

ARTICLE 37

WALLOWA LAKE FLOAT/DOCK/SURFACE AREA

SECTION 37.010, PURPOSE: The purpose of the Wallowa Lake Float, Dock and Surface Area standards is to preserve, protect, and promote the public health, safety, convenience, prosperity, and general welfare with the following objectives:

01. Maintain the unspoiled character of Wallowa Lake by regulating construction, maintenance, number, and location of floats and docks.
02. Promote the public safety by eliminating boating hazards caused by submerged and floating portions of disintegrated floats and docks and to identify owners by means of registration.
03. Provide public recreational use of the waters of Wallowa Lake.
04. Protect the water quality of Wallowa Lake by prohibiting unsanitary facilities on floats and docks.
05. Protect and enhance adjacent private property.

SECTION 37.015, FLOAT AND DOCK DESIGN STANDARDS: The following regulations shall apply to floats and docks utilizing the surface water of Wallowa Lake.

01. All structures must comply with current Oregon State Marine Board Rules for new construction.
02. Styrofoam of a type approved for marine use by the Oregon State Marine Board Rules for new construction may be used for buoyancy.
03. Only approved anchoring devices shall be used as defined in Article 1, Section 1.065.
04. Plastic barrels approved by the Oregon State Marine Board may be used and shall be securely fastened to the bottom of the float or dock as specified by the Oregon State Marine Board Administrative Rules, OAR 250, Division 14.

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05. Sizes of floats and docks shall be determined by the owner in compliance with the provisions of this article. The Wallowa County Planning Commission reserves the right to specify size if considered so necessary in fulfilling the purposes and objectives of this ordinance.

SECTION 37.020, REGISTRATION REQUIREMENTS: With the exception of County, State, or Federally owned facilities, each float or dock owner shall purchase a permit to register their float or dock with the Wallowa County Planning Department.

01. Before being issued a registration number, a float or dock owner shall submit plans of the structure as required by the Wallowa County Planning Director showing method of construction and specification of materials.
02. The Public Works Director shall review the float or dock's structure for compliance with standards of 37.015 and 37.040 prior to issuing a registration number.
03. There shall be an initial registration fee and an annual fee each year thereafter. Annual fees shall be due and payable on or before March 1 of each ensuing year.
04. Any changes in structure or placement of existing registered floats and docks must be updated and approved upon annual renewal. Substantive changes may be subject to the initial registration fee.
05. Registered floats must be physically placed to insure registration renewal.
06. Registered floats not utilized for two consecutive years will result in non-renewal of permit/registration.

SECTION 37.025, PERMIT REQUIREMENTS: Registration and renewal shall be obtained through a permit process in accordance with the provisions of this Article. Permit application shall be made on a prescribed form obtainable from the Wallowa County Planning Department.

01. A permit issued for placement of a float shall not be transferable.
02. A permit issued for placement of a dock may be transferred upon approval by the Wallowa County Planning Director.
03. Permits will be issued for docks only on the West side and for floats only on

the East side of Wallowa Lake.

SECTION 37.030, COMMERCIAL DOCKS: Commercial docks require the approval of the Wallowa County Planning Commission pursuant to the provisions of Article 9, Conditional Use Permit, and the approval of the Division of State Lands. Fees and registration shall be in accordance with the current fee schedule of the Wallowa County Planning Department and the applicable State laws and regulations.

SECTION 37.035, ADMINISTRATIVE PROCEDURES: The Wallowa County Planning Commission may establish a maximum number of floats and docks on the lake if considered so necessary to carry out the purposes and objectives of this ordinance.

01. In establishing such a number, the Wallowa County Planning Commission shall use the number of the preceding year floats and docks as a base.
02. With the exception of publicly owned facilities, the Wallowa County Planning Commission hereby limits the number of floats to ten until such time as further study and assessment determines that a greater number could be accommodated without violating the intent of this ordinance.
03. Appeals shall be filed in accordance with the provisions of Article 7, Appeals.

SECTION 37.040, RESTRICTIONS: For the purpose of fulfilling the intent of this ordinance, the following restrictions shall be adhered to:

01. Each dock not owned by the immediately adjacent property owners shall be restricted to areas designated by the Wallowa County Planning Commission and shall be reviewed under the provisions of Article 9, Conditional Use.
02. Floats and docks shall be located where they will not substantially detract from the public's view of the lake or interfere with other amenities normally attributed to Wallowa Lake.
03. With the exception of the Yacht Club and Oregon State Park's leased docks, no float or dock shall be placed on the lake prior to March 1 or breakup of the ice - whichever comes first.
04. With the exception of the Yacht Club and Oregon State Park's leased

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docks, each float shall be removed from the lake no later than October 15 of each calendar year and each dock shall be removed from the lake no later than November 5 of each calendar year. Failure to do so will subject the owner to penalties as provided in Section 37.050.

05. No piling shall be constructed for the purpose of anchoring private floats or docks.
06. There shall be no "to-shore" sewage hookups from boats, floats or docks. Only self contained and portable toilets approved by the Department of Environmental Quality shall be allowed for use on houseboats, floats, or docks. The floor area of any structure housing such a sanitary facility or dressing room shall not exceed 25 square feet and the height shall not exceed 7 feet.
07. No float or dock shall extend beyond 200' from the high water mark of Wallowa Lake.
08. Placement of booms shall be subject to prior approval by the Wallowa County Planning Department.
09. Except for the dock permitted on the Timber/Grazing portion of the property located between the Lake and Highway 351 on the East side of the lake, docks will not be permitted on the East and floats will not be permitted on the West side of Wallowa Lake.
10. Steel drums to be used as floatation devices will not be allowed.
11. No float shall exceed 320 square feet of surface area and should be so designed to facilitate removal from the water to minimize damage to floatation devices.

SECTION 37.045, EXCEPTIONS AUTHORIZED: Exceptions and conditional exceptions to the regulations prescribed by this article may be authorized by the Wallowa County Planning Commission when it can make all the following findings:

01. That there are special circumstances or conditions that do not normally apply to other floats and docks and that such circumstances or conditions make it impossible or impractical to comply.
02. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area.

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03. That the granting of the exception is in accordance with the purposes and objectives prescribed in Section 37.010.
04. That the exception is necessary for the preservation and enjoyment of a substantial property right because of an extraordinary hardship which would result from strict compliance with the regulations of this ordinance.

SECTION 37.050, PENALTIES: In addition to penalties otherwise prescribed by this ordinance, failure to comply with the provisions of this article will subject the owner of the float or dock to confiscation of said float or dock and removal from the water of Wallowa Lake with all associated costs charged against the owner.

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