



BOARD OF DIRECTORS OF BEL MARIN KEYS COMMUNITY SERVICES DISTRICT

ORDINANCE NO. 2

ORDINANCE FOR REGULATION OF THE NAVIGATIONAL LOCKS
ON BEL MARIN KEYS LAGOONS

THE BOARD OF DIRECTORS OF THE BEL MARIN KEYS COMMUNITY SERVICES DISTRICT DO ORDAIN AS FOLLOWS:

SECTION 1: There is hereby created a committee of this board consisting of four persons for purposes of administering the provisions of this ordinance. One member of the committee shall be a representative of The Bel Marin Keys Homeowner's Association nominated by that organization. One member of the committee shall be a representative of Bel Marin Keys Yacht Club nominated by that organization. One member of the committee shall be a representative of The Bel Marin Keys Women's Club nominated by that organization. One member shall be a representative of The Board of Directors of The Bel Marin Keys Community Services District governing board. Appointment of each member shall be by majority vote of The Board of Directors of The Community Services District. Members of the committee shall serve at the pleasure of the Board of Directors, and shall serve without compensation.

SECTION 2: Duties of the committee shall be as follows:

- A. To recommend to this Board rules and regulations with respect to the operation and use of Navigational Locks of the Lagoons.
- B. To educate the community on the proper use of the Locks.
- C. To assist the community with respect to the use of the Locks.

SECTION 3: The Committee shall issue to each owner of property within the district, as shown on the last assessment roll in the office of the Marin County Assessor, an application for a card and key. Such applications shall be in a form acceptable to the committee and shall be accompanied by instructions on the proper use of the navigational locks and the rules and regulations of this Board with respect to the use of the Locks.

Upon receipt of the completed application, a statement signed by the property owner to abide by the rules and regulations and the sum of \$7.50 for such card and key, which sum will be returned upon the return of the card and key. Upon the receipt of such document and \$7.50, the committee shall issue a card and key to the property owner along with instructions on the procedures necessary for the safe operation of the Locks.

SECTION 4: Persons issued card and key shall be responsible for any acts committed by those to whom they allow the use of such card and key, regardless of whether consideration is paid for such use.

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SECTION 5. It shall be unlawful for any person to:

- A. Allow any person under the age of 16 to operate the locks, if such person has the legal power to prevent such operation.
- B. For any person under the age of 16 to operate the locks.
- C. To swim or fish within 200 feet of the lock.
- D. To utilize the area within 200 feet of the locks for pleasure boating, racing, or water skiing. Such area shall be utilized only for ingress and egress, to the navigational locks.
- E. At such times as the published and posted flushing operations of the lagoons are conducted, to enter within 200 feet of the navigational locks.
- F. To enter the lock area without some form of power propulsion.

SECTION 6. Any violation of SECTION 5 hereof is declared to be a public nuisance and after hearing as hereinafter provided, the card and key for operation of the locks may be revoked for such time as the Board of Directors may deem appropriate.

Written notice of appearance shall be given to the card and key holder at least five (5) days prior to the date set for hearing before the Board of Directors. Service of the notice shall be made by personally delivering said notice to the card or key holder or by depositing such notice in first class mail with postage prepaid to the card or key holder.

The form of the notice shall be as prescribed by this board and shall direct the owner or owners of the key or card to appear before the Board of Directors at a stated time and place to show cause why the card should not be revoked for a stated period of time.

At the time stated in the notice, the Board of Directors shall hear and consider all objections or protests if any, to the proposed revocation. The hearing may be continued from time to time. After final action is taken by the board of Directors on the disposition of any protest or objections which are received, the Board may declare by resolution that a public nuisance exists and may order revocation of use of the card and key for a stated period of time. The Board may further order that the costs of any damages caused by violation of section 5 to the locks will be assessed upon the person causing such damage.

The decision of the Board of Directors shall be final and conclusive unless the owner or owners of the card shall file within 15 days after the aforesaid decision is rendered an action and/or appeal to a court of competent jurisdiction.



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SECTION 7. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid the remainder of this Ordinance or the application thereof to other persons and circumstances shall not be affected thereby, and to this end, the provisions of this code are declared to be severable.

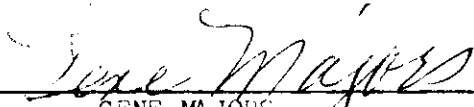
SECTION 8. Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding \$500.00 or by imprisonment not exceeding six months, or by both such fine or imprisonment.

PASSED AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE BEL MARIN KEYS COMMUNITY SERVICES DISTRICT, HELD ON THE 13 day of June, 1974, BY THE FOLLOWING VOTE:

AYES: DIRECTORS--Majors, Aubel, Meleyco, Kanter and Thrall

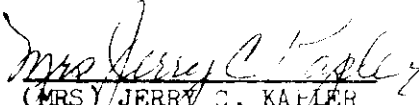
NOES: DIRECTORS--NONE

ABSENT: DIRECTORS--NONE



GENE MAJORS
CHAIRMAN OF THE BOARD OF DIRECTORS

ATTEST:



(MRS) JERRY C. KAPLER
SECRETARY

AMENDMENTS TO: SECTION (5) C.S.D. ORDINANCE #2
NAVIGATIONAL LOCKS

G: FOR ANY PERSON UNDER THE AGE OF SIXTEEN (16) TO BE WITHIN THE
LOCK AREA WITHOUT AN ADULT RESPONSIBLE FOR THAT PERSON

H: FOR ANY PERSONS TO BE IN THE LOCK AREA BETWEEN MIDNIGHT AND
SUNRISE FOR ANY REASON OTHER THAN TO TRANSIT THE LOCKS.