

# COMAL COUNTY WATER RECREATIONAL DISTRICT NO. 1

P.O. Box 310009 New Braunfels, TX 78131-0009

Website: [www.ccwr1.com](http://www.ccwr1.com)

## SECRETARY

Amie Sheck

ccwr1@gmail.com

(720) 333-1041

## GENERAL MANAGER

Tim Van Delden

theislandmanager@gmail.com

(512) 775-4344 Cell

## BOARD OF DIRECTORS

Richard Yonker - President

ryonker1@gmail.com

(469) 371-2602 Cell

Cory Elrod - Director

[cory@legacycommercialre.com](mailto:cory@legacycommercialre.com)

Cell (830) 214-3489

Amy Post - Director

Postits5@gmail.com

(830) 832-6166 Cell

## **C.C.W.R.D. NO.1 RULES AND REGULATIONS (ver. 12.01.2023)**

The Board of Directors of the Comal County Water Recreational District No. 1 has adopted the following rules and regulations governing the use of the district's facilities, including Spring Island. Your cooperation in observing and assisting in the enforcement of these rules and regulations is important to protect your rights and the rights of the district. It is the responsibility of each Property Owner to inform their Authorized Users, Guests, and Tenants of the rules and regulations. Property Owners are legally responsible and liable for violations of these rules and regulations and damages to district property and facilities by their Authorized Users, Guests, and Tenants.

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## SECTION 1

### 1.0 PROHIBITED ITEMS, ACTIVITIES, AND BEHAVIOR

#### 1.1 ITEMS PROHIBITED WITHIN THE BOUNDARIES OF C.C.W.R.D. No. 1

- a. Glass containers of any kind. **Glass brought onto the Island or C.C.W.R.D. No.1 owned property by the Property Owner, their Authorized User, guest, or tenant will result in loss of privileges for that property for the remainder of that day.**
- b. **The Property Owner will be subject to a fine of up to \$200.00.**
- c. Bicycles, rollerblades, skateboards, scooters, and motorized vehicles, except vehicles operated by contractors approved by the General Manager.
- d. Dogs and all other domesticated animals.
- e. Metal detectors.
- f. Golf carts.
- g. Portable Propane Cookers, portable BBQ pits, hammocks, and piñatas.
- h. Cast nets and/or seine nets.
- i. Water balloons and golf balls
- j. Fireworks, slingshots, bow and arrow, spear guns, or any other projectile throwing devices.
- k. Any remote-controlled device capable of exceeding five mph, including but not limited to drones, motorized boats, toys, and motorized ice chests.
- l. Volume drinking devices, defined as any device that allows alcohol to be ingested by carrying the liquid from a higher location into the mouth by force of gravity or mechanical means, including, but not limited to funnels, tubes, and hoses and beer bongs.

#### 1.2 ACTIVITIES PROHIBITED WITHIN THE BOUNDARIES OF C.C.W.R.D. No. 1

- a. Refusing to follow verbal or printed instructions or cooperate with C.C.W.R.D No.1 staff or security can result in immediate dismissal from C.C.W.R.D No.1 property.
- b. Diving and jumping from the bridges, pushing others into the Swim Area, running on the sidewalks, and other boisterous acts are prohibited.
- c. Profanity, foul or inappropriate language. **Any Property owner, tenant, Authorized User or guest who uses profanity, foul or inappropriate language will receive one warning from Security personnel. A second violation on the same day will result in loss of privileges for all authorized users for that property for the remainder of that day.**
- d. Leaving trash, bottles, cans, and other items on the Island or in the Comal Springs is prohibited. Place all discarded items in the proper trash cans.
- e. Consumption of alcoholic beverages by minors is prohibited on the Island.
- f. Climbing or jumping from trees on all C.C.W.R.D. No.1 owned property.

