



**LAKES RULES  
AND  
REGULATIONS**

**Adopted September 20, 2022**

**LAKES RULES AND REGULATIONS**

[ - 1 - ]

## TABLE OF CONTENTS

<u>SECTION</u>		<u>PAGE #</u>
<b>ARTICLE 1. GENERAL PROVISIONS</b>		
1.1	DEFINITIONS .....	4
1.2	AUTHORITY OF COMMISSION TO PROMULGATE RULES AND REGULATIONS FOR CITY OWNED LAKES .....	4
1.3	COMMISSION AUTHORIZED TO SET ASIDE CITY-OWNED LANDS FOR FIELD TRIALS FOR DOGS .....	4
1.4	POWER AND AUTHORITY TO ENFORCE ARTICLES AND RULES AND REGULATIONS RELATING TO CITY OWNED LANDS AND LAKES .....	5
1.5	AUTHORITY OF DIRECTOR TO CLOSE CITY-OWNED LAKES, SPORTING ACTIVITIES PROHIBITED: COUNCIL ACTION NOT LIMITED .....	5
1.6	ACTS PROHIBITED UPON CITY LAKES: UNAUTHORIZED CAMPING, SWIMMING, PARA-SAILING; DEPOSITING POLLUTING SUBSTANCES; DAMAGING PUBLIC PROPERTY; DRUNKENNESS; DISORDERLY CONDUCT; SCUBA DIVING; ILLEGALLY TAKING FISH; OFF ROAD VEHICLES .....	5-6
1.7	SPORTING ACTIVITIES PERMITTED ON CITY-OWNED LAKES AND LAKE PROPERTY SUBJECT TO STATE AND FEDERAL LAW, PERMIT REQUIREMENTS .....	7
1.8	PERMIT TO FISH, BOAT, HUNT, CAMP OR WATER SKI ON CITY LAKES AND LAKE PROPERTY; STATE LICENSE REQUIRED .....	8
1.9	AREAS CLOSED AT SUNDOWN .....	8
1.10	PERMIT FORMS TO BE PRINTED; CONTAIN SPACE FOR IDENTIFICATION OF PERMITTEE, ACTIVITY, EXPIRATION DATE, PLEDGE .....	8
1.11	AGREEMENT TO RELEASE CITY FROM LIABILITY FOR ACCIDENTS REQUIRED BEFORE ISSUANCE OF PERMIT .....	8
1.12	OVERCHARGE OF PERMIT FEES PROHIBITED; PENALTY; TERMINATION OF CONTRACT OR AUTHORITY .....	9
1.13	RIGHT OF CITY TO NEGOTIATE CONTRACTS FOR LAKES CONCESSIONS .....	9
<b>ARTICLE 2. FISHING</b>		
2.1	SCHEDULE OF FEES AND CHARGES FOR FISHING PERMITS .....	9
2.2	ISSUING FISHING PERMITS, LIMITATIONS AND RESTRICTIONS .....	9
2.3	PERSONS NOT REQUIRED TO PURCHASE FISHING PERMIT .....	9-10
2.4	EXPIRATION DATE OF FISHING PERMITS .....	10
2.5	TROTINES AND JUG FISHING .....	10
2.6	TIME AND PLACE OF FISHING, LIMITATIONS DURING HUNTING SEASON .....	10
2.7	RESTRICTIONS ON TYPES OF FISHING EQUIPMENT .....	11
2.8	USE OF UNBAITED HOOK TO SNAG FISH PROHIBITED .....	11
2.9	ARCHERY FISHING, BOW FISHING .....	11
2.10	GAME FISH; CLASSIFICATION OF SPECIES; USE OF BAIT; TAKING BY HOOK AND LINE REQUIRED; BAG LIMIT .....	11
2.11	FISH MINIMUM LENGTHS .....	11-12
2.12	FISHING TOURNAMENT REGULATIONS .....	12
2.13	FISHERMAN'S FLOAT; USE DURING DAYLIGHT HOURS, INSPECTION .....	13
2.14	DAILY BAG LIMIT .....	13

**ARTICLE 3. HUNTING UPON CITY-OWNED LAKES AND/OR LAKE PROPERTY**

3.1	SCHEDULE OF FEES AND CHARGES FOR HUNTING .....	13
3.2	RESTRICTIONS ON HUNTING; LAWFUL OPEN SEASON; SHOTGUN PERMITTED .....	14
3.3	ARCHERY DEER HUNTING .....	14-15

