

Recreation Resources

Attachment 7.8A

Yuba County Ordinance 8.50

**CHAPTER 8.50
BULLARDS BAR RECREATION AREA**

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8.10.010 Definitions. When used in this Chapter the following terms shall have the meaning hereinafter set forth:

1. “Agency” means the Yuba County Water Agency created by the Act approved June 3, 1959 (Stats. 1959, Ch. 788).
2. “Recreation Area” means the Bullards Bar Recreation Area containing approximately 14,500 acres of forested lands and 4,600 acres of surface water in the New Bullards Bar Reservoir and the surrounding land to the top of the ridge nearest to said reservoir.
3. “New Bullards Bar Reservoir” means the reservoir resulting from the construction of the New Bullards Bar Dam on the North Yuba River located in Section 25, Township 18 North, Range 7 East, M.D.B.&M., and appurtenant facilities.
4. “Engineer-Administrator” means the Engineer-Administrator of the Agency and includes his authorized representative.
5. “Motor-Powered Conveyance” means automobiles, motorcycles, motor-driver cycles, motor trucks, motor scooters, trail bikes, motor vehicles as defined in the Vehicle Code of the State and amendments thereto, which definitions are incorporated herein and made a part hereof by this reference, and all other self-propelled vehicles or conveyances.
6. “Pollution Hazard” means any substances which can create a reasonable possibility that its contact with the waters of New Bullards Bar Reservoir would contaminate such waters and render such waters unfit for human consumption. (#435 as amended by #1082)

8.50.020 General Regulations Relating to Bullards Bar Recreation Area.

1. No person shall commit any act of vandalism in the Recreation Area, including damaging or destroying trees or their leaves, limbs, or branches, bushes, shrubbery, equipment, signs, buildings, or rooms, or tear down or deface the same.
2. No person shall enter any portion of the Recreation Area or buildings or portions thereof in the Recreation Area which are posted with signs which state “No Entry,” “Keep Out,” “No Trespassing,” “Closed Area,” or other prohibition of entry.
3. No person shall discharge or use in the Recreation Area any firearms or air or gas or spring propelled guns, sling shots, bows and arrows, except that bows and arrows may be permitted in such

portions of the Recreation Area as are specifically designated for archery by the United States Forest Service or where prior written permission has been given by the owner of the property upon which the archery is conducted.

4.

(a) No person shall camp on the reservoir if the elevation of the water of the reservoir is above 1940 feet above sea level.

(b) No person shall camp or stay overnight on the reservoir without a valid camping permit issued for a fee to his or her party by the Marina concessionaire or other person as may be designated by the "Agency".

(c) There shall be two types of permitted shoreline camping and two types of permits issued:

(i) Camping within boat-in access campgrounds at designated areas shall be those areas adjacent to improved campgrounds;

(ii) Camping at undesignated areas shall be all other permitted camping sites, no person shall camp at an undesignated area unless he or she either:

(aa) Has a boat with sanitary facilities;

(bb) Has a portable, chemical toilet.

(d) The Board of Directors of "Agency" shall, as deemed necessary and in its discretion by Resolution, determine and fix the quantity and price of each type of camping permit.

5. It shall be unlawful for any owner or keeper of any pet or domestic animal to allow such animal to run at large anywhere within three hundred (300) feet of the New Bullards Bar Reservoir or any designated picnic area, camping area, road, or boat launching ramp. Animals shall be leashed within campgrounds and designated areas.

6. No person shall ride, drive, lead or keep a saddle horse or other animal in the Recreation Area except on such roads, trails, or areas, and subject to such regulations as the Agency may from time to time especially designate. No horse or other animal shall be hitched to any tree or shrub in a manner that may cause damage.

7. No person shall molest, injure, or kill any bird or mammal, or disturb its habitat in the Recreation Area.

8. No trash, litter, garbage, oil, bottles, broken glass, ashes, waste paper, or other rubbish or debris shall be dumped, discharged, or left in the Recreation Area except in properly provided receptacles designated for that purpose.

9. No person shall cut, break, dig up, or in anyway mutilate or injure or fasten any bill, advertisement, or inscription on any tree, shrub, plant, fern, grass, turf, railing, seat, fence, structure or any other object in the Recreation Area, except upon private land when permitted to do so by the owner thereof.

10. No unauthorized person shall dig up or remove any dirt, stones, rocks, or other substance whatever, make any excavation, quarry any stone, or lay or set off any blast, or cause or assist in doing any of such things, within the Recreation Area.