- g. Attaching hammocks, swings, ropes, banners, and use of nails, staples, etc., on trees, poles, or pavilions.
- h. Nudity, regardless of age.
- i. Feeding ducks, geese, or other wildlife.
- j. Unsolicited photographing or video recording that disrupts a C.C.W.R.D No.1 member's experience or interferes with property operations.
- k. Fighting or physical aggression of any kind, including verbal or physical assaults.
- l. Harassing/threatening behavior, sexual misconduct, or lewd behavior, including inappropriate interaction with members or staff.
- m. Intoxication or substance impairment that results in irresponsible behavior.
- n. Drinking games (any game or contest involving the consumption of alcohol)

### **1.3 ENVIRONMENTAL**

C.C.W.R.D. No.1 owned property is an environmentally sensitive area. Four endangered species are found within the boundaries of C.C.W.R.D. No.1. Therefore:

**DO NOT REMOVE OR DISTURB SOIL, ROCKS, SNAILS, OR VEGETATION**

### **1.4 NOISE**

- a. Music played from an electronic device is prohibited on the Island and within the boundaries of C.C.W.R.D No.1 owned property.
- b. The city of New Braunfels' noise ordinances applies to all properties adjoining C.C.W.R.D No.1 owned property.

### **1.5 RESTRICTED USE AREA**

**The Swim Area** is a "restricted use" area. The swim area is defined as the water on the Edgewater side of the Island, from the Mulberry Street pedestrian bridge to the southern (downstream) end of the Island.

**The following items and activities are prohibited in the Swim Area:**

- a. Boat, kayaks, paddleboards, or any type of watercraft
- b. Handheld underwater propulsion devices
- c. Fishing
- d. Scuba diving, except for circumstances approved by the General Manager.

### **1.6 RESTRICTION ON DOG ACCESS TO DISTRICT PROPERTY**

- a. Dogs are not allowed on the Island, the 15' strip of shoreline, or in the Swim area, except as provided in parts (b) and (c).

**Access to 15' strip of shoreline along the water**

- b. A Property Owner or their authorized user (**excluding tenants**) may bring their owned dog only onto the District owned 15' concrete strip of shoreline on the Edgewater side of the swim area located between the Island entrance bridges to walk along the shoreline. However, dog access to the water is prohibited.

- c. Property Owners whose property adjoins the District owned 15' strip of the shoreline may use such immediately adjoining shoreline area for water access for their dog. This part does not apply to tenants and does not allow dog access to the Swim Area.
- d. Dogs are required to be on a leash at all times in accordance with Comal County leash laws, sections 6.2 and 6.5. Comal County leash law can be found at [https://www.co.comal.tx.us/Orders/2008/Order\\_171\\_Animal\\_Control\\_Order06.17.08.pdf](https://www.co.comal.tx.us/Orders/2008/Order_171_Animal_Control_Order06.17.08.pdf)
- e. Any dog accessing District owned property must be licensed in accordance with City of New Braunfels Code of Ordinances, Chapter 6, Article II, 6-26, which may be found thru the following link: [http://newbraunfels.elaws.us/code/coor\\_ch6\\_artii\\_sec6-26](http://newbraunfels.elaws.us/code/coor_ch6_artii_sec6-26)
- f. Proof of license must be provided to the District Secretary by the Property Owner prior to the Property Owner being allowed to access District owned property with their dog.

## **1.7 DRESS CODE**

- a. Swim wear should reflect C.C.W.R.D. No.1's family friendly environment.
- b. Determination of non-family friendly swimwear is at the final discretion of the General Manager and/or the Board of Directors.
- c. Violators of the family friendly swim wear rule will be given the choice to cover up for the remainder of their stay on district owned property or leave the premises.
- d. Failure to comply with "c" above will result in an automatic 1 week suspension of access privileges for the property address associated with the violation.

## **1.8 NON-SMOKING TOBACCO-FREE POLICY**

C.C.W.R.D. No.1 is a nonsmoking, tobacco-free property. The use of any tobacco product, including vaping devices, is prohibited on C.C.W.R.D. No.1 property or within 50 feet, except for private Property Owners or their guests while on their own property.

## **1.9 FISHING AND BOATING**

- a. Texas Parks and Wildlife fishing and boating regulations are in effect within the boundaries of C.C.W.R.D. No.1.
- b. Cast nets and seine nets are prohibited.

