

**LAKE WORTH DRAINAGE DISTRICT
OPERATING POLICIES**

Chapter 3: Engineering & Permitting Requirements

3.6 Docks, Davits, Boat Lifts and Bulkheads

3.6.1 Docks, Davits and Boat Lifts

3.6.1.1

A permit may be issued upon receipt of all requirements contained in this section. The permit shall be temporary and may be revoked by LWDD at any time. The termination or revocation shall be at the sole discretion of LWDD.

3.6.1.2

Each application shall meet LWDD's requirements of the specific location, and all Municipal, County, State and Federal permits and/or requirements. Designs will be reviewed on a case by case basis. LWDD reserves the right to refuse permitting any applications that do not meet the criteria contained herein.

3.6.1.3

Docks may be permitted only for properties contiguous to the adjacent canal right-of-way. Docks may be permitted only on canals where the width of the water surface at the maintained water elevation is forty feet (40') or more and only within the following listed canal sections:

- L-7 Canal (Downstream, or east of Pine Tree Lane)**
- L-8 Canal (Downstream, or east of West Lake Drive)**
- L-9 Canal (Downstream, or east of West Lake Drive)**
- L-10 Canal (Downstream, or east of Florida Mango Road)**
- L-14 Canal (Downstream, or east of Control Structure No. 8)**
- L-17 Canal (Downstream, or east of Congress Avenue)**
- L-24 Canal (From approximately 950 feet west of E-4 Canal to E-4 Canal)**
- L-27 Canal (Downstream, or east of Congress Avenue)**
- L-28 Canal (Downstream, or east of Congress Avenue)**
- L-30 Canal (Downstream, or east of Control Structure No. 11)**
- L-38 Canal (Downstream, or east of Control Structure No. 12)**
- L-48 Canal (Tidal area only; SW 8th Terrace east to E-4 Canal)**
- L-49 Canal (Tidal area only; SW 9th Avenue east to E-4 Canal)**
- L-50 Canal (Tidal area only; SW 14th Drive east to E-4 Canal)**
- C. Stanley Weaver Canal (Downstream, or east of Control Structure No. 9)**
- E-4 Canal (Authorization not required from LWDD for docks south of the existing salinity structure which is approximately 1,700 feet north of Glades Road)***

***This does not relieve the property owner from obtaining any permits or authorizations required from Palm Beach County, Municipalities or other regulatory agencies for docks south of the existing salinity structure.**

**LAKE WORTH DRAINAGE DISTRICT
OPERATING POLICIES**

Chapter 3: Engineering & Permitting Requirements

At the discretion of LWDD, docks may be permitted within canals not listed above that have a direct connection to a lake or the E-4 Canal

3.6.1.4

Boathouses and floating docks are prohibited.

3.6.1.5

Docks are prohibited for multifamily structures such as townhomes, duplexes, villas, etc.

3.6.1.6

Only one dock, davit and/or boat lift is allowed per lot.

3.6.1.7

Docks are prohibited for lots that have less than seventy-five feet (75') of canal frontage.

3.6.1.8

Docks are prohibited within three hundred feet (300') of a control structure.

3.6.1.9

Docks may not be permitted in areas where unacceptable rates of bank erosion are occurring, such as areas of excessive boat traffic, high channel velocities, or existing geological conditions. LWDD reserves the right to deny new permits or revoke existing permits in these areas.

3.6.1.10

The dock surface, including the surface of all appurtenant structures (boat lifts, davits, stairs/steps, etc.) shall not exceed a total horizontal area of 250 square feet. The total dock surface area is to include all portions of the dock and the areas between portions of the dock.

The dock, boat and appurtenant structures shall not exceed more than one-fourth ($\frac{1}{4}$) of the canal width, as measured from the edge of water at the maintained water elevation. In addition, the dock, boat and appurtenant structures shall not exceed twenty-five feet (25') in width, as measured from the edge of water at the maintained water elevation, waterward, and twenty-five feet (25') in length, as measured along the water's edge at maintained water elevation. Any dock less than six feet (6') in width must include a handrail along the water's edge of the dock.

See the Appendix for dock and bulkhead details.

3.6.1.11

Docks must be centered within the lot's canal frontage. If the dock cannot be centered within the lot's canal frontage, the dock must be located a minimum of 15' from any property line.

3.6.1.12

Minimum low member elevation for docks shall be two feet (2') above maintained water elevation.

LAKE WORTH DRAINAGE DISTRICT OPERATING POLICIES

Chapter 3: Engineering & Permitting Requirements

3.6.1.13

Docks, davits and/or lift arms shall have reflectors or reflective tape at all times, which can be easily seen at night from both upstream and downstream sides of the canal, should they extend over or into the water body.