11. No person shall camp or occupy any portion of the Recreation Area as a trailer site, excepting in

such places and locations as are designated by posted notices permitting such uses.

12. It shall be unlawful for any person to engage in the business of soliciting, selling, or peddling any liquids or edibles for human consumption, or to distribute circulars, or to hawk, peddle, or vend any goods, wares, or merchandise, in the Recreation Area, except when authorized to do so by the public agency having jurisdiction over the area where such activities are conducted. (#435 as amended by #1082)

8.50.030 Traffic Regulations Relating to Bullards Bar Recreation Area.

1. No person shall operate any vehicle, except an authorized emergency vehicle, at a speed in excess of the posted speed limits.

2. No person shall operate any vehicle, except authorized emergency vehicles, within the Recreation Area except on established public vehicular roads and defined or authorized parking areas.

3. No person shall park or leave unattended any automobile, motor powered cycle, or any other vehicle within the Recreation Area except in areas specifically designated as parking areas. When such parking areas shall have been designated, and parking spaces provided therein and conspicuously marked, along the water front, public roads, parks or camping grounds, all vehicles shall be required to park within the spaces designated; and it shall be unlawful for any person to park an automobile without parking the same in the spaces designated, or to park in such manner as to prevent another vehicle, which has been properly parked, from backing out, or in such manner as to prevent a party desiring to park a vehicle in a space provided therefor from driving into such parking space. Vehicles parked or left unattended in violation of this chapter may be towed away and stored at the owner's expense.

4. This section does not apply to officers, agents, or employees of the United States, the state, the county, or other local governmental agency when they are using motor-powered conveyances in the performance of their official duties, nor to the use of motor-powered conveyances in emergencies when it is necessary to use them for the preservation or protection of life or property, nor to utility companies using motor-powered conveyances for the installation, maintenance, repair, or servicing of utility lines, nor to the owners of property using motor-powered conveyances on their own property.

5. No person shall use or operate a motor-powered cycle in the Recreation Area except on public roads or public trails. (#435 as amended by #1082)

8.50.040 Regulation of Bullards Bar Recreation Area by Yuba County Water Agency.

1. The Yuba County Water Agency is authorized to adopt ordinances and special rules and regulations with reference to the public use of the Bullards Bar Recreation Area, including New Bullards Bar Reservoir.

2. It shall be unlawful to violate any rule, regulation, or ordinance adopted by the Yuba County Water Agency regulating the public use of the Bullards Bar Recreation Area, including the New Bullards Bar Reservoir.

3. It shall be unlawful to operate or use any boat or watercraft upon any portion of the waters of the New Bullards Bar Reservoir for which the fees and charges established by the Yuba County Water Agency have not been paid.

4. Any person who violates any of the provisions of this §8.50.040 or any of the ordinances, rules, or regulations adopted by the Yuba County Water Agency regulating the public use of the Bullards Bar Recreation Area, including New Bullards Bar Reservoir, shall be guilty of a misdemeanor and punishable by a fine not exceeding Five Hundred Dollars (\$500.00) or by imprisonment not exceeding six (6) months, or by both such fine and imprisonment. (#446 as amended by #1082)

8.50.050 General Regulations Relating to New Bullards Bar Reservoir.

1. It shall be unlawful to contaminate or pollute the waters of New Bullards Bar Reservoir or the shore area thereof.
2. It shall be unlawful for any person to clean fish in New Bullards Bar Reservoir or on the shore areas thereof, except at places designated by the Agency, which locations will be equipped with necessary receptacles to prevent littering the shore areas or polluting or contaminating the waters of the Reservoir. This provision shall not apply to the cleaning of fish on houseboats, which are equipped with suitable receptacles for garbage.
3. No person shall place or install any private mooring facilities in New Bullards Bar Reservoir or on the shores adjacent thereto.
4. No person shall swim or float farther than 100 feet from the shoreline, except while engaging in aqua-planning or water skiing, or at designated beach areas where the beach is protected by a floating barrier and so long as the swimmer or floater stays between the beach and the barrier.
5. No person shall use any logs or hard or sharp objects while swimming or floating.
6. No person shall land any airplane except in an emergency. (#435 as amended by #1082)