**ARTICLE 4. BOATING**

4.1	RESPONSIBILITY TO ISSUE AND COLLECT FEES FOR BOATING PERMIT .....	15
4.2	PERMIT FEES AND CHARGES TO PLACE AND OPERATE PRIVATELY OWNED BOATS ON CITY-OWNED LAKES .....	15
4.3	DUE DATE FOR PAYMENT OF ANNUAL PERMIT FEE TO OPERATE PRIVATELY OWNED BOATS; EXPIRATION DATE; PERMIT NOT TRANSFERABLE .....	15-16
4.4	INSPECTION AND APPROVAL OF BOATS BEFORE OR AFTER ISSUANCE OF PERMIT AND PASSENGER CAPACITY .....	16
4.5	FAILURE TO RENEW EXPIRED BOATING PERMIT OR TO REMOVE BOAT FROM LAKE; CITY AUTHORITY TO IMPOUND; PENALTY; LIEN .....	16
4.6	MINIMUM DIMENSIONS REQUIRED FOR BOATS TO BE PLACED AND OPERATED UPON WATERS OF CITY-OWNED LAKES .....	16-17
4.7	MINIMUM REQUIREMENTS FOR PONTOON VESSELS .....	17
4.8	MINIMUM REQUIREMENTS FOR CANOES; DIMENSIONS; PASSENGERS, USE OF PERSONAL FLOATATION DEVICES; OTHER REQUIREMENTS .....	17-18
4.9	SAFETY REQUIREMENTS AND REGULATIONS FOR BOATING ON CITY-OWNED LAKES .....	18-20

**ARTICLE 5. WATER SKIING AND JET SKIING**

5.1	SCHEDULE OF FEES AND CHARGES FOR .....	20
5.2	SAFETY REQUIREMENTS FOR WATER SKIING AND JET SKIING .....	20-21

**ARTICLE 6. EQUESTRIAN TRAILS/HORSE RIDING** .....

**ARTICLE 7. CABIN SITES** .....

**ARTICLE 8. LEASES** .....

**ARTICLE 9. GAME PRESERVES** .....

**ARTICLE 10. SAVINGS CLAUSE** .....

**PART 11**  
**CHAPTER 2**  
**PARKS AND RECREATION**  
**RULES AND REGULATIONS FOR CITY-OWNED LAKES**  
**CITY OF DUNCAN, OKLAHOMA**

**ARTICLE 1.**

**GENERAL PROVISIONS**

**1.1 DEFINITIONS.**

- (a) City-Owned Lakes shall mean Lake Humphreys, Lake Duncan (a.k.a Duncan Lake), Clear Creek Lake and Lake Fuqua.
- (b) Commission shall mean the Lakes Commission of Duncan, Oklahoma
- (c) Lake Humphreys, Lake Duncan, Clear Creek Lake and Lake Fuqua shall comprise the public water supply reservoirs of Duncan and all City-owned land immediately surrounding and adjacent thereto.
- (d) Director shall mean Director of Public Works of the City of Duncan.
- (e) Assistant Public Works Director shall mean the Assistant Public Works Director of the City of Duncan.

**1.2 AUTHORITY OF COMMISSION TO PROMULGATE RULES AND REGULATIONS FOR CITY-OWNED LAKES.**

The Commission may, by Resolution, promulgate rules and regulations for all City lakes provided such Resolutions are not inconsistent with the Ordinances of the City. Said Resolutions, when adopted by the Commission and approved by the City Council, shall be enforced by the Duncan Police and Assistant Public Works Director as provided in this Chapter.

**1.3 COMMISSION AUTHORIZED TO SET ASIDE CITY-OWNED LANDS FOR FIELD TRIALS FOR DOGS.**

- (a) The Commission may set aside City-owned lands abutting City-owned lakes for the purpose of training and conducting field trials for dogs.
- (b) All other animals and fowl shall be governed by the Duncan City Code as otherwise specified.

**1.4 POWER AND AUTHORITY TO ENFORCE ARTICLES AND RULES AND REGULATIONS RELATING TO CITY-OWNED LANDS AND LAKES.**

City lakes and property fall under the jurisdiction of regulation and control of the Public Works Director and is enforced by Duncan Police Officers, pertaining to the same Ordinances which are regulated inside the City Limits of Duncan.

**1.5 AUTHORITY OF DIRECTOR TO CLOSE CITY-OWNED LAKES; SPORTING ACTIVITIES PROHIBITED; COUNCIL ACTION NOT LIMITED.**

- (a) Closing Lakes. The Director, with the approval of the Commission and the Council of the City of Duncan, Oklahoma, is authorized to close any or all City lakes to fishing during the spawning season, and to designate any particular area on any of such lakes as closed to the public at any time if, in the judgment of the Commission, such closing is necessary for the public safety and welfare or for the protection of public property and the public water supply.
- (b) Selection of Areas for Closing; Activity Prohibited. The Director is authorized to select and locate areas to be properly marked and designated as spawning or propagating areas. Such areas shall be in the most appropriate sections of each City lake and in as widely separated locations as practicable. No person shall wade, shoot, fish, ski, boat or engage in any other normally authorized activity in such marked and designated area.
- (c) Council Power Not Limited. Nothing in this section shall be construed as limiting the power of the City Council to close any or all City lakes under the provisions of applicable State Law.