3.6.1.14

Erosion control, in the form of either a bulkhead (See Section 3.6.2) or rip-rap rubble shall be required for a distance of fifty feet (50') on both sides, from the center line of the dock or from lot property line to lot property line in cases where the lot's water frontage is one hundred feet (100') or less. Specific material types and dimensions must be approved by LWDD prior to submittal of the application. The design and construction of a bulkhead for erosion control within LWDD right-of-way is to meet the requirements shown in Section 3.6.2, as well as the dock and bulkhead details included in the Appendix. The design and construction of rip-rap rubble for erosion control is to meet the requirements shown in the LWDD Rip-Rap Rubble Erosion Control Detail included in the Appendix.

Any earthwork that is needed to properly construct the required erosion control, including earthwork within the channel and its side slopes or on the canal maintenance berms, will be the Applicant/Permittee's responsibility. Earthwork requirements may be a condition of a Permit.

3.6.1.15

Davits and/or boat lifts may be installed but must be indicated on the application drawings and must be approved by LWDD.

3.6.1.16

Electrical installations must be indicated on the applicant's drawings and installed by a Florida licensed electrical contractor. Upon completion of the installation, as-built drawings shall be provided to LWDD, noting the depth and location of the electrical installations. All electrical facilities associated with a dock and/or a boat lift (including but not limited to lights, electrical fixtures, electrical outlets, etc.) must be securely attached to the dock or the boat lift. **Regardless of other agency building code requirements, any electrical wiring within the canal right-of-way must be buried in conduit a minimum of thirty-six inches (36") below the surface of the ground.**

3.6.1.17

LWDD will not permit the construction of docks that incorporate walls or other similar enclosures; whether solid, partly solid, screened or transparent, regardless of the type of materials used in construction.

3.6.1.18

No roofs, roofing material, or coverings of any kind will be allowed on docks, davits or boat lifts.

3.6.1.19

Prior to permit issuance, residential Permittees must furnish to LWDD proof of liability insurance in the minimum amount of \$300,000.00 naming LWDD

LAKE WORTH DRAINAGE DISTRICT OPERATING POLICIES

Chapter 3: Engineering & Permitting Requirements

as a certificate holder or “additional interest.” Commercial Permittees must furnish to LWDD proof of liability insurance in the minimum amount of \$1,000,000 naming LWDD as “additional insured.” Such insurance policies shall be kept in full force and effect during the term of the permit authorizing the facility within LWDD right-of-way. The Permittee or its successors and/or assigns is responsible for all costs to provide this insurance. Proof of such coverage shall be provided to LWDD annually and as requested any time during the permit duration. In the event Permittee allows said insurance policy to expire, the Permit shall be in default and LWDD shall have the right to terminate this Permit.

3.6.1.20

Applicant shall indemnify and hold harmless LWDD for any liabilities arising out of the issuance of a permit for the subject dock, davits and/or boat lift.

3.6.1.21

Applicant shall provide a copy of the property’s recorded Warranty Deed together with a copy of the current Tax Bill or provide a copy of a search of the Property Appraiser’s Public Access System to demonstrate that he/she is the current owner of the property.

3.6.1.22

Applicant shall provide a survey of the property, showing the proposed location of the dock, davits and/or boat lift in reference to the lot’s property line and canal water’s edge at maintained water elevation, as well as showing LWDD’s right-of-way. The survey provided to LWDD is to be signed and sealed by a professional land surveyor licensed in the State of Florida.

3.6.1.23

Applicant shall provide drawing(s) and information showing the location and type of construction and materials to be used. Drawings and design information must be signed and sealed by a professional engineer licensed in the State of Florida. At a minimum the drawings are to show the dock width (in feet), dock length (in feet) and the depth of the piling penetration into the undisturbed ground of the canal (in feet). See the Appendix for dock and bulkhead details.

3.6.1.24

Permit application fee and one-time right-of-way usage or occupancy fee must be included with permit application submittal. **See Chapter 2.0 – Fees**

3.6.1.25

Docks shall not be used either permanently or temporarily as a place of residence.

3.6.1.26

Docks shall not be used for the mooring of houseboats, or other vessels used permanently or temporarily as a place of residence.

3.6.1.27

If the applicant or contractor intends to use LWDD’s right-of-way for temporary construction access outside the limits of the applicant’s lot,

LAKE WORTH DRAINAGE DISTRICT OPERATING POLICIES

Chapter 3: Engineering & Permitting Requirements

approval must be obtained from LWDD. See Section 4.8 Use of Right-of-Way as Temporary Access.

3.6.1.28

To confirm structural stability of a permitted dock, LWDD may at any time require the Permittee to obtain a structural inspection at the Permittee's expense, from a licensed professional engineer registered in the State of Florida.

