

LAKE WYLIE MARINE COMMISSION
Policy and Procedures for Applying for A No-Wake Zone

Adopted: February 19, 1996; Revised: June 22, 2009

Policy Considerations for No-Wake Zones

1. No-Wake Zones are a type of regulation which affects the behavior of the boating population within a specific area. The decision to approve a no-wake zone could impact other portions of a particular lake.
2. The Marine Commission's role in establishing no-wake zones shall be to approve or disapprove a request. An approved request will be forwarded to the North Carolina Wildlife Resources Commission or the South Carolina Department of Natural Resources for review and consideration. In special cases the Marine Commission may approve a no-wake zone under any legislative authority which allows such action.
3. The Marine Commission may serve as an initial applicant for a no-wake zone.
4. A request for a no-wake zone will primarily be considered for approval for safety or environmental concerns which cannot reasonably be resolved through other means.
5. No-wake zone requests will not be considered until a law enforcement investigation and recommendation has been completed and submitted to the Marine Commission. The law enforcement recommendation is provided to the Marine Commission as information only. The Marine Commission may accept recommendations or gather information from other sources.
6. A public notice will be given of no-wake consideration. A public hearing may be held at the discretion of the Marine Commission.
7. Applicant(s) (or authorized designee) for a no-wake zone are required to attend a Marine Commission meeting to explain the request.
8. If a request for a no-wake zone is denied, the Marine Commission may establish a time period before an area can be reconsidered.
9. Marine Commissioners having a potential conflict of interest such as but not limited to; living in the area, having relatives living in the area, etc. should bring this conflict of interest to the full Commission's attention and abstain from discussion and voting.

10. In NC waters, the Marine Commission will determine the final placement of buoys and will arrange for their purchase and installation. In SC waters, the SC Department of Natural Resources will determine the final placement of buoys and arrange for their purchase and installation.
11. A regular inventory of official no-wake zones and buoys will be conducted annually by the Marine Commission.

PROCEDURE FOR APPLYING FOR A NO WAKE ZONE

- 1) Any citizen or group of citizens may apply for a no-wake zone by completing a Request for No-Wake Zone form which is available from the Lake Wylie Marine Commission Clerk at PO Box 35008, Charlotte, NC 28235 or 525 North Tryon Street, 12th Floor, Charlotte, NC 28202 or online at www.lakewyliemarinecommission.com. Incomplete forms shall not be accepted by the Marine Commission.
- 2) A completed application and any accompanying documentation must be received 10 business days prior to a regularly scheduled meeting of the Marine Commission to be considered at that meeting.
- 3) A request for a no-wake zone will primarily be considered for approval for reasons of safety or environmental concerns which cannot be reasonably resolved through other means.
- 4) Applicants should be as specific as possible in their request identifying the cove and recommending where the markers should be placed. This recommendation is provided to the Marine Commission as information only. A map must be included showing the proposed no-wake zone area and where buoys may be placed. Ten copies of the maps, photos and any other evidence should also be submitted.
- 5) Applicants (or authorized designee) will be required to appear before the Commission to explain his or her request.
- 6) The Commission may hold a public hearing on any request.
- 7) No-wake zone requests will not be considered by the Marine Commission until a law enforcement investigation and recommendation has been completed and submitted to the Marine Commission. The Marine Commission will request this investigation. If possible, the investigation shall take place before the next regular meeting of the Marine Commission. The law enforcement recommendation is provided to the Marine Commission as information only.
- 8) Recommendations or additional information from other sources may be requested or received by the Marine Commission.

- 9) Approved applications will be forwarded to the N.C. Wildlife Resources Commission or the S. C. Department of Natural Resources for review and consideration.
- 10) If a request is denied, the Marine Commission may establish a time period before an area can be reconsidered.
- 11) The Marine Commission shall assume no liability relating to the approval/denial of any no-wake request or relating to the purchase, installation or maintenance of any buoys.

These procedures shall take effect on July 1, 2009