



RESOLUTION NO. 18-06-12

OF THE TOWN OF LAKE LURE MARINE COMMISSION AMENDING THE LAKE USE REGULATIONS CONCERNING COMMERCIAL BOAT PERMIT PURCHASE DEADLINE, COMMERCIAL CLASSIFICATION INSURANCE, WATER SPORTS, AND DUAL PERMITTING

WHEREAS, the Lake Lure Town Council has created the Lake Lure Marine Commission as authorized by special act of the General Assembly of the State of North Carolina for the purposes of regulating all activities on Lake Lure; and

WHEREAS, the Lake Use Regulations were adopted by resolution on March 9, 2004; and

WHEREAS, the Lake Lure Marine Commission, upon the recommendation of the Lake Lure Lake Advisory Board, has determined that said regulations should be amended to further clarify and regulate activities on Lake Lure; and

WHEREAS, it is a goal of the Lake Use Regulations to provide definitions for applicable terms; accountability of commercial boats permitted; and, updated penalties for enforcement.

NOW, THEREFORE, BE IT RESOLVED BY THE LAKE LURE MARINE COMMISSION that the following revisions to the Lake Use Regulations are hereby placed in effect and shall be enforced by the Town of Lake Lure:

[Words ~~stricken through~~ to be deleted, words underlined to be added]

SECTION ONE. Amend Section 4.01 (K) as follows:

The Marine Commission will determine the total number of available commercial and/or non-commercial boat permits based on a schedule of permit limits. To insure the health, safety and welfare of those who use the lake, the schedule will be reviewed annually; utilizing standards established by the Marine Commission which may include, but are not limited to formulas utilized by the US Army Corps of Engineers, Department of the Interior, Environmental Protection Agency and data from the Coast Guard and the Town of Lake Lure. To help maintain an accurate account of the number of commercial boats being permitted, all applicants who apply for and are approved for commercial boats to be permitted are required to purchase permits for all boats that were applied for and approved by the Marine Commission prior to April 15th of the permitted year, or their space will be reallocated to other applicants.

SECTION TWO. Amend Section 4.07 (C) as follows:

All applications for lake commercial licenses shall be accompanied by proof of marine liability insurance written by a company approved by the state of North Carolina and AM Best for all associated motorized boats. Commercial classifications 1, 2, 3, 4, 5, & 6 must have minimum liability coverage of \$1,000,000.00. Commercial classification 7 & 8 shall carry the appropriate type of insurance policy (commercial/non-commercial) suitable for business operation, and have minimum marine liability coverage of \$300,000.00. All commercial operators shall name the town as co-insured on the required policies.

SECTION THREE. Amend Section 4.07 (K)

Water sports are expressly prohibited behind boats with a resort, livery, service, tour boat and fishing commercial classification (including boats associated with rental homes).

SECTION FOUR. Amend Section 4.07 (M)

Because there are limits in the numbers of commercial boat permits issued, once a boat permit has been issued for a particular commercial classification, that boat shall retain that classification until the permit expires. A boat cannot change classification in the same calendar year that it was permitted. Commercial vessels may only be operated for the purpose approved in the commercial license. Dual permitting of boats is prohibited.

SECTION FIVE. Add Appendix A and B after Section 5: Enforcement; Penalties

Appendix A: Tour Boat Manner of Operation

Appendix B: Lake Lure Commercial Boaters Safety Class

Appendix A

Lake Lure Manner of Operation

To help reduce the wake issues that are occurring within the main channel of Lake Lure, Lake Lure Tours proposes the following for operation:

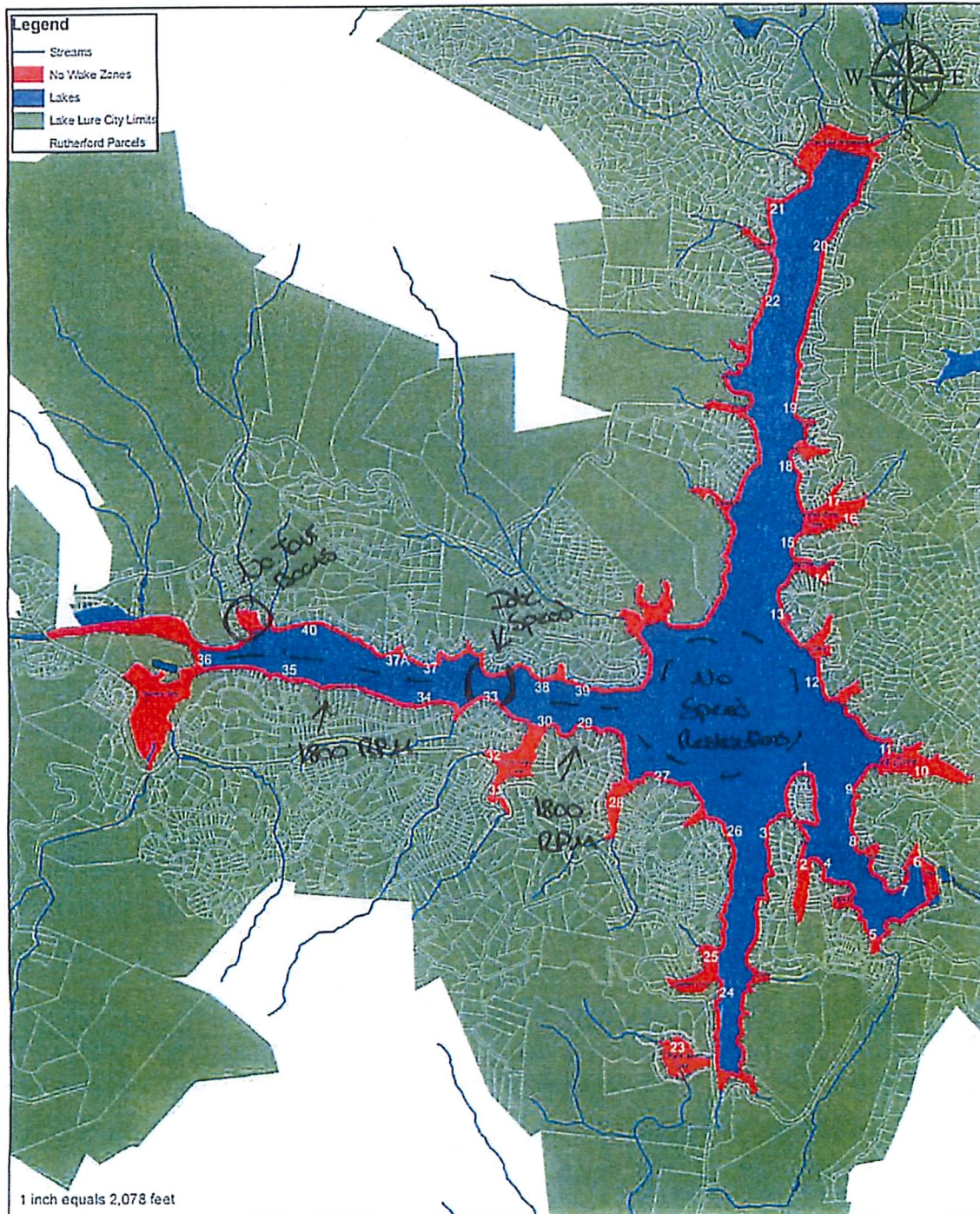
- Stage tour boat departure times at least five minutes apart.
 - a. For example, Tour boat one departing at 10:55 am, tour boat two departing at 11 am, and tour boat three departing at 11:05 am on busy days.
- For the safety of residents swimming in Firefly Cove, Lake Lure Tours will no longer proceed into the cove.
- Lake Lure Tours proposes to operate tour boats at 1800 RPM (existing policy) through the main channel, except at the portion of the channel which is referred to as the “Bottle Neck” located within Lake View Road and Cutaway Road area. All tour boats will drop to idle speed thirty yards before and thirty yards after the “Bottle Neck.”

Resolution No. 18-06-12
Lake Use Regulations Amendments
June 12, 2018
Page 3

- All tour boats should stay to the center of the main channel unless one of the following occurs:
 - a. The skipper is pointing out features along the lake and then returns to the center of the main channel.
 - b. An unsafe event occurs (skiing, swimming, or yielding right-of-way to another boat).
- In the event that the tour boat is stopped, the driver will turn the boat ninety degrees before powering the boat back up to 1800 RPM to disperse wake away from the shorelines.

In addition to the above changes for LLT boat operations, all boat drivers will complete a new training program this spring. Management will be riding with each skipper at least twice a month to ensure that all new directions, operational protocols, and boat operations are being followed.

TOUR BOAT MANNER OF OPERATION MAP



Appendix B

Title:

Lake Lure Commercial Boaters Safety Class

Lesson Purpose:

To provide the commercial operator with the knowledge, skills and materials to complete the Lake Lure Marine Commission mandated commercial boaters' safety class.

Training Objective:

Attending this class, the participant will be able to achieve the following objectives in accordance with the information presented during the instructional period:

1. State/local Laws

- State Regulations
- Lake Lure Regulations

2. Lake Use Regulations

- Commercial Operations

3. Professionalism

- Representing your company
- Courtesy
- Manner of operation

4. Safety

- Operation
- Equipment
- Reporting
- Inclement Weather

5. Privacy

- Respecting residents privacy

6. Communications

- With your office
- Lake Lure Police/Fire
- Lake Operations

Resolution No. 18-06-12
Lake Use Regulations Amendments
June 12, 2018
Page 6

This Resolution shall be in full force and effect from and after the date of adoption.

Adopted this 12th day of June, 2018.



Michelle Jolley
Michelle Jolley, Interim Town Clerk
Marine Commission

Kevin Cooley
Kevin Cooley, Mayor