## **1.10 COMMERCIAL PHOTOGRAPHY POLICY**

- a. Photographs and /or videos of any part of C.C.W.R.D. No.1 owned property is prohibited from being used for commercial purposes. Commercial purposes include, but are not limited to, portfolio photography, stock images, display advertising, brochures, product literature, fashion shoots, promotional use of a product, a company or brand, used in either print or electronically, such as a website or social media.
- b. Written approval from management is required for commercial photography. Photographers must have appropriate credentials and must be accompanied by C.C.W.R.D. No.1 staff at all times.
- c. The fee for commercial photography, with written approval in advance, is \$2,500 per day. Violations of C.C.W.R.D. No. 1 Commercial Photography Policy are subject to fines imposed by the District of up to \$5,000 and prosecution for criminal trespass under Texas Penal Code Section 30.05.
- d. Photographs and videos of any part of C.C.W.R.D. No.1 owned property may not be utilized to misrepresent use of or access to District-owned property. Person(s) or entities may be held liable for the misrepresentation of District Recreational Privileges.

## **SECTION 2**

### **2.0 RULE ENFORCEMENT**

- a. THESE RULES WILL BE STRICTLY ENFORCED.**
- b. Violation of any rules in section 1.0 can result in immediate dismissal from the Island and possible suspension or loss of Island Privileges.
- c. C.C.W.R.D. No.1 may impose a fine of up to \$200 against any person(s) violating these Rules and Regulations. This fine will be in addition to any other penalties provided by the laws of the State of Texas and enforced in the appropriate court of jurisdiction in Comal County, Texas.
- d. C.C.W.R.D. No.1 may also impose access restrictions on any property within the District whose Owner, Authorized User, Guest, or Tenant violates these Rules and Regulations.
- e. The General Manager and security staff have the authority to enforce all Rules and Regulations and manage all activities on the Island, including those not defined herein, for the purposes of safety, security, sanitation, and compliance with C.C.W.R.D No.1's Legislative Charter.

## **SECTION 3**

### **3.0 AUTHORIZED USERS OF WATER DISTRICT FACILITIES**

#### **3.1 SINGLE PARTY OWNERSHIP OF A PROPERTY**

- a. Subject to being properly registered with C.C.W.R.D No.1 Secretary and all C.C.W.R.D No.1 assessments being paid current, single party Ownership of a legally platted property within the district automatically entitles a Property Owner to C.C.W.R.D. No.1 Recreational Privileges, as described in section 3.1.
- b. C.C.W.R.D No.1 utilizes the Comal Appraisal District (CAD) records to determine legal description and Ownership within the district.
- c. District Recreational Privileges will not be granted to any person or entity for a tract, lot, or other subdivision of land that is *smaller than* the legally platted lot for the subject property. "A legally platted lot" means property within the district which is identified by a tract, or lot number, or symbol in a subdivision plat properly filed of record in the county's real property records or, if subdivided after January 1<sup>st</sup>, 2020, in a subdivision plat that was duly approved by the City of New Braunfels and properly filed of record.

#### **3.2 MULTIPLE PARTY OWNERSHIP OF A PROPERTY**

- a. Multifamily properties are defined as those properties where multiple family ownership occurs through inheritance, only. Creation of multifamily ownership through multiple party acquisition, collaboration, consolidation, or any other means are not considered multifamily ownership properties for the purposes of these rules and regulations.
- b. In the case that a multifamily owned property occurs other than by inheritance, only 1 family will have privileges and the extenuating circumstance rule will not be available to the property.
- c. Subject to being properly registered with C.C.W.R.D No.1 Secretary and all C.C.W.R.D No.1 assessments being paid current, multiple parties or entity Ownership (including but

not limited to LLC's, Family Trusts, and Partnerships) of legally platted property does not grant Water District Recreational Privileges to all members of such entities.

- d. If more than one family is listed as the owner on a multiple party Ownership property, only one family will be granted Water District Recreational Privileges and will be designated by C.C.W.R.D No.1 as the primary family.
- e. This primary family will be the responsible party for all correspondence with the district. Properties where multifamily ownership occurs through inheritance will have 1 year from which the inheritance event occurred to comply with item c.
- f. Guest privileges will conform to Section 3.1 of the C.C.W.R.D No. 1 Rules and Regulations.

### **3.3 AUTHORIZED USER REGISTRATION**

- a. The Property Owner must properly register each Authorized User with C.C.W.R.D No.1 Secretary in order to have Water District Recreational Privileges.
- b. In order to be properly registered, the Property Owner must submit the Affidavit Form in accordance with the Authorized User's relationship to owner or tenant, as described in Section 3.1.a. **the Affidavit Form can be found online at [www.ccwrd1.com](http://www.ccwrd1.com).**
- c. The District Recreational Privileges are only authorized for the Property Owner and their Authorized Users, or the Property Owner's Tenants and their Authorized Users.

