



CITY OF PAOLA

Welcome to Lake Miola Rules and Regulations

Lake Miola Severe Weather Policy

While it is understood that persons using the Miola Lake Campground do so at their own risk, and that severe weather and dangerous storms are uncontrollable and often unpredictable, the following Severe Weather Policy is set forth as a guideline to promote safety-minded procedures for managing severe weather conditions.

- A. Early notification is proven to reduce loss of life and injuries resulting from severe storms. A weather radio, with storm alert and an emergency services radio is provided to the camp host. It is protocol of the Paola Police Department to notify the camp host upon the issuance of severe weather watches and warnings. It is highly recommended that persons using the lake's facilities obtain a storm alert device for their individual camps.
- B. In the event of a storm watch condition, campers, if available, will be notified of the condition to be aware of possible severe storm development.
- C. In the event of a severe weather warning, a decision will be made by the Paola Police Department and the camp host to determine if a mandatory evacuation is required. In the event that a forced evacuation does not occur, campers are nevertheless encouraged to seek a safe area of refuge. If a forced evacuation is deemed to be necessary, campers, if available, will be asked to evacuate the campground to a safe area of refuge. Cooperation of persons using the Miola Lake Campground is mandatory in the event that an evacuation is required.

ARTICLE II. MIOLA LAKE – IN GENERAL

SECTION 220.070: PARK AND LAKE RECREATIONAL PURPOSES – CONFLICTING WITH WATER SYSTEM

Miola Park and Miola Lake are hereby declared to be dedicated to park and recreational purposes incidental thereto, as provided by Section 14-2001, Kansas Statutes Annotated, insofar as the said uses are not in conflict with the use by said City of said lake as a municipal water supply system.

SECTION 220.080: CITY RESERVES RIGHT TO CLOSE LAKE OR TO BLOCK ENTRANCES

The lake may be closed at any time for any reason deemed advisable by the Governing Body of the City, and the boat licenses herein authorized are conditioned thereon. The Governing Body of the City reserves the right to block all entrances into Miola Park or any part thereof for the purpose of collecting admissions for any events staged at said Miola Park or Lake by the City or any organizations having the approval of said City to charge admission.

SECTION 220.090: LAKE AND PARK FOR PUBLIC USE – PERSONAL RISK

The public, at its own risk, shall be permitted the lawful, sanitary, safe and orderly use of Miola Park and Miola Lake for various activities of a recreational nature as herein provided.

SECTION 220.095: LAKE MIOLA FEE SCHEDULE

All fee schedules referenced in Article II, III, and IV of this Chapter shall be posted at the Lake Miola Caretaker's House and kept on file with the City Clerk where they shall be available for public inspection during regular business hours. The Lake Miola Fee Schedule may, from time to time, be revised by a motion of the City Council, without publication of such schedules.

SECTION 220.100: CAMPING REGULATIONS

Any persons, or groups of persons, may use the designated public camping grounds in a manner specified by the lake Caretaker provided said person, persons, or groups observe all general rules and regulations concerning Lake Miola and said public lands. The Lake Miola Campground will close November 1 until March 1, no camping will be allowed during this time.

- A. Any camping unit parked within twenty (20) feet of the established electrical connections shall pay a daily electrical fee whether connected to electricity or not.

- B. Fees shall cover any camping device or vehicle that in the opinion of the lake caretaker shall be classified as a “camper, camper trailer, camping truck or tent”. All campers, camp trailers, camping truck, tent and camping devices are limited to a stay of not more than 14 consecutive days, beginning two (2) weeks prior to Memorial Day through Labor Day. A period of five (5) days out of park must be observed before re-entry to campground is allowed. The penalty imposed for violation of these stay restrictions shall be \$25.00 dollars per day of violation in addition to the camping fees.
- C. Recognized non-profit organizations may use such camping grounds without paying the camping fee, provided that they observe the general rules and regulations of Lake Miola.

SECTION 220.105: MIGRATORY WATERFOWL

- A. *Definition.* Any species of birds commonly known as swans, geese, brants, river and sea ducks and any other waterfowl falling under the jurisdiction of the Kansas Department of Wildlife and Parks or otherwise defined by the City Council as migratory waterfowl.
- B. *Feeding Prohibited.* No person shall feed any migratory waterfowl, create any conditions or allow any condition to exist, which resulting in a congregation or congestion of waterfowl which:
 - 1. Results in an accumulation of waterfowl feces or droppings;
 - 2. Results in damage to flora, fauna, public or private property;
 - 3. Results in a threat to the public health, safety or welfare; or
 - 4. Results in a threat to the health, safety or welfare of migratory waterfowl.

SECTION 220.110: SOLICITING PROHIBITED

No person, firm or corporation or their representative shall engage in or solicit any business in Miola Park without permission from the Governing Body of said City.