**1.6 ACTS PROHIBITED UPON CITY LAKES: UNAUTHORIZED CAMPING, SWIMMING; PARA-SAILING; DEPOSITING POLLUTING SUBSTANCES; DAMAGING PUBLIC PROPERTY; DRUNKENNESS; DISORDERLY CONDUCT; SCUBA DIVING; ILLEGALLY TAKING FISH; OFF-ROAD VEHICLES.**

The following acts or omissions shall be prohibited upon City lakes and lake property.

- (a) Camping upon any part of any lake property which is not specifically designated and posted as a camping area by the Director. Overnight camping units are not allowed to occupy a camping space for a continuous period of more than twenty-one (21) days. At the end of this twenty-one (21) day period or a lesser

continuous time, the camper may relocate to another camping space in another camping area, if approved by the Assistant Public Works Director, if in his sole judgment, adequate space is available. Otherwise, the camper shall leave City of Duncan owned property for a period of not less than seven (7) days. No exception to the intent of this rule is permitted.

- (b) Swimming in any non-designated area. Swimming is not allowed beyond 50 feet from any bank unless in an area designated as a swimming area.
- (c) Parasailing: Parasailing, or any activity liken to parasailing, is prohibited.
- (d) Throwing or depositing in or upon the waters of any City lake, lake property, or upon the land within the immediate drainage area of any such water supply reservoir, any filthy water or waste, scraps of food, fish, offal, refuse of any kind, dead animals, expectoration or anybody discharge, or any substance which by its decay or putrefaction would tend to contaminate the waters or adjacent soil or become offensive; provided that nothing in this subsection shall be construed to prohibit the use of animal or fish flesh as bait when used upon hooks.
- (e) Moving or displacing rock, gravel or soil, digging holes or building mounds or moving or displacing the bank protection or ripraping.
- (f) Damaging, destroying, displacing or removing trees, shrubs, picnic tables or picnic seats, signs, fences, guard rails, boat docks or buildings, or any other public property whether man-made or naturally growing.
- (g) Use or drinking of beer or alcoholic beverages, drunkenness, gambling or engaging in disorderly, unchaste or lewd conduct; habitual loafing or sleeping on the ground or benches, making, aiding or assisting in making any disorderly noise, riot or breach of the peace.
- (h) Scuba diving, except by express permission of the Assistant Public Works Director during an emergency situation or salvage operation.
- (i) Operating any type of off-road vehicle on or off the roadways or camping areas.
- (j) Driving any vehicle where road or parking area is not designated or is not in place by design.

- (k) Smoking shall not be permitted inside the fish houses. Smoking outside the fish houses will be permitted but in no case will smoking be allowed within 25 feet of an entrance or exit of any fish house.
- (l) Trash receptacles on City-owned lakes shall be used only by patrons of the City-owned lakes for refuse generated only during such patronage. All other uses may be prosecuted as illegal dumping, and/or other appropriate ordinances or statutes.

**1.7 SPORTING ACTIVITIES PERMITTED ON CITY-OWNED LAKES AND LAKE PROPERTY SUBJECT TO STATE AND FEDERAL LAW, PERMIT REQUIREMENTS.**

- (a) Conditions of Authorization. Fishing, hunting, boating, water skiing or engaging in other sporting activity on City-owned lakes and/or lake property is authorized provided a permit is obtained as required under this chapter and subject to State and Federal laws prescribing open and closed seasons for fishing and hunting and regulating the same, and all City Ordinances relating to City lakes and lakes properties.
- (b) Water Skiing and Restrictions. Water skiing shall be only on the following lakes.
  - (1) Clear Creek Lake: Permitted on Clear Creek Lake except on those areas designated and marked by signs and buoys. Boats and skiers shall proceed in a counter-clockwise direction. All water skiing shall be subject to the safety regulations issued by the Lakes Commission.
  - (2) Duncan Lake: Rules and regulations governing Jet Skis at Duncan Lake are less restrictive in designated areas. Reckless, unsafe conduct, as determined by the Lakes Ranger and/or Duncan Police is prohibited. Hours of operation will be sunup to sundown only. The City of Duncan reserves the right to discontinue jet ski operation during authorized fishing tournaments, if in the opinion of the Lakes Ranger, said operation will interfere with said tournaments.

**1.8 PERMIT TO FISH, BOAT, HUNT, CAMP OR WATER SKI ON CITY LAKES AND LAKE PROPERTY; STATE LICENSE REQUIRED.**

No person shall fish, boat, hunt, camp, water ski, jet ski, surfsail, paddleboat, rowboat, pleasure boat or operate similar craft upon any City-owned reservation without a valid and current State license where required, and a City Permit where required for the activity in which such person is engaged on any City-owned lake or lake property.

**1.9 AREAS CLOSED AT SUNDOWN.**

All areas around the lakes are closed from sundown to sunup except for the following: fishing, camping and pavilion usage, with proper permits.

