

**RESOLUTION NO. 2011-004**

**A RESOLUTION OF THE CYPRESS-BLACK BAYOU RECREATION AND WATER CONSERVATION DISTRICT TO PROMULGATE RULES AND REGULATIONS FOR THE OPERATION OF RECREATIONAL ACTIVITIES ON THE WATERS OF THE DISTRICT AND IN THE DISTRICT'S PARKS AND RECREATIONAL AREAS**

**WHEREAS**, Louisiana Revised Statutes 38:2608, setting forth the enumerated powers of the Cypress-Black Bayou Recreation and Water Conservation District, provides the District with the power to enact rules and regulations for the protection and preservation of the works, machinery, improvements, and property owned or controlled by the District and to prescribe the manner of their use; and

**WHEREAS**, Louisiana Revised Statutes 38:2608 provides the District with the power to enact rules and regulations to prescribe the permissible uses of the waters of the District and to prevent the pollution of such waters; and

**WHEREAS**, Section 82-32 of the Code of Ordinances of the Bossier Parish Police Jury provides the District with the authority to promulgate rules and regulations for the operation of its recreational facilities;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CYPRESS-BLACK BAYOU RECREATION AND WATER CONSERVATION DISTRICT:**

The following regulations shall be incorporated into Section II of the "Official Policy and Regulations adopted by The Cypress Black Bayou Recreation and Water Conservation District, Bossier Parish, State of Louisiana, Revised/Updated: November 30, 2010" (hereinafter the "Policy and Regulations"):

**24. RECREATIONAL ACTIVITIES AND FACILITIES**

**§ 24.1: Prohibited Areas.**

The following district owned and operated areas shall be prohibited:

- (1) Spillways and control gates.
- (2) Water Intake Systems
- (3) Maintenance Shops

**§24.2: Restricted Areas.**

The following restrictions shall apply within the reservoir areas:

- (1) There will be no swimming, boating, skiing, hunting or other recreational activities within 100 feet of the spillways in the reservoir areas. Fishing from the fenced walkway above the Cypress Reservoir spillway is prohibited.
- (2) There will be no swimming, skiing, boating, fishing, hunting or other recreational activities within 100 feet from the water intakes at the control structures. Fishing is authorized along the shorelines of the reservoirs.
- (3) As cities, municipalities or other users obtain permits for water withdrawal plants, additional rules and regulations will be made to protect the withdrawal installations or plants and to better the safety of the general public.

(4) Commercial development of any nature is prohibited along the shorelines, except by persons who have leases and permits for commercial use and development.

(5) The restricted areas listed in §24.2(1)-(4) of this section will be appropriately marked with floating buoys and/or marked as "Restricted Area—Keep Out," or "No Admittance."

(6) Construction or development of any nature is prohibited on district property and/or within the spillway elevation contour lines on each reservoir, except by persons who have current leases and/or annual permits for such construction or development.

(7) Discharge of firearms is prohibited on Black Bayou Reservoir.

**§24.3: Other Areas.**

Recreational activities are prohibited in all of the areas designated by "Keep Out" signs, as may be posted from time to time, to protect industrial and/or municipal or District property.

**§24.4: Mooring Boats.**

Mooring boats in any manner to dams, dam earthenworks, soil cement areas, earth embankments and ski buoys is prohibited.

**§24.5: Destruction of District Property.**

The destruction, damage, defacement or removal of district property, vegetation, rocks or minerals is prohibited. In addition to the issuance of a citation, as provided in §28.1, the offender may be removed and his recreational privileges canceled.

**§24.6: Littering.**

It shall be unlawful for any person to throw, discard or discharge into the waters of reservoirs, on or along roads, public areas, private sites, District owned lands and facilities, or anywhere within the general project area, any kind of refuse, garbage, trash, rubbish or waste. All such refuse, garbage, trash, rubbish or waste shall be disposed of at designated points or places as indicated by marked signs. There shall be no burning of trash or garbage. (This subsection is not intended to suffice or substitute for the Bossier Parish Sanitary Code (Chapter 102).)

**§24.7: Gasoline and Oil Storage.**

Gasoline and other inflammable or combustible liquids shall not be stored for commercial purposes in, upon or around the reservoirs or shores thereof without the written permission of the District. No petroleum products whatsoever or similar products shall at any time be dumped in, on or about the reservoir(s). No floating gasoline, oil or so-called "filling stations" will be permitted on the waters of the reservoir(s). Such products may be dispensed from marinas after application for and granting of a permit by the District.