SECTION 220.120: RUBBISH CONTAINERS

Rubbish of any kind shall be placed in cans provided by the City.

SECTION 220.130: POLLUTION OF WATER PROHIBITED

Any act which will pollute the water in Lake Miola is prohibited. Any recreational vehicles manufactured with a “holding tank” shall retain all waste

water including water from sink and shower drains in said holding tanks and dispose of same only in proper dumping stations provided for that purpose.

SECTION 220.140: SWIMMING

- A. Swimming or wading is restricted to the area designated as the swimming area on the Official Map and within twenty-five (25) feet of an anchored watercraft in a no wake area. Swimming shall be limited to daylight hours. The swimming areas shall be vacated when the light next to the boat ramp closest to the Caretaker's house is on. The use of the lake for swimming in any other area is prohibited.
- B. Pets are not allowed in the sand beach area, all pets must be kept in the grass area above sand beach and kept on a leash at all times.
- C. Glass containers of any kind are not allowed in beach area.

SECTION 220.150: ANNUAL FEES, PERMITS AND LICENSES

All annual fees, permits and licenses shall be effective from January first (1st) to December thirty-first (31st) of each year. The cost of all annual fees, permits and licenses shall be the full annual amount whether purchased for the full year or a fraction thereof. The payment of an annual fee, permit or license does not entitle the payor to any preferential use of Lake Miola's facilities since all use is on a first come first serve basis.

SECTION 220.160: LICENSE FEES TO BE PLACED IN THE GENERAL FUND

All license fees collected under any provisions of this Article shall be placed in the General Fund of the City.

ARTICLE III. MIOLA LAKE- Skiing and Pleasure Boating

SECTION 220.170: BOAT (VESSEL) LICENSES ARE REQUIRED

It shall be unlawful to keep, have or maintain any boat upon Miola Lake unless duly licensed. All boats must be registered with the caretaker office. Boats shall include any craft suitable for use on the lake including personal watercraft. "*Personal watercraft*" means a vessel which uses an inboard motor powering a jet pump as its primary source of propulsion and which is designed to be operated by a person sitting, standing or kneeling on the vessel rather than the conventional manner of sitting, standing or kneeling inside the vessel.

SECTION 220.180: PERSONS USING LAKE DO SO AT THEIR OWN RISK

All persons using the lake for recreational purposes do so entirely at their own risk, and are warned that there are many shoals, rocks, stumps, and logs, both floating and submerged, and other refuse in the lake, and that the City does not maintain it for boating purposes nor represent that it is safe to use boats thereon.

SECTION 220.190: PERMIT

Persons desiring to keep, have, and maintain any boat upon the lake, shall make application for that privilege to the Caretaker upon the premises in writing, stating: The name of the boat owner, the type, size, capacity, condition, a general description of the boat and accompany the application with proof that the boat complies with the requirements of this Article. The City shall issue such boat license to any person showing himself/herself entitled thereto and assign to him/her an annual boat sticker. This sticker will be of contrasting colors one color for fishing and one for general boating, (fishing, skiing, tubing, or wake boarding or pleasure boating). All motor boats requiring numbering by State law shall be registered with the Kansas Forestry, Fish and Game Commission prior to their operation on the lake, and the number awarded to such registered motor boat or granted reciprocity by the said Commission. The annual City sticker shall be placed on both sides of the boat in front of the KA number issued by the state.

SECTION 220.200: LICENSE FEE

Licenses and fees at Lake Miola are identified on the Lake Miola Fee Schedule and licenses will expire on December thirty-first (31st) of each year, with the exception of lease fees for water space for private boat docks which expire on May thirty-first (31st) of each year. License fees shall be the same amount whether for a full year or fraction thereof.

SECTION 220.210: LICENSES NOT TRANSFERABLE

The boat licenses shall not be transferable or refundable. No fractional year licenses are authorized.

SECTION 220.220: RESERVED

SECTION 220.230: EQUIPMENT SHALL BE OPERATED IN A SAFE MANNER

- A. The license holders shall operate their equipment in a safe manner at a reasonable speed considering the conditions. Each person shall operate any boat or personal watercraft at no wake speeds of five miles per hour (5 m.p.h.) or less when within one hundred (100) feet of:

1. A no wake zone;
 2. A dock;
 3. A boat ramp;
 4. A person swimming;
 5. A moored or anchored vessel;
 6. A non-motorized watercraft;
 7. A skier.
 8. A fisherman or fishing boat.
- B. Each person shall operate a personal watercraft in a reasonable and prudent manner. Maneuvers which unreasonable or unnecessarily endanger life, limb or property shall be prohibited. This includes weaving through congested vessel traffic or jumping the wake produced by another vessel at an unsafe distance, or circling another vessel. No boat shall be loaded with passengers beyond its safe carrying capacity.