3.6.1.29

If the property on which the permitted dock, davit and/or boatlift exists is sold, the new owner shall submit a request for permit transfer with applicable fees within 90 days of property purchase. Failure to request a permit transfer within the allowed time may result in the permit being revoked.

3.6.1.30

Modifications of permitting criteria such as roofing, square footage and fees, may be considered for public purpose docks.

3.6.1.31

The Permittee will be required to provide record drawings certified by a licensed Florida professional engineer confirming that the facilities were constructed in accordance with the design permitted by LWDD. In the alternative, LWDD will accept written verification from authorized local government representatives that the construction meets the applicable Building Code or another more stringent local government building code. If certified record drawings are not provided within sixty (60) days from substantial completion, LWDD shall revoke permit and the facilities shall be removed at the owner's expense.

3.6.2 Bulkheads

3.6.2.1

A permit may be issued upon receipt of all requirements contained in this section. The permit shall be temporary and may be revoked by LWDD at any time. The termination or revocation shall be at the sole discretion of LWDD.

It is suggested that the applicant contact LWDD prior to seeking local governmental agency approval.

3.6.2.2

Each application shall meet LWDD's requirements of the specific location, and all Municipal, County, State and Federal permits and/or requirements.

3.6.2.3

Applicant shall provide a survey of the property, showing the proposed location of the bulkhead in reference to the lot's property line and canal

LAKE WORTH DRAINAGE DISTRICT OPERATING POLICIES

Chapter 3: Engineering & Permitting Requirements

water's edge at maintained water elevation, as well as showing LWDD's right-of-way. The survey provided to LWDD is to be signed and sealed by a professional land surveyor licensed in the State of Florida.

3.6.2.4

Applicant shall provide drawing(s) and information showing the location and type of construction and materials to be used. Drawings and design information must be signed and sealed by a professional engineer licensed in the State of Florida. At a minimum the drawings are to show the depth of the bulkhead sheet pile penetration into the undisturbed ground of the canal (in feet). See the Appendix for dock and bulkhead details.

3.6.2.5

Prior to permit issuance, residential Permittees must furnish to LWDD proof of liability insurance in the minimum amount of \$300,000.00 naming LWDD as a certificate holder or "additional interest." Commercial Permittees must furnish to LWDD proof of liability insurance in the minimum amount of \$1,000,000 naming LWDD as "additional insured." Such insurance policies shall be kept in full force and effect during the term of the permit authorizing the facility within LWDD right-of-way. The Permittee or its successors and/or assigns is responsible for all costs to provide this insurance. Proof of such coverage shall be provided to LWDD annually and as requested any time during the permit duration. In the event Permittee allows said insurance policy to expire, the Permit shall be in default and LWDD shall have the right to terminate this Permit.

3.6.2.6

Applicant shall indemnify and hold harmless LWDD for any liabilities arising out of the subject permit.

3.6.2.7

Applicant shall provide a copy of the property's recorded Warranty Deed together with a copy of the current Tax Bill or provide a copy of a search of the Property Appraiser's Public Access System to demonstrate that he/she is the current owner of the property.

3.6.2.8

Permit application fee and one-time right-of-way usage or occupancy fee must be included with permit application submittal. **See Chapter 2.0 – Fees**

3.6.2.9

To confirm structural stability of a permitted bulkhead, LWDD may at any time require the Permittee to obtain a structural inspection at the Permittee's expense, from a licensed professional engineer registered in the State of Florida.

3.6.2.10

If the property on which the permitted bulkhead exists is sold, the new owner submit a request for permit transfer with applicable fees within 90 days of property purchase. Failure to request a permit transfer within the allowed time may result in the permit being revoked.

LAKE WORTH DRAINAGE DISTRICT OPERATING POLICIES

Chapter 3: Engineering & Permitting Requirements

3.6.2.11

The Permittee will be required to provide record drawings certified by a licensed Florida professional engineer confirming that the facilities were constructed in accordance with the design permitted by LWDD. In the alternative, LWDD will accept written verification from authorized local government representatives that the construction meets the applicable Building Code or another more stringent local government building code. If certified record drawings are not provided within sixty (60) days from substantial completion, LWDD shall revoke permit and the facilities shall be removed at the owner's expense.

3.6.3 Possible Permit Conditions

[Note: These conditions are not totally inclusive. Additional conditions may be required based upon the circumstances of the project.]

3.6.3.1

LWDD hereby grants a temporary permit to install the facilities as described in the approved plans on file with LWDD.

3.6.3.2

It is agreed that it is the sole responsibility of Permittee to maintain the facilities in a good, safe condition. It is left to the sole discretion of LWDD to determine whether or not the facilities are being maintained in a good, safe condition.

