred. In 1986, the ODNR director authorized the general use, without permit, of public launch ramps by charter boats as long as they did not collect fees within, advertise the operations, and or pass out pamphlets or flyers within park jurisdictions. In similar fashion, commercial activity has been permitted within public/concession marinas under our jurisdiction with the same stipulations.

As a provider of recreational facilities and access sites, the Division recognizes this commercial activity compliments a legitimate outdoor recreation pursuit. Based on our responsibility to protect the resources and facilities we manage from exploitation, as well as our responsibility to serve public demand the following action shall be taken: Charter operators will be permitted to operate within our jurisdiction providing they are loading/unloading passengers at Cleveland's public launch ramps only. All other activities (i.e. sales, advertisement, etc.) are strictly prohibited and shall be enforced.

## **DOCK BOX MOUNTING GUIDELINES ADDENDUM “A”**

The Division of Parks and Recreation has authorized the use of dock boxes at the East 55<sup>th</sup> Street Marina. Dock holders will be responsible for installation and removal of dock boxes each boating season. Due to type, size or make of (obstructions) of the dock some dock holders will not be approved for dock boxes.

Dock boxes shall adhere to the following specifications. Standard color: White; standard shape and size: triangular and 27”H X 48”L X 24”. Manufacturer’s material: fiberglass only. Wood, metal or home made boxes strictly prohibited.

Dock boxes shall be installed/mounted where they do not obstruct the walkways on all the docks. Therefore, dock boxes shall be installed in the following manner. Dock boxes will be installed down in or overhang dock (see drawing on next page). Two inch lag screws are the standard screw for mounting dock boxes.

# DOCK BOX MOUNTING GUIDELINES