8.50.060 Boating Regulations Relating to New Bullards Bar Reservoir.

1. No owner, operator, or person in command of any vessel propelled by machinery shall use it or permit it to be used at a speed in excess of five miles per hour or at a speed which creates a noticeable wake in any portion of the area from the New Bullards Bar Dam to 100 feet:
 - (a) Beyond the designated houseboat mooring area of the Bullards Bar Marina.
 - (b) In any area which 5 m.p.h. and/or "Flat Wake" signs have been posted.
 - (c) The five mile per hour/flat wake areas shall be marked by signs indicating five miles per hour and/or flat wake displayed in a manner approved by the Agency.
 - (d) The maximum speed limit beyond the five (5) mile per hour/flat wake designated areas shall be twenty (20) miles per hour between sunset and sunrise. This maximum speed limit does not supercede or alter in any way the State Mandated "safe speed" requirement if such safe speed is less than 20 mph given then existing conditions at the Lake. (#1315)
2. No person shall operate any motor-propelled boat upon the waters of New Bullards Bar Reservoir in excess of any posted speed limit, or at a speed in excess of five (5) miles per hour within two hundred (200) feet of any boat landing area or landing wharf to which boats are made fast and which is used for the embarkation or discharge of passengers, or within two hundred (200) feet from the shoreline of the New Bullards Bar Reservoir.
3. No person shall place in use or operate any boat on New Bullards Bar Reservoir unless such boat is in a sanitary and seaworthy condition.
4. No person shall maintain or operate in or upon the waters of New Bullards Bar Reservoir any boat which is equipped with a toilet, sink drain or other equipment constituting a pollution hazard unless such toilet, sink drain or other equipment constituting a pollution hazard is sealed or otherwise rendered inoperable or

designed so that no human excreta or other polluting substance can be discharged in the waters of said reservoir.

5. No person shall operate any boat, sailboat, rubber raft, or canoe within thirty (30) feet of New Bullards Bar Dam or in any area closed to boating.

6. No person shall launch any boat except at approved launching areas designated by the Agency.

7. No person shall keep any boat on shore overnight except in areas designated for such purpose. From June 1 to September 30 of each year the water level of New Bullards Bar Reservoir may fluctuate to a maximum of 1 ½ feet per 24 hours. Between October 1 of each year and May 31 of the succeeding year extreme fluctuations can be expected. Persons desiring to leave their boats overnight shall do so at their own risk and neither the Agency nor the County assumes any liability or bailment obligations pertaining to the care of such boats, damage, loss, or theft thereof.

8. No person shall carry passengers for hire or lease or rent any boat without prior authorization in writing issued by the Agency.

9. No person shall operate a boat, water skis, or aqua-plane except in compliance with the symbols on all regulatory markers placed on the lake by the Agency.

10. No person shall operate a bilge pump in any boat in the waters of New Bullards Bar Reservoir, except at such locations as are designated by the Agency for the operation of bilge pumps and where facilities are available for the disposal of bilge waters without contaminating or polluting the waters of New Bullards Bar Reservoir; provided, however, that the provisions of this subsection shall be inapplicable in the event the operator of a boat is faced with an emergency where life or property would be imperiled by failure to operate such bilge pumps. It shall be the duty of any person operating a bilge pump at other than an authorized location to report the facts necessitating such use to the Agency.

11. No person shall pass through, mutilate, damage, or move from position any buoy or log boom placed or installed on New Bullards Bar Reservoir designating closed areas, speed zones, dangerous projections and submerged rocks and reefs.

12. No person shall use any motor or container for oil, gas or other contaminating substance which leaks such substance into the waters of New Bullards Bar Reservoir.

13. No person shall engage in, carry on, conduct or cause to be engaged, carried on or conducted any boat racing or water skiing event on established courses in New Bullards Bar Reservoir without having obtained a written permit from the Yuba County Water Agency, or to do so after such permit has expired or has been suspended, canceled, or revoked. Any person, corporation, or organization desiring to engage in, carry on, or conduct such an event in New Bullards Bar Reservoir shall first procure from the Agency a permit to do so, and for the purpose of procuring such permit shall file an application in writing therefor with the Agency not less than thirty (30) days in advance of the date on which such event is to be conducted, which application shall contain the following information:

(a) Name and place of resident of the applicant, if a natural person, and, if an organization or corporation, the name and address of the principal office and the name and address of its duly authorized representative.

(b) The date or dates for which the permit is desired.

(c) A statement as to whether any permit previously issued to such applicant or any agent thereof or to any person interested, whether as principal, agent, or employee, has ever been canceled or revoked.