SECTION 220.240: LIFE PRESERVERS

Each boat when in use shall carry as many adequate and sufficient life preservers as there are persons in the boat. Provided that no child twelve (12) years of age or under shall ride in a boat without wearing a life preserver. Provided further that each person operating or riding upon a personal watercraft shall wear an adequate life preserver regardless of age. All skiers surf boarders or disc riders shall wear U.S. Coast Guard approved life preservers.

SECTION 220.250: LIGHTING OF BOATS

When in use on the lake between dusk and dawn, each motor boat over ten (10) horsepower shall display one (1) white light and a red light on the left, and a green light on the right at the bow. Other boats shall display a white light. All lights must be plainly visible for a distance of three hundred (300) feet. Personal watercraft are prohibited from operating on the lake between sunset and sunrise.

SECTION 220.260: OPERATION OF BOATS

Boats operation on the lake shall not cross buoy lines or come within one hundred (100) feet of shore in excess of ten (10) miles per hour. Boat operators shall not annoy fishermen. The speed of boats shall be reduced to ten (10) miles per hour or less when the pole light next to the boat ramp closest to the Caretaker's house is on. All watercraft will move in a counter clockwise pattern from the boat ramp.

SECTION 220.270: STORAGE OF BOATS, BOAT PARTS, AND BOAT TRAILERS PROHIBITED

It shall be unlawful to store boats, boat parts, or boat trailers in any undesignated area at Miola Park for a period longer than fourteen (14) days. For the purpose of this Section, boats shall include all watercraft. Boat trailers attached and unattached are allowed in designated trailer parking areas only as shown on the official map. The penalty imposed for violation of this Section shall be twenty-five dollars (\$25.00) per day.

SECTION 220.280: LOADING AND UNLOADING OF BOATS

All trailed watercraft shall be unloaded and loaded at the boat ramp east of the Caretaker's house. The ramp shall be kept clear of obstructions except when loading and unloading boats. All loading and unloading shall be at the operators own risk.

SECTION 220.290: OBSTRUCTIONS

No person shall anchor a boat in such a position as to obstruct a passageway ordinarily used by other boats. No boat shall be moored or tied to the NO Wake or marker buoy at any time. Boat trailers attached and unattached are allowed only in designated trailer parking areas.

SECTION 220.300: INFLUENCE OF INTOXICATING LIQUOR, ETC., PROHIBITED BY OPERATOR OF BOAT

It shall be unlawful for any person who is under the influence of intoxicating liquor or controlled substance as defined in K.S.A. Chapter 65 Article 41 or any person who is an habitual user of same to operate a boat on the lake. It shall be unlawful for any person having charge of a boat to authorize or knowingly permit the same to be operated by any person who is under the influence of intoxicating liquor, narcotic drugs, or barbitol or any person who is an habitual user of same.

SECTION 220.310: TYPES OF BOATS AND FLOTATION DEVICES AND EQUIPMENT PROHIBITED

- A. Houseboats are expressly prohibited. "Houseboats" shall include any boats with toilet facilities.
- B. The use of barrels, drums and any other device not originally manufactured for use as a flotation device is expressly prohibited.

SECTION 220.320: PRIVATE BOAT DOCKS

Private boat docks are to be of the floating type only. There shall be a lease fee for water space for a private boat dock as established in the Lake Miola Fee Schedule. All private boat dock permits shall expire on May thirty-first (31st) in the following year of issuance. Private boat docks may be constructed by lease holders and permits shall be issued upon request for construction, alterations, or removal of existing docks upon approval of the Building Inspector and the City. Upon termination of any water space lease, the lease holder shall remove his/her boat dock from the lake and if not removed within ten (10) days after termination, the dock shall become City Property. The City reserves the right to revoke any water space lease and to remove the associated dock from the lake when said dock becomes unsafe and detrimental to Lake Miola. If a private dock does not meet City standards, a new lease will not be issued. No dock may be transferred or sold unless all steps in the *Lake Miola Dock Ownership Policy* have been followed.

CONSTRUCTION STANDARD FOR DOCKS AT LAKE MIOLA

1. Any plans to construct, alter, modify or remove a private boat dock shall be approved by the Building Inspector and a permit shall be issued for such work, repair, or improvement. All plans or slip areas shall be confined to the area specified in the *Lake Miola Water Space Lease Agreement*.
2. All private boat docks are to be of the flotation type only. All dock flotation devices shall be approved by the Building Inspector. Flotation shall be encapsulated foam, a flotation device encased in plastic. All docks shall meet this requirement by June 1, 2010.
3. All wood materials or dock components shall be pressure treated.
4. All boat docks shall be anchored at base and at the end of the dock.
5. No dock shall extend more than sixty-five (65) feet from shore line.
6. Dock entry (catwalk), tees (fore and bow stop), and slip walks shall be no less than thirty-six (36) inches wide. All docks shall have a hand rail and guard system on one (1) side of the entry (catwalk). The hand rail shall be of substantial design and plans must be approved by the Building Inspector before construction.
7. Any dock wider than forty-two (42) inches shall have an entry or catwalk handrail on both sides.