3.6.3.3

In the event LWDD should determine that the facilities are not being maintained in a good, safe condition, or LWDD requires removal of the facilities for any reason, the Permittee hereby agrees to remove, at the Permittee's expense, the aforementioned facilities and restore the right-of-way to its former condition, upon receiving sixty (60) days written notice. In the event of the failure on the Permittee's part to remove the items permitted and restore said right-of-way, it is mutually agreed that LWDD may thereafter remove same at Permittee's expense and recover all related expenses against the subject property through the Florida courts, by way of, but not limited to the lien laws of the State of Florida.

3.6.3.4

Docks, davits and/or lift arms shall have reflectors or reflective tape at all times, which can be easily seen at night from both upstream and downstream sides of the canal, should they extend over or into the water body.

3.6.3.5

Permittee agrees to indemnify and hold harmless LWDD of and from any and all losses, claims, damages, causes of action, costs and expenses of whatever kind or nature, including attorney's fees and court costs relating to or arising out of any claims against LWDD, as a result of or emanating out of the

LAKE WORTH DRAINAGE DISTRICT OPERATING POLICIES

Chapter 3: Engineering & Permitting Requirements

issuance of this Right-of-Way Permit and the usage of the LWDD right-of-way by the Permittee and the public.

3.6.3.6

Prior to permit issuance, residential Permittees must furnish to LWDD proof of liability insurance in the minimum amount of \$300,000.00 naming LWDD as a certificate holder or “additional interest.” Commercial Permittees must furnish to LWDD proof of liability insurance in the minimum amount of \$1,000,000 naming LWDD as “additional insured.” Such insurance policies shall be kept in full force and effect during the term of the permit authorizing the facility within LWDD right-of-way. The Permittee or its successors and/or assigns is responsible for all costs to provide this insurance. Proof of such coverage shall be provided to LWDD annually and as requested any time during the permit duration. In the event Permittee allows said insurance policy to expire, the Permit shall be in default and LWDD shall have the right to terminate this Permit.

3.6.3.7

LWDD reserves the right to terminate, amend, alter, or change the terms, conditions, or requirements contained herein at anytime and for any reason.

3.6.3.8

Any rights transferred herein to Permittee shall be inferior to the rights of LWDD.

3.6.3.9

If the ownership of the property is transferred, the new owner shall secure a new Permit through a Permit transfer from LWDD.

3.6.3.10

The Permittee, LWDD approved assignees, and/or successors in title agree to operate and maintain the system/facility in perpetuity.

3.6.3.11

It is not the intent of the Permit to alter or affect the necessity of obtaining any other permits from any other appropriate government agencies.

3.6.3.12

Forty-eight (48) hours notice must be given to LWDD prior to commencement of work within LWDD right-of-way.

3.6.3.13

The Permittee will be required to provide record drawings certified by a licensed Florida professional engineer confirming that the facilities were constructed in accordance with the design permitted by LWDD. In the alternative, LWDD will accept written verification from authorized local government representatives that the construction meets the applicable Building Code or another more stringent local government building code. If certified record drawings are not provided within sixty (60) days from substantial completion, LWDD shall revoke permit and the facilities shall be removed at the owner’s expense.

LAKE WORTH DRAINAGE DISTRICT OPERATING POLICIES

Chapter 3: Engineering & Permitting Requirements

3.6.4 Conditions upon which Work within LWDD Right(s)-of-Way May be Required of a Petitioner or an Applicant

Proposed improvements to property that is adjacent to a LWDD canal, or part of a parent tract (same property owner or contiguous master plat) that is adjacent to a LWDD canal, or proposed improvements within LWDD canal right(s)-of-way, may be conditioned, when and if permitted by LWDD, to do canal work. This canal work may include, but may not necessarily be limited to, canal channel and maintenance berm relocation, canal channel and maintenance berm reshaping, dredging, filling, sloping, channel side slope stabilization, sodding and/or seeding and mulching.

Projects that may be conditioned to do canal work are projects that propose to make improvements to the adjacent property and which improvements may directly affect the facilities of LWDD.

Also, projects within adjacent property that have existing conditions that have, in the past, adversely affected the facilities of LWDD, even if the proposed improvements will not directly affect the facilities of LWDD, may be required to do canal work.

Any requirements or conditions for canal work may be independent of any LWDD right-of-way ownership and interest requirements. These LWDD right-of-way ownership and interest requirements can be found in Chapter 5: Right-of-Way Ownership & Interests of the LWDD Operating Policies Manual.

Engineering and permitting requirements can be found in Chapter 3: Engineering & Permitting Requirements of the LWDD Operating Policies Manual.