**1.10 PERMIT FORMS TO BE PRINTED; CONTAIN SPACE FOR IDENTIFICATION OF PERMITTEE, ACTIVITY, EXPIRATION DATE, PLEDGE.**

(a) Information, Pledge. Forms for permits required under this article shall be printed and shall contain ample and appropriate space for the identification of the person receiving same, the specific activity or combination of activities for which the permit is issued, the date of expiration of the permit and a pledge in substantially the following language:

*"In consideration of the issuance of this permit to me, I hereby faithfully agree to observe all rules of safety, sanitation and sportsmanship together with all provisions of City Ordinances, State Game and Fish Laws, and rules and regulation of the Lakes Commission of Duncan, while upon the lands or water included in all City-owned lands and lakes, and to hold harmless and indemnify the City and any person acting for or on behalf of the City, for any injury to life, limb, or property incident to the exercise of the privileges hereby granted."*

**1.11 AGREEMENT TO RELEASE CITY FROM LIABILITY FOR ACCIDENTS REQUIRED BEFORE ISSUANCE OF PERMIT.**

Before any permit required under this article shall be issued, the party applying therefor, in consideration of the issuance of the permit, shall agree in writing to release the City, and any other person acting for or on behalf of the City, from all liability from any accident that may occur on the lands or waters of all City-owned lakes and lake property. Said agreement shall be binding upon the heirs, executors, administrators, and assigns of the same party for whom the application for a permit is made.

**1.12 OVERCHARGE OF PERMIT FEES PROHIBITED; PENALTY; TERMINATION OF CONTRACT OR AUTHORITY.**

No person shall charge fees in excess of those prescribed in this article for any permit to use any waters and grounds authorized in this article. Such unlawful and excessive charges shall subject such person to the payment of a fine and costs, and shall operate to terminate immediately any lease, contract or authority which such person has to grant permits or otherwise use the premises described in this section.

### **1.13 RIGHT OF CITY TO NEGOTIATE CONTRACTS FOR LAKES CONCESSIONS.**

The City reserves the right to negotiate and enter into contracts granting concessions upon any and all City-owned lake property providing for the privilege of conducting a merchandising grocery, restaurant business, sale of cold drinks, motor fuel and related items, live bait or other natural or artificial bait.

## **ARTICLE 2.**

## **FISHING**

### **2.1 SCHEDULE OF FEES AND CHARGES FOR FISHING PERMITS.**

A schedule of fees and charges for the permit required under this contract to fish in and upon the waters of City-owned lakes is hereby levied, the amounts of which shall be set and reviewed periodically by the City Council and displayed on the permit.

### **2.2 ISSUING FISHING PERMITS; LIMITATIONS AND RESTRICTIONS.**

Permits for fishing in and upon the City of Duncan lakes shall be issued by designated appointees, of the City Council and Lakes Commission and permit kiosks. Such fishing permits shall be issued for the period of time and amounts prescribed in this article and shall be set forth in this article.

### **2.3 PERSONS NOT REQUIRED TO PURCHASE FISHING PERMIT.**

Fishing permits are required for everyone fishing in City-owned lakes except:

- (a) Oklahoma residents who are either eligible to purchase or in possession of a Senior Citizen's Lifetime Fishing License are exempt from purchasing a City fishing permit. All non-residents, beginning with the start of the calendar year in which they reach age 64 will be exempt from purchasing a City fishing permit.
- (b) Children under the age of sixteen (16).
- (c) Disabled veterans with 60% or more disability.

- (d) Any legally blind person or physically impaired person who is unable to properly use fishing apparatus and one companion who is helping while the impaired person is fishing.
- (e) Any patient of a state institution established for the care and treatment of mental illness or alcohol or drug dependency when accompanied by an attendant of such institution or legal guardian.
- (f) Persons having a proven disability rendering them non-ambulatory and confined to wheelchairs as certified by a duly qualified physician.
- (g) Oklahoma citizens serving in the U.S. Armed Forces outside Oklahoma and on authorized leave with written evidence on their person.

This does not exempt any of the above persons from obtaining any other lake permit.

## **2.4 EXPIRATION DATE OF FISHING PERMITS.**

Annual fishing permits shall expire on December 31 next following the issuance thereof and may be issued at any time during the permit year for the remainder of such permit year.

## **2.5 TROTINES AND JUG FISHING.**

- (a) Trotlines are allowed on Lake Humphreys and Lake Fuqua only. No more than one (1) permit shall be issued to any one (1) person. Only one trotline with 50 hooks will be permitted per person or two trotlines with 25 hooks each will be permitted per person.
- (b) Jug lines are permitted on all lakes with season permit. Jug lines are allowed on Clear Creek Lake and Duncan Lake from November through February only. A maximum of five (5) jugs and two (2) hooks per jug per person will be permitted.

## **2.6 TIME AND PLACE OF FISHING; LIMITATIONS DURING HUNTING SEASON.**

Fishing permits shall allow fishing twenty-four (24) hours per day at all City-owned lakes, subject to the periods and times authorized by State and Federal law, and shall not permit fishing in or upon areas that may be otherwise restricted as provided by Ordinance, rule or regulation. During the hunting season, the holder of a fishing permit shall not be

entitled to fish on said premises at any place where, in the judgment of the Duncan Police or Assistant Public Works Director, such fishing will interfere with hunting thereon.