### **3.4 ISLAND ACCESS**

- a. Spring Island may be accessed by property owners, authorized users and tenants beginning at 6:00 am and concluding at 10:00 pm.
- b. All authorized users are required to sign in themselves and/or their guests on the sign-in sheet at the guard station **UPON ENTRY** onto the property.
- c. All sign-ins must be **legible**, and all appropriate spaces must be completed in order to access the property. Abbreviations and symbols are not permitted.
- d. The requirement to sign in **UPON ENTRY** is in effect year-round.
- e. An Authorized User must be 12 years of age or older in order to sign in and/or bring guests.

## **SECTION 4**

### **4.0 PROPERTY RENTAL**

#### **4.1 CONVEYANCE OF PRIVILEGES TO TENANT**

- a. A Property Owner who conveys their Water District Recreational Privileges to a Tenant will not be able to access the Island or any C.C.W.R.D. No. 1 owned property, submit a Party Planner or lease a Canoe rack.
- b. A property where a habitable structure exists may convey the Water District Recreational Privileges for that property only to the tenant that resides in the habitable structure on the property.
- c. For the purposes of vacant lot rental, a vacant lot is defined as property where no habitable structure or any type of encroachment exists. The district recognizes as a "lot," only legally platted property with a tax identification number in the Comal Appraisal

District's records and is not smaller than the legally platted size of such property as recorded in the Comal County Court of Records.

- d. Any and all encroachment agreements related to a vacant lot must be approved by the Board in writing in order to obtain Water District Recreational Privileges for the encroached lot.
- e. No more than one transfer of privileges will be allowed in a **12-month period**.
- f. Water District Recreational Privileges will only be authorized for the initial lease term and may be terminated for failure to comply with the District's Rule and Regulations.
- g. The Property Owner must notify C.C.W.R.D No.1 Secretary of any lease extensions or renewals prior to the current lease expiration in order for the Tenant to remain an Authorized User. Failure to do so will terminate the Tenant's Water District Recreational Privileges upon the completion of the initial lease term.

#### **4.2 PROPERTY RENTAL PROCESS**

- a. Property Owners that rent their property within C.C.W.R.D No.1 and convey Water District Recreational Privileges to their tenants must submit a completed District Rental Property Information Form to the C.C.W.R.D No.1 Secretary at ccwr1@gmail.com before any District Recreational Privileges will be authorized.
- b. In order to transfer Water District Recreational Privileges from the Property Owner to the Tenant, the Property Owner must submit a completed and signed copy of the Landlord-Tenant lease agreement to C.C.W.R.D No.1 Secretary at ccwr1@gmail.com for approval of Island privileges. The Landlord-Tenant lease agreement must include the specific term of the lease.
- c. Property Owner must present a list of the immediate family members who reside at the leased property, including a copy of their state-issued photo identification (i.e., driver's license when age-appropriate).
- d. If the Landlord-Tenant lease is for a vacant lot (no habitable structure exists), the Authorized User list can only include those immediate family members (minor children only) of the Tenant who reside with the Tenant leasing the vacant lot, and the lease term must be for a minimum of 12 months.
- e. **The Property Owner is required to pay a \$100 administrative fee to the district. Checks must be payable to C.C.W.R.D. No.1.**
- f. Both the Property Owner and the Tenant must sign the Waiver/ Release of Indemnity Agreement forms provided by the district.
- g. District Recreational Privileges will not be granted to the Tenant until all steps are completed.
- h. Property Owner and Tenant should allow 10 days for processing. Once all steps are completed and approved by the district, the Secretary will notify the Property owner.

### **SECTION 5**

#### **5.0 PRIVILEGES / USE OF WATER DISTRICT-OWNED PROPERTY**

##### **5.1 PROPERTY OWNER PRIVILEGES - AUTHORIZED USERS**

- a. Persons who are eligible to become Authorized Users of a Property are defined as the Property Owner and their immediate family only. Immediate family includes children, grandchildren, and great-grandchildren of the Property Owner and their spouses.



