

RESOLUTION 2011-011

A RESOLUTION REPEALING RESOLUTION 2009-002 AND ADOPTING AN AMENDED LAKE MIOLA DOCK OWNERSHIP POLICY

WHEREAS, Section 220.320 of the Code of the City of Paola, Kansas private boat docks to be installed and maintained at Lake Miola; and,

WHEREAS, the Governing Body of the City of Paola has discussed the need for amending the written policy regarding the sale or transfer of ownership of these private docks; and,

WHEREAS, the Lake Miola Planning Committee and City Staff have recommended the proposed Lake Miola Dock Ownership Policy; and,

NOW THEREFORE BE IT RESOLVED by the governing Body of the City of Paola, Kansas that Resolution 2009-002 is hereby repealed; and that the proposed Lake Miola Dock Ownership Policy, attached as “Exhibit A”, be hereby amended and adopted as official policy of the City of Paola, Kansas effective September 13, 2011.

BE IT FURTHER RESOLVED that this Lake Miola Dock Ownership Policy shall be available in the office of the City Clerk.

PASSED, APPROVED AND ADOPTED this 13th day of September, 2011.

Artie Stuteville, Mayor

ATTEST: [seal]

Daniel G. Droste, City Clerk

Resolution No 2011-011
Exhibit A

Lake Miola Dock Ownership Policy

This Policy has been written to restrict the transfer of ownership of dock material in a leased space on public water at Lake Miola. In order for an owner of a dock to transfer a dock in a leased water space on Lake Miola, the following guidelines must be followed, or the owner's leased water space will be forfeited. The Policy and procedure for the ownership of a dock and a sale/transfer of the dock is as follows:

1. There shall be only one owner of a dock on file with the City of Paola and that party will be legally responsible for that dock.
2. Transfer of ownership can take place from an owner to his or her **(assignee, spouse or children)** without prior notice to the City of Paola. However, the owner shall notify the Paola Public Works Department of the new owner of the dock.
3. Sales: Owners shall contact Paola Public Works and let them know they plan to sell their dock. At that time, the owner must run an ad in the Miami County Republic for no less than one week. This will serve as the required "public notice". Once an agreement is made, the owner shall notify the Paola Public Works of the new owner's information required for a new water space rental agreement.
4. The water space will be transferred to the new dock owner if the dock is up to code and a new lease agreement is signed and paid for. If these procedures are not followed, the water space will not be transferred to the new dock owner.

The undersigned hereby acknowledges receipt and understanding of the aforesaid policy and agrees to be bound by the provisions thereof.

Date

Owner – Lessee

Witness