**§24.8: Commercial Operations and Activities.**

All commercial operations or activities in the waters of the reservoir(s) or on lands owned by the District shall be strictly in accordance with existing leases, permits or other written agreements with the District.

**§24.9: Alcoholic Beverages.**

(1) Possession or consumption of alcoholic beverages is prohibited at the recreation area beach, beach parking lots and bathhouse.

(2) Laws of the United States, the state and local option laws or restrictions related to the manufacture, storage, distribution, sale, consumption and use of beer, wine and all intoxicating malt or spirituous liquors of the Parish shall govern and dictate the District Rules and Regulations pertaining to the manufacture, distribution, sale, consumption and use thereof. The manufacture, possession, distribution, storage, sale, use and consumption of beer, wine and other intoxicating malt and spirituous liquors in violation of applicable federal, state and local option laws upon the water surface of the reservoirs is specifically prohibited.

**§24.10: Abandonment of Personal Property.**

(1) Abandonment of personal property on the land or water areas of the reservoirs is prohibited.

(2) Personal property shall not be left unattended.

(3) Boats shall not be moored offshore and unattended overnight.

**§24.11: Permits to Release Effluent and Waste.**

Permits to release effluent and waste from industrial plants and factories will be issued by the State Stream Control Commission in its usual manner and in accordance with its established rules and regulations. Copies of the permit applications for and the permits issued should be furnished to the District. The District herein reserves the right to exercise its obligations, duties and functions to prevent pollution and protect its facilities.

**25. BOAT REGULATIONS**

The operation of motorboats or other vessels is regulated by Louisiana Revised Statutes 34:851.11-34:851.16, and the duty of enforcement of such regulations has been given to the state Wildlife and Fisheries Commission. Enforcement of such regulations by other state and local law enforcement agencies is prohibited.

**§25.1: Permits.**

(1) Application for a permit to operate privately owned boats shall be made on forms provided by the District.

(2) Such permits will be issued by the District for privately owned pleasure craft upon payment of the permit fee and when inspection has indicated that the pleasure craft is seaworthy and all necessary rules and regulations are understood and required equipment is in order. All boats of whatever size or kind placed on the waters of the District must have a permit with a decal corresponding to the permit number. The decal must be affixed to the port side of the boat, six inches toward the rear of the boat from the state numbers or on the left windshield.

(3) Permits may be revoked at any time upon failure of the permittee to comply with the terms and conditions of the permit or the regulations pertaining thereto. Boats of any type without valid permits will be removed from the reservoirs.

**§25.2: Commercial Service Boats.**

(1) No boat, barge or other vessel shall be allowed to operate on or be moored around the reservoir for a fee or profit, either as a direct charge to a second party or as an incident to other services provided to a second party, except as specifically authorized by a permit or concession contract with the District.

(2) In all such instances, commercial service boats, barges or other vessels must apply for and secure a permit to operate in accordance with the prescribed conditions and regulations.

(3) Application for such permit will be made on a form secured at the District's Administrative Office.

(4) Permits shall be issued by the District's Administrative Office after an inspection for seaworthiness, safety, adequacy of prescribed equipment, payment of prescribed fees and a determination that such operations and services to be performed are in the public interest.

(5) Permit decals shall be issued by the District and handled in the same manner as prescribed for privately owned pleasure craft as set forth in §25.1(2) herein.

(6) All rules and regulations as prescribed by the state for privately owned pleasure craft and as contained in this division shall apply to boats permitted for commercial service.

**§25.3: Permit Fees and Charges.**

(1) All fees are payable in advance, with a penalty of revocation for failure to comply with such requirement.

(2) The fees for permits are shown in the Schedule of Fees, a copy of which is on file in the District's Administrative Office.

**26. SWIMMING, WATER SKIING, BATHING, AND CAMPING**

**§26.1: Swimming and Bathing.**

(1) Swimming and bathing will be permitted in certain designated areas, and persons swimming and bathing in such designated areas shall be protected in the best manner possible.

(2) Swimming and bathing will not be permitted in areas designated as restricted areas, or within 1,500 feet of occupied, authorized duck blinds during duck hunting season on Cypress Lake.

**§26.2: Water Skiing and Surfboarding.**

(1) Water skiing and surfboarding will be permitted only in specifically designated and marked areas, and persons water skiing and surfboarding in such designated areas shall be protected in the best manner possible.

(2) Boating and/or skiing is prohibited within 1,500 feet of occupied, authorized duck blinds during duck hunting season on Cypress Lake.