- b. Persons with relationships to the Property Owner who are NOT eligible to become Authorized Users are grandparents, parents, uncles, aunts, nieces, nephews, cousins, brothers, sisters, friends, or ex-spouses.
- c. Property Owners are allowed up to 15 people (property owner, children, grandchildren, and guests, combined) per legally platted property at the Island at any one time.**
- d. As Authorized Users, children and grandchildren of the Property Owner can bring up to three guests each; however, the total cannot exceed the allowable 15 guests per legally platted Property.**
- e. Property owners or authorized users of multiple properties cannot simultaneously sign in to more than one property address.
- f. Children under 12 years of age must be accompanied by someone 16 years or older.
- g. Property Owners and/or Authorized Users are required to be present with their guests at all times.

## **5.2 EXTENUATING CIRCUMSTANCE RULE**

- a. If an extenuating circumstance occurs that prohibits the Property Owner and /or Authorized Users from being present with their guests at all times, the Property Owner must contact the General Manager at least one week in advance for a possible exception.
- b. Exception requests must be sent in writing to theislandmanager@gmail.com or by text at 512- 775-4344.
- c. Exception requests received with less than 1 weeks notice will not be considered.**
- d. The Extenuating Circumstance Rule does not apply to Tenants.
- e. The extenuating circumstance rule may be applied to a property no more than twice in one calendar year the request cannot exceed 3 days in duration.
- f. Section 5.2 e does not apply to multifamily ownership requests.

## **5.3 TENANT PRIVILEGES- RESIDENTIAL AND VACANT LOT**

- a. Authorized Tenants are limited to 5 people in total (Tenant, minor children, and guests, combined) at the Island at any one time.
- b. Authorized Tenants are required to be present with their guests at all times.
- c. Authorized Tenant's minor children over the age of 12 residing in the house with the Tenant and are listed on the lease are limited to 3 guests each, not to exceed 5 people in total.
- d. District Recreational Privileges are not extended to the adult children of the Tenant.

## **5.4 GARAGE APARTMENTS OR GUEST HOUSES**

As described in the Comal Appraisal District records, C.C.W.R.D No.1 recognizes only one family for District recreational privileges per legally platted property. Additional Water District recreational privileges will not be granted to tenants of garage apartments or guest houses.

# **SECTION 6**

## **6.0 GROUP REGULATIONS**

### **6.1 PARTY PLANNER**

- a. The primary use of C.C.W.R.D No.1's recreational facilities is for the enjoyment of individual families who own property within C.C.W.R.D No.1 and their guests. Whenever possible, and without disrupting this primary objective, Property Owners may exceed the number of 15 guests (as described in Section 5.1) by submitting a Party Planner.
- b. Party Planners will be accepted for parties that occur during the period from March 1st through September 30th. Party Planners will not be accepted from October through February.
- c. Property Owners are allowed one group or Party Planner privilege per legally platted property at any given time.
- d. Party Planners are not to be used as a conduit for third parties or the general public to access the District's Recreational facilities.

### **6.2 PARTY PLANNER APPLICATION**

- a. If the Property Owner has more than 15 people in their group, the Property Owner is required to request approval in advance as a Registered Party by submitting a Party Planner form.
- b. The maximum size of a party is 40 people.
- c. Church, Civic, or Business guests of a Property Owner are permitted, subject to compliance with these Rules and Regulations. A Property Owner who schedules a function for these guests may only do so if the Property Owner states on the Party Planner that the function is a social function only.
- d. "Privilege stacking" is prohibited: Property Owners should not attempt to avoid the Party Planner process by collaborating with other Property Owners to each invite fewer than 15 guests to the same event. This violates the spirit of cooperation to protect individual families' enjoyment of the Island.
- e. Party Planner privileges are not available to Tenants.
- f. Party Planner forms may be obtained from the Security personnel or by email request to [manager@cc wrd1.com](mailto:manager@cc wrd1.com). The form may also be accessed and submitted online at [www.cc wrd1.com](http://www.cc wrd1.com).

### **6.3 PARTY PLANNER PROCESS**

- a. A Party Planner form should be submitted at least seven (7) days in advance. Please check with Security Personnel or the General Manager regarding openings on the reservation calendar.
- b. Only the Property Owner may submit party Planners.
- c. The Property Owner must provide a list of the names of all party attendees to the General Manager at least 5 days prior to the event. Only those persons on the guestlist provided will be granted access. Substitutions or changes to the guest list will not be allowed on the day of the event.
- d. All party attendees must enter and check-in at the Booneville entrance ONLY.
- e. Party Planner Fee - a non-refundable fee of \$150 is required for each Party Planner request to be paid via check from the property owner. Checks from any other party will not be accepted.
- f. Party Planner checks should be made out to C.C.W.R.D. No.1.