8. Any tire used as a bumper cannot be a whole tire and should not touch the water.
9. All shore line areas adjacent to the water space described in the lease agreement shall be kept clear of all brush, weeds, rubbish and grass overgrowth by the lessee named in the *Lake Miola Water Space Lease Agreement*.
10. All docks must be kept in good repair or otherwise maintained in compliance with the provisions of SECTION 220.320 and the terms set forth in the *Lake Miola Water Space Lease Agreement*.

ARTICLE IV. FISHING

SECTION 220.330: FISHING LICENSES REQUIRED

A valid fishing license issued by the State of Kansas shall be required of any person who is fishing at Miola Lake.

SECTION 220.340: RESERVED

SECTION 220.350: STATE OF KANSAS FISHING LICENSE NOT REQUIRED – WHEN

All Paola residents under sixteen (16) years of age and accompanied by a properly licensed adult and all Paola residents sixty-five (65) years of age holding a Kansas Senior Sportsman’s card may fish in said lake without a license; provided, that such persons produce proof of age on the request of a City Official.

SECTION 220.360: FISH WITH POLE OR ROD ONLY AND REMOVAL OF CERTAIN FISH FROM MIOLA LAKE

- A. It shall be unlawful to fish in the lake except with pole or rod and line, and it shall be unlawful for any person to use, operate or have set at any one time, more than two (2) poles or rods and lines, unless they obtain a third pole license from State of Kansas Wildlife and Parks. No trot lines, throw nets or limb lines allowed.
- B. Species length limits and creel limits shall be as posted.
- C. It shall be unlawful to exceed the creel limit and possession limit of all species of fish as set forth in the Kansas Fishing Regulations.

SECTION 220.370: PENALTY

Any person, firm, partnership or corporation violating any of the provisions of this Article may upon conviction thereof, be fined in any sum not exceeding three hundred dollars (\$300.00) and in addition thereto, any license herein authorized by the aforesaid Sections of this Article may be suspended without refund for the balance of the term of said license, and may be denied the right to use or apply for a license upon said lake for a period not exceeding two (2) years, or by both such fine, loss of license and privilege.

ARTICLE V. PENALTY

SECTION 220.380: PENALTY

Where no other penalty is specified any person violating any of the provisions of this Chapter shall upon conviction thereof be fined any sum not exceeding three hundred dollars (\$300.00) or imprisoned not to exceed thirty (30) days or be both so fined and imprisoned.

LAKE MIOLA FEE SCHEDULE

BOAT (VESSEL) LICENSE FEES

Boats with outboard or inboard motors of more than 10 horsepower:

- City of Paola Residents. \$7.00 daily or \$25.00 annually
- Miami County Residents. \$7.00 daily or \$35.00 annually
- Non City/County Residents. \$40.00 daily or \$125.00 annually

All other watercraft or watercraft used solely for fishing. . . . No fee required

WATER SPACE LEASE FEE FOR PRIVATE BOAT DOCKS

<u>Lease Period</u>	<u>Lease Fee</u>
June 1, 2009 to May 31, 2010	\$70.00
June 1, 2010 to May 31, 2011	\$200.00
June 1, 2011 to May 31, 2012	\$250.00
June 1, 2012 to May 31, 2013	\$300.00
June 1, 2013 to May 31, 2014	\$350.00
June 1, 2014 to May 31, 2015	\$400.00
June 1, 2015 to May 31, 2016	\$450.00

CAMPING FEES

- City of Paola Residents. \$5.00 daily
- Miami County Residents. \$7.00 daily
- Non City/County Residents. \$12.00 daily
- Electrical Hook Up - All Campers \$5.00 per day additional
- Sewer Hook Up - All Campers \$2.00 per day additional

Note: Any person having a vehicle used in connection with a camping device on which license tag not bearing the name of Kansas and the initials of Miami County shall be considered a Non City/County Resident.

FISHING FEES

A valid fishing license issued by the State of Kansas shall be required of any person who is fishing at Miola Lake. No additional fees are charged for fishing at Lake Miola.

CREEL LIMITS

<u>Species</u>	<u>Minimum Length</u>	<u>Daily Limit</u>
Saugeye/Walleye	15 inches	2
Large Mouth Bass	18 inches	2
Wiper	Any size	2

Effective 04/14/09

LOW WATER BRIDGE

KEY

- 1 - Swimming Area
- 2 - Vehicle Parking
- 3 - Boat Trailer Parking
- 4 - Playgrounds
- 5 - Picnic Areas
- 6 - Shelter House
- 7 - Shelter House w/electr
- 8 - Bathrooms

