

TOWN OF RANDALL

POLICY ON LEASE OF SHORE RACKS

Introduction

The purpose of this instant document is to summarize the Policies as relate to the leasing of Town of Randall shore racks.

The Town of Randall wishes to have in place a written Policy that will assist in regulating the leasing of Town of Randall shore racks, and provides the public with notice thereof.

This instant Policy is intended as a guide to assist in the orderly and fair leasing of Town of Randall shore racks. If a particular Policy conflicts with a Town Ordinance or with a valid Wisconsin or Federal law, then the Policy at issue will be deemed invalid.

The Town Board of the Town of Randall may amend this instant Policy at any time. This instant Policy is not precedent setting in any way. The Town of Randall Town Board may at any time, after public notice and a public hearing, change, amend or even declare this instant entire Policy repealed.

1. Pier Administrator

The Town Board of the Town of Randall shall appoint a Pier Administrator. The Pier Administrator as an agent of the Town Board possesses the authority to implement the Policies contained in this instant document, as well as possessing the authority to administer the leasing of the shore racks. The Pier Administrator may be a serving Town Board member.

2. Lease Eligibility

a. Leasing of Shore racks

Property owners in the Town of Randall shall