(3) Water skiing and surfboarding will be in a counterclockwise direction within the designated areas.

**§26.3: Camping.**

- (1) Camping on District property will be permitted only in specifically designated areas and by permit only.
- (2) Permission is required to camp on or use and inhabit house trailers on District property in the reservoir area.
- (3) Camping equipment shall not be abandoned or left unattended for a period of more than 24 hours.
- (4) The installation of any permanent facility at any designated public camp will be permitted only upon prior written authorization of the District.
- (5) Campers shall keep their campgrounds clean and shall dispose of all refuse, garbage, trash, etc., in accordance with all instructions contained in, and posted on, the campgrounds.
- (6) Due diligence shall be exercised in building and putting out campfires to prevent damage to trees and vegetation, and to prevent forest and grass fires.
- (7) Camps must be completely razed and sites cleared before the departure of campers.

**§26.4: House Trailers.**

House trailers may be permitted in certain designated areas for camping purposes only by permission obtained in writing from the District.

**§26.5: Picnicking.**

Picnicking will be allowed in specifically designated areas only.

**§26.6 Special Recreational Activity Programs and Events.**

- (1) Special events, such as water carnivals, fishing rodeos, boating regattas, speedboat races, festivals, trade shows, outdoor presentations and other special recreational programs of interest to the general public will usually be permitted in areas designated by the District.
- (2) A permit must be obtained from the District by the legally responsible public or private agency proposing to hold a special recreational program as indicated in this Article.
- (3) Applications for a permit shall be made in writing to the District, stating all details of the proposed special recreational program or event.
- (4) Charges for said permits shall be as agreed to by the District and the agency sponsoring such special recreational program or event.
- (5) The District shall have the right to revoke any permit granted under this Article and to require the removal of any and all equipment upon failure of the permittee to comply with the terms and conditions contained in this Article and in the special permit issued for such recreational activity program or event.

**§26.7: Pets.**

Pets are prohibited in the designated recreational and camping areas, except when on a secured leash.

**27. PENALTIES**

**§27.1: Mandatory Posting.**

The Board of Commissioners shall post or cause to be posted the Rules and Regulations promulgated in Articles 21-25 at the entrance shelter to the recreation area and publish the Rules and Regulations in the official journal of the District.

**§27.2: Penalties for Violation.**

(1) Any violation of the District's Rules and Regulations after they have been posted and published will subject any person who is found to be in violation to a fine not to exceed \$500.00.

(2) Each day any violation of the District's Rule and Regulations shall continue constitutes a separate offense.

(3) Citations issued by the District's Rangers shall be paid by the named violator within ten (10) days from their date of issuance. If the named violator fails to pay the issued citation, he shall be sent a demand letter through certified mail.

(4) If the named violator fails to pay the citation within ten (10) days of receipt of the certified demand letter in §27.2(3), the Bossier Parish District Attorney's Office shall be contacted and proceedings to obtain payment of the citation will be executed.

**28. TICKETING POLICY AND PROCEDURE**

**§28.1: Issuing Citations.**

(1) All ticket books will be kept in the safe in the Administrative Office and will be assigned to Rangers by the Director or Administrative Assistant.

(2) Each Ranger so receiving a ticket book shall sign for the ticket book, with the number of the book recorded on a SIGN-OUT SHEET.

(3) The issuing Ranger shall deliver the hardcopy of the citation to the recipient violator, and the Ranger shall return the yellow copy of the citation to the Entrance Shelter, leaving the original citation in the ticket book.

(4) If the violator is not present at the time the citation is to be issued, a Ranger seeking to issue a citation shall contact the Bossier Parish Sheriff's Office to obtain the personal information of the offender, including the name and address of the offender.

(5) Upon receiving a copy of the citation, as set forth in §28.1(3), an appointed employee within the Entrance Shelter shall enter the information contained within the citation into the approved computer database established by the District for such purposes.

(6) A duly appointed employee within the District's Administrative Office shall conduct a weekly review of all citations issued to determine which citations have not been paid.

THE FOREGOING RESOLUTIONS were adopted by the unanimous vote of the undersigned, constituting all of the duly elected Board of Commissioners of The Cypress Black Bayou Recreation and Water Conservation District at a public meeting held on October 11, 2011, commencing at 4:00 p.m.

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Mike Weber, President and Commissioner

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Wes Burdine, Secretary and Commissioner

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Ralph Whitley, Commissioner

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Robert Berry, Commissioner

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Mike Bankston, Commissioner