All permits issued pursuant to this subsection shall designate the course and areas over which such event shall be conducted, the conditions under which such event shall be conducted for the protection and preservation of the public health, safety, and general welfare, and shall require the permittee to indemnify and save harmless the Yuba County Water Agency, the County of Yuba, and their respective officers, agents, and employees from any and all claims, causes of action, or suits accruing or resulting from any damage, injury or loss to any person or persons, including all persons to whom the applicant may be liable under any Workers' Compensation Law, or for any loss, damage, cause of action, claims or suits for damages, including but not limited to loss of property, caused by, arising out of or in any way connected with the conduct, operation, or management of such an event, or the exercise of any privilege granted in said permit, and shall require the applicant, at its own expense, to procure and maintain Worker's Compensation Insurance and Public Liability Insurance and Property Damage Insurance with insurers approved by the Agency in such amounts as the Agency deems reasonable and necessary to make effective the indemnity hereinabove set forth and to provide the Agency and the County of Yuba with certificates evidencing the insurance coverage.

14. Notwithstanding any other penalty provision in this Chapter, violation of any subsection of 8.50.060 shall be an infraction punishable by a fine of one hundred and fifty dollars (\$150.00). (#1315) (#435 as amended by #541, #534, #1082, and #1315)

8.50.070 Regulations for Houseboats, Rafts, and Floats on New Bullards Bar Reservoir.

1. No person shall place in use, or operate, on the waters of New Bullards Bar Reservoir any houseboat over sixty (60) feet in length or fifteen (15) feet in width.

2. No person shall place in use, or operate, a houseboat for other than recreational purposes.

3. No person shall place in use, or operate, a houseboat which is not self-propelled.

4. No person shall place in use, or operate, a houseboat which is not equipped with a flotation device consisting of either steel or aluminum pontoons constructed with internal water tight bulkheads or filled with foam plastic flotation materials or fiberglass (or similar material) pontoons filled with foam plastic or flotation material.

5. No person shall place in use, or operate, a houseboat without a valid, annual houseboat permit from the Engineer—Administrator.

(a) Every houseboat shall be subject to an annual inspection for safety, cleanliness, seaworthiness, and correct waste water and sewage system.

(b) Every houseboat shall be subject to intermittent inspection of waste water and sewage hook-up by the U.S. Forest Service or the Engineer—Administrator, for due cause and with prior notice of inspection.

(c) Upon the permit of every houseboat shall be a record of waste water and sewage pumpouts.

(d) Pumpouts will be performed by the Marina operator for a fee, at least every six (6) months.

(e) Every houseboat shall have a waste water/sewage holding tank, hard plumbed to and from holding tank of rigid pipe with all fittings and connections glued, brazed, or welded. No threaded drains or clean-outs are permitted.

(f) Any houseboat which has had its waste hook-up willfully removed, tampered with, or altered in any way, so as to discharge into the reservoir shall have its permit revoked and shall be permanently barred from the reservoir.

(g) The fee for annual inspection shall be set by Resolution of the Agency.

(h) Any houseboat which fails the annual inspection will again be charged the annual fee prior to re-inspection. (#435 as amended by #451, #474, #534, and #1082)

8.50.080 Fire Prevention.

1. All of the Bullards Bar Recreation Area hereby is classified as high fire hazard zone.
2. Except as otherwise provided in this chapter, all persons shall comply with the rules and regulations adopted pursuant to the authority of Title 16, §551, United States Code, by the Secretary of Agriculture for the protection against destruction by fire and depredation upon the public forests, said rules and regulations being hereby made applicable to the Recreation Area and incorporated herein by reference.
3. It shall be unlawful to light, build or maintain any open fire within the Recreation Area except in a camp stoves or a fireplace provided, maintained or designated for such purpose, unless by authority of the Fire Protection Agency and authorized permit. Oil, butane, or gasoline camp stoves may be used in established camp sites or picnic areas where other stoves are provided, or in other areas where authorized by permit.
4. It shall be unlawful to discharge or set off on or within the Recreation Area any firecrackers, torpedoes, rockets, or other fire works.
5. It shall be unlawful to carry, use or throw away any lighted cigarette, cigar, ashes, or any other flaming or glowing substance except within structures, vehicles, vessels, or posted clear areas.
6. The terms and provisions of this section may be enforced by the Engineer-Administrator, United States Forest Service Personnel, and the Sheriff. (#435 as amended by #1082)