- g. Party Planner forms are to be emailed to theislandmanager@gmail.com or placed in the Island mailbox located at the corner of Booneville Ave. and Edgewater Terrace.
- h. Party Planners will not be considered until the General Manager receives the party planner form and the \$150 fee.
- i. If the Party Planner is approved, the General Manager will notify the Property Owner via the email or text indicated on the Party Planner form.
- j. Only 1 party will be granted on the Island per day.

## **6.4 PARTY RULES AND REGULATIONS**

- a. The Property Owner may reserve picnic tables on the day of the event. Each party will be allowed up to two tables.
- b. The Property Owner must accompany their guests on the Island at all times. There is no exception to this requirement.
- c. The Property Owner may not conclude the party, depart from the Island, and leave party guests behind unless those guests are Authorized Users and their guests.
- d. It is the responsibility of the Property Owner to advise and educate all guests attending the party of the Rules and Regulations regarding behavior and prohibited activities.**
- e. The Property Owner is responsible for the behavior of their guests.**
- f. Party Planners are intended to be used as a benefit of property ownership and should not be used as an avenue for the general public's use of the facilities.

## **SECTION 7**

### **7.0 HOLIDAY REGULATIONS**

#### **7.1 HOLIDAYS**

- a. For the purpose of this document. Holidays are considered to be Easter, Memorial Day, July 4th, and Labor Day weekends.
- b. Party Planners will not be approved on Holidays or Holiday weekends or the business day before the Holiday weekend.
- c. Property Owners are allowed up to 15 people in total, and Tenants are allowed up to 5 people in total.

#### **7.2 RESERVATIONS**

- a. Property Owners may "save" a table on any day including Holidays, starting no earlier than 6:00 am. A piece of paper with the Property Owner's name on it should be securely taped to the table the Property Owner wishes to reserve. Limit (1) table per Property Owner.
- b. Tenants may not "save" a table on the day of a holiday or at any other time.

#### **7.3 PORTABLE CANOPIES**

- a. One portable canopy is permitted per property and must not exceed 10"x10" in dimension.
- b. Canopies should not be placed in foot traffic lanes of the Island. Location of canopies is subject to the discretion of the General Manager.

## **SECTION 8**

### **8.0 CANOE/KAYAK RACK**

#### **8.1 CANOE/KAYAK SLOT RENTAL - PROCESS**

- a. Canoe Rack Space may only be leased to a C.C.W.R.D No.1 Property Owner with District Recreational Privileges.
- b. A Property Owner who transfers their District Recreational Privileges to a Tenant will not have the ability to lease Canoe/Kayak space during the tenant's lease period. The transfer of District Recreational Privileges to a Tenant will automatically terminate any existing Canoe/Kayak lease agreement for that Property.
- c. Canoe/Kayak Rack Space is not leasable to a Tenant.
- d. Canoe/Kayak slot requests should be sent to the District Secretary at ccwrd1@gmail.com.
- e. Once notified that a space has become available, the Property Owner must sign a canoe rack space lease on the form provided by C.C.W.R.D No.1 Secretary and pay the rental fee established by the Board in order to lease the space.

#### **8.2 CANOE/KAYAK RACK SLOT RENTAL - RULES**

- a. All canoes must be marked with the Property Owner's name and the number of the assigned slot that is issued by C.C.W.R.D No.1 Secretary.
- b. All canoes or kayaks stored in a rented canoe rack space must be owned by either the Property Owner or one of their Authorized Users.
- c. Subleasing, lending, sharing, or by any other means, allowing the canoe/kayak slot to be used by anyone other than the Property Owner or their Authorized User is strictly prohibited.
- d. If the Water District determines that a Property Owner is subleasing, lending, sharing, or in any form or fashion, allowing others to use the Property Owner's canoe or kayak slot, the lease will be subject to immediate termination.
- e. If a leased slot is left vacant for a period of two months, the lease will be terminated for failure to use, and that slot will be offered to the next property owner on the canoe waiting list.
- f. All canoes must be stored in an upside down position. All kayaks must be stored on their side.

The effective date of these Rules and Regulations, version 12.01.2023, begins December 1st, 2023, and remains in effect until further notice.

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