## **2.7 RESTRICTIONS ON TYPES OF FISHING EQUIPMENT.**

- (a) Poles on Man-made Structures. A fishing permit shall entitle the holder thereof to the simultaneous use of not more than two (2) poles on man-made structures.
- (c) Nets, Seines. No net, trap, gig, spear, trammel net or seine of any kind shall be used.
- (d) Minnow Traps. Each person holding a fishing permit shall be allowed to use one (1) minnow trap having a funnel entrance which shall not exceed eighteen (18) inches in any dimension.

## **2.8 USE OF UNBAITED HOOK TO SNAG FISH PROHIBITED.**

No person shall engage in the practice of "snagging," "pulling," or "jerking" an unbaited hook through the water for the purpose of hooking or snagging fish.

## **2.9 ARCHERY FISHING; BOW FISHING.**

- (a) With the exception of carp fishing, archery and bow fishing are NOT permitted on any of Duncan's lakes during the months of April, May and June
- (b) Lake Fuqua is closed to archery fishing and bow fishing year round.

## **2.10 GAME FISH; CLASSIFICATION OF SPECIES; USE OF BAIT; TAKING BY HOOK AND LINE REQUIRED; BAG LIMIT.**

- (a) Game Fish. Game fish shall be classified by the Commission periodically as shown on permits.
- (b) Use of Game Fish Prohibited as Bait. No game fish from City-owned lakes shall be used as bait.
- (c) Method of Catching Any Fish. No person shall take any fish by any means other than by hook and line.
- (d) Catch Limits for Non-Residents. Catch limits for non-residents shall conform to State Regulations.

## **2.11 FISH MINIMUM LENGTH.**

- (a) No bass less than 14 inches in length may be kept.
- (b) No Crappie less than 8 inches in length may be kept.
- (c) Fish should be measured, and if illegal size, released immediately to ensure survival.
- (d) A fish's total length is measured from the tip of its snout to the end of its tail. A fish should be laid flat on a ruler with its mouth closed and tail lobes pressed together.
- (e) To increase a protected fish's chance of survival, avoid excessive handling. If possible, unhook and release the fish without lifting it from the water.
- (f) Hands must be wet if lifting fish from water, in order to avoid damage to fish.
- (g) Live wells are subject to search.
- (h) Violators will be subject to local and state fines.

## **2.12 FISHING TOURNAMENT REGULATIONS.**

All persons or clubs holding a fishing tournament on a City-owned lake (Clear Creek, Duncan, Humphreys or Fuqua) shall abide by the following:

- (a) Register at least three (3) months in advance of tournament with Assistant Public Works Director, (580) 470-2095.
- (b) No more than two (2) tournament groups shall be permitted on any one lake at a time.
- (c) All tournaments shall practice the "catch and release" system.
- (d) All fish must be released at the same lake, on the same day they are caught, unless written approval is received from the Assistant Public Works Director.
- (e) Shotgun starts shall not be allowed.
- (f) Live wells shall be subject to search.
- (g) Violators shall be subject to forfeiting Club's usage of City-owned lakes for future tournaments.

(h) Tournament fishermen shall abide by all other Lakes Rules and Regulations and City Ordinances.

## **2.13 FISHERMAN'S FLOAT; USE DURING DAYLIGHT HOURS; INSPECTION.**

(a) Fisherman's Float Defined. As used in this section, a "Fisherman's Float" shall mean any device to keep a fisherman afloat in an upright position in the water, ordinarily consisting of a protectively covered circular, inflated rubber tube or styrofoam float, with a saddle-type seat, in which the fisherman is seated while wearing watertight rubber waders.

(b) Use of Float Restricted to Daylight. Use of a fisherman's float in any City-owned lake shall be limited between sunup and sundown.

(c) Inspection and Approval of Floats. All fisherman's floats, whether owned privately or otherwise, may be inspected and approved by the Duncan Police or Assistant Public Works Director prior to their initial use in the City-owned lakes, and annually thereafter.

(d) Use of fisherman's float requires fishing boat permit.

## **2.14 DAILY BAG LIMIT.**

(a) 5 Black Bass: (minimum length of 14")

(b) 20 Crappie: (minimum length of 8")

(c) 15 Channel or Blue Catfish

(d) No limit on Perch, Bullheads, or Sand Bass

## **ARTICLE 3. HUNTING UPON CITY-OWNED LAKES AND/OR LAKE PROPERTY**

### **3.1 SCHEDULE OF FEES AND CHARGES FOR HUNTING.**

A schedule of fees and charges for the permit required under this article to hunt upon any City-owned lake and/or lake property shall be set periodically by the City Council and shown on permits. Children under sixteen (16) years of age are not required to possess a permit, but must be accompanied by an adult.

### **3.2 RESTRICTIONS ON HUNTING; LAWFUL OPEN SEASON; SHOTGUN PERMITTED.**

All permits for hunting upon City-owned lakes and/or lake property shall be subject to the following limitations and restrictions.

- (a) No person shall hunt with a pistol or rifle of any size or caliber or shotgun slugs.
- (b) No person shall take or kill more wild ducks or quail than permitted by State or Federal laws.
- (c) No person shall hunt, shoot at or kill any game birds or non-game birds or animals at any time when prohibited by City, State or Federal law.
- (d) No person shall hunt, trap, shoot or kill any game bird, non-game bird or animal upon City-owned lakes and/or lake property at any time without the proper license and/or permit required.
- (e) No trapping of animals or birds with live traps is allowed on City-owned lakes and/or lake property.
- (f) Coon hunting with dogs is allowed except during March, April and May. Appropriate permit is required. No night shooting is allowed.
- (g) No hunting in Cabin Areas is allowed.
- (h) Hunting is allowed in designated areas only as shown on City of Duncan maps.

### **3.3 ARCHERY DEER HUNTING**

- (a) All rules and regulations prescribed by the Oklahoma Wildlife Conservation Commission pertaining to the hunting of deer are incorporated herein by reference and shall be fully enforced on City lake property.
- (b) No person may hunt deer on City lake property except as follows:
  - (1) Upon obtaining a proper and valid deer permit from the City, deer may be hunted on City lake property with authorized weapons only, and only during open season on deer as declared by the Oklahoma Wildlife Conservation Commission.
  - (2) Bag limits for deer on City lake property are as follows: During archery season, one (1) deer of either sex may be harvested.

(c) Violations of the foregoing provisions of the rules and regulations prescribed by the Oklahoma Wildlife Conservation Commission pertaining to the hunting of deer are unlawful and punishable as provided in Oklahoma Statutes.

**State Law Reference:** Oklahoma Wildlife Conservation Commission Powers, 29 O.S. Section 5-401; Deer and Elk, 29 O.S. Section 5-411.

## **ARTICLE 4.**

## **BOATING**

All boating and water related activities on City-owned lakes shall comply with the Oklahoma Boating Safety Regulation Act as amended, in addition to the following requirements.

### **4.1 RESPONSIBILITY TO ISSUE AND COLLECT FEES FOR BOATING PERMIT.**

Permits to place and operate privately owned boats upon the waters of City-owned lakes shall be issued and the fees therefor collected by such person or persons as the City Council may designate.

### **4.2 PERMIT FEES AND CHARGES TO PLACE AND OPERATE PRIVATELY OWNED BOATS ON CITY-OWNED LAKES.**

The amount of the annual and daily fees for the permit required under this article to place and operate privately owned boats upon the waters of any City-owned lake shall be in accordance with the schedule as shown on the permit.

Barges are not permitted on City-owned lakes.

### **4.3 DUE DATE FOR PAYMENT OF ANNUAL PERMIT FEE TO OPERATE PRIVATELY OWNED BOATS; EXPIRATION DATE; PERMIT NOT TRANSFERABLE.**

(a) Payment Date. The annual permit fee to operate privately owned boats upon the waters of City-owned lakes shall be due and payable on January 1 of each year and such permit shall expire on December 31 of each year.

(b) Permit is Non-transferable. Permits to operate privately owned boats upon the waters of City-owned lakes are not transferable from one boat to another.

**4.4 INSPECTION AND APPROVAL OF BOATS BEFORE OR AFTER ISSUANCE OF PERMIT AND PASSENGER CAPACITY.**

All boats, whether privately owned or otherwise, may be inspected and approved by the Duncan Police or Assistant Public Works Director, before or after a permit is issued to place and operate such boats upon the waters of City-owned lakes. The number of passengers permitted in the boat shall be in accordance with Coast Guard Capacity Rating.

**4.5 FAILURE TO RENEW EXPIRED BOATING PERMIT OR TO REMOVE BOAT FROM LAKE; CITY AUTHORITY TO IMPOUND; PENALTY; LIEN.**

- (a) Expired Permit: Boat to be Removed from Water. If any permit to place and operate privately owned boats upon City-owned lakes is not renewed within thirty (30) days from the date of expiration thereof, and the boat so permitted has not been removed from the lake, the City shall have the right to take possession of such boat.
- (b) Impounding Fee. Any boat impounded as provided in subsection (a) of this section shall not be released until the owner thereof has paid, in addition to the permit fee, a penalty of one hundred fifty dollars (\$150.00) per month for such time as the permit fee on such boat has been in arrears.
- (c) Impounding Fee is Lien. The City shall have a lien on such boat for all rates and penalties due under this section, and the City shall not be liable for any damages to such boat while it is being held for such fees.
- (d) Rebates Prohibited. There shall be no rebate for any fees paid for purchase of a permit subsequent to impoundment.

**4.6 MINIMUM DIMENSIONS REQUIRED FOR BOATS TO BE PLACED AND OPERATED UPON WATERS OF CITY-OWNED LAKES.**

All boats, except pontoon boats, bass buggies, canoes and sailboats, as provided for in this article, placed and operated upon the waters of any City-owned lake must have the following minimum outside dimensions which shall be determined as indicated below:

- (a) Minimum Length; Eleven (11) feet. The length of boats shall be determined by measuring the distance from bow to stern.
- (b) Minimum Width; Forty-eight (48) inches. The width of boats shall be determined by measuring the distance between sides of the boat at the top of sides at the widest point.

(d) Minimum Depth; Fifteen (15) inches. The depth of boats shall be determined by measuring the distance from the top of the sides at the widest point to the bottom of the boat.

#### **4.7 MINIMUM REQUIREMENTS FOR PONTOON VESSELS.**

(a) Minimum Requirements for Pontoons. Pontoon vessels shall be subject to existing licensing ordinances applicable to boats. Pontoon vessels shall be maintained in a lake-worthy, operable condition.

(b) Commercially made pontoon boats are not classed as barges.

#### **4.8 MINIMUM REQUIREMENTS FOR CANOES; DIMENSIONS; PASSENGERS; USE OF LIFE PRESERVERS; OTHER REQUIREMENTS.**

As used in this article, a canoe is defined as a boat that is long relative to its width that has curved sides and is tapered to two pointed ends, unless the stern shall have been designed by the manufacturer in a square configuration specifically for the purpose of mounting an outboard motor, and that is generally of traditional shape.

Canoes shall be considered as boats and all provisions of the ordinances applicable to boats shall apply to canoes except that no canoe shall receive a permit, be admitted to or operate upon the waters of any City-owned lake unless it is of commercial manufacture and/or meets the following requirements:

(a) A minimum length of fifteen (15) feet, a minimum width of thirty-five (35) inches, and a minimum depth of twelve (12) inches. The length of canoes shall be determined by measuring distance from bow to stern. The width of canoes shall be determined by measuring the distance between the sides of the canoe at its widest point. The depth of canoes shall be determined by measuring the distance from the top of the sides at the widest point to the bottom of the canoe.

(b) No canoe shall be operated upon the waters of any City-owned lake carrying passengers in excess of the following standards relative to canoe length:

- (1) Under seventeen (17) feet - two (2) persons.
- (2) Seventeen (17) feet to and including nineteen (19) feet - three (3) persons.
- (3) Over nineteen (19) feet to and including twenty-one (21) feet - four (4) persons.

The passenger capacity of any canoes over twenty-one (21) feet shall be determined on the basis of safety and at the discretion of the Assistant Public Works Director or Duncan Police.

- (c) All occupants of a canoe shall wear a U.S. Coast Guard (USCG) approved personal flotation device at all times while afloat.

#### **4.9 SAFETY REQUIREMENTS AND REGULATIONS FOR BOATING ON CITY-OWNED LAKES.**

All boating on City-owned lakes shall comply with the Oklahoma Boat and Water Safety Act of 1959, as amended, in addition to the following requirements.

- (a) No boat shall be overloaded at any time. The judgment of the Assistant Public Works Director or such appointed person shall be held final. All boats used on City-owned lakes may be declared illegal by the Assistant Public Works Director or appointed person or persons.
- (b) All boats shall move in a counterclockwise direction on Clear Creek and Duncan Lakes.
- (c) The City Council may, by special action, specifically permit the operation of sailboats at night providing they have the proper lighting.
- (d) Personal Flotation Devices. All boats must have a USCG approved personal flotation device for each person in the boat, plus one (1) type 4 personal flotation device. All occupants of a canoe, surf-sail, or sailboat must wear a USCG approved personal flotation device at all times.
- (e) Children Twelve (12) Years and Under to Wear Life Preserver. Children twelve (12) years of age and under shall wear a USCG approved personal flotation device at all times they are in any boat which is upon the waters of any City-owned lake.
- (f) Fire Extinguisher. All motorized boats shall be equipped with a USCG fire extinguisher.
- (g) Boat Markings. All boats must have proper markings as required by the Oklahoma Boating Safety Regulation Act, whether privately or otherwise owned.

- (h) Lights. All motor boats and sailboats operating at night shall be equipped with combination red (port) and green (starboard) lights placed in the fore part of the boat, in such position as to be clearly visible at all times to the occupants of other boats in the vicinity. All motor boats operating at night shall also be equipped with a white light in the stern, placed in such position as to be clearly visible to occupants of other boats in the vicinity. Lights shall be kept burning at night at all times while the boat is in use, whether running or anchored in the lake.
- (i) Buoyancy. All metal or fiberglass boats shall be equipped with an air chamber or chambers or other buoyant materials approved by the Police or Assistant Public Works Director, of sufficient displacement to insure buoyancy of the craft, accessories and passengers in the event of capsizing.
- (j) Minimum Age to Operate Boat or Jet Ski or Similar Craft. All persons under the age of sixteen (16) years are prohibited from operating a boat, jet ski or similar craft unless accompanied by an adult over the age of 18
- (k) Operating Boats in Rough Waters. All persons are prohibited from operating any boat upon such waters at any time when in the judgment of the Duncan Police the waters are sufficiently rough to be dangerous.
- (l) Operating Boats in Spawning Areas. No person shall operate a boat over or upon any area which has been designated and marked as a spawning or fish propagating area.
- (m) Right-of-Way Rules. Rowboats, sailboats and canoes shall have the right-of-way at all times over motor propelled boats.
- (n) Distances of Motor Boats from Other Boats. Motor boats, while cruising, shall not come nearer than two hundred (200) feet to any bank, anchored boat or any man-made object (including, but not limited to any boat dock, fishing house, or swim platform), unless coming to dock. Motor boats shall be allowed in any neck or bay only for the purpose of fishing and shall move only at idling speed.
- (o) Use of Beer or Alcoholic Beverages. No person shall transport, use, consume or possess any beer or alcoholic beverage while on City-owned lakes' property, or operate any watercraft while in a drunken condition.
- (p) Maximum Boat and Watercraft Speed. All boats and watercraft shall observe the forty (40) miles per hour maximum speed limit for

daytime and maximum boat speed of ten (10) miles per hour after sundown.

- (q) All persons operating any type boat shall be required to know and be familiar with all boating rules as State law provides.
- (r) Bass buggies, canoes and/or Bass Buster type boats are not to be operated in open waters. They shall be used in necks and creek areas only.
- (s) Sail Boats may operate only on Clear Creek and Duncan Lakes.

## **ARTICLE 5.**

## **WATER SKIING AND JET SKIING**

(Jet Ski shall mean Jet Ski, Wave Runner, Wet Bike, or Similar Craft.)  
***(Confined to Clear Creek and Duncan Lakes only)***

### **5.1 SCHEDULE OF FEES AND CHARGES FOR WATER SKIING AND JET SKIING PERMITS.**

A schedule of fees and charges for the permit required under this article to enter upon and engage in the sports of water skiing and/or jet skiing upon the designated lakes is hereby levied, the amounts of which are as displayed on the permits.

### **5.2 SAFETY REQUIREMENTS FOR WATER SKIING AND JET SKIING.**

- (a) Personal Flotation Devices. An approved U.S. Coast Guard personal flotation device shall be provided for operator and all boat passengers. All skiers, or operators shall wear a USCG approved personal flotation device at all times.
- (b) Skiing During Daylight Hours. Water skiing and jet skiing shall be allowed only during daylight hours from sunup to sundown each day.
- (c) Passenger or Rear Vision Mirror to Observe Skier. The ski tow boat shall have either a second person in the boat, in addition to the driver, or a rear vision mirror for observing the person being towed.
- (d) Length of Tow Ropes. Tow ropes shall be not less than fifty (50) feet in length.
- (e) Towing Two (2) Skiers per Boat. Not more than two (2) skiers may be towed by any one (1) boat at the same time. When one skier falls the other shall drop with them for safety purposes.

- (f) Jet Skis. A jet ski may be operated only in an approved skiing area. The operator of a jet ski must wear a coast-guard approved personal flotation device at all times. The jet ski operator must purchase a ski boat permit and must operate in accordance with Ski Boat rules.
- (g) Jet skis and similar craft shall be operated in a safe manner for participants and others around them. Reckless, unsafe conduct is prohibited (no circles, doughnuts, zig-zagging).
- (h) Jet Ski usage at Duncan Lake may be exempt from 4.10, (k) and 4.10 (n) of these rules, provided that reckless, unsafe conduct is prohibited. Reckless, unsafe conduct shall be as determined by the Assistant Public Works Director or Police Department.
- (i) Jet Skiing hours of operation will be sunup to sundown only.

## **ARTICLE 6.**

## **Equestrian Trails/Horse Riding**

- 6.1 Horse-back riding is permitted in designated areas only on Duncan Lake only. Permits for horse-back riding on City-owned land shall be issued and the fees therefor collected by such person or persons as the City Council may designate.

## **ARTICLE 7.**

## **CABIN SITES**

- 7.1 Regulations, uses and enforcement pertaining to cabin sites shall be as provided in the Lease Agreement and in Ordinance No. 927, and all amendments and revisions thereof, and in accordance with City Ordinances and Building Codes, provided that, where in conflict, Ordinance No. 927 shall supercede Building Code.

## **ARTICLE 8.**

## **LEASES**

- 8.1 Regulations, uses and enforcement of any and all type leases on City lake properties shall be determined from time to time on an individual lease basis.

## **ARTICLE 9.**

## **GAME PRESERVES**

- 9.1 The City Council shall have the authority to establish game preserves on such basis as proper and desirable when deemed appropriate.

## **ARTICLE 10**

## **SAVINGS CLAUSE**

10.1 All rules and regulations for City-owned lakes and lake properties of the City of Duncan, Oklahoma, previously adopted are hereby repealed; however, the above rules and regulations are not intended to alter, change or repeal any Ordinance of the City of Duncan, Oklahoma; and, insofar as these rules and regulations are inconsistent with any Ordinance of the City of Duncan, Oklahoma, the Ordinance shall be applicable and prevail over the above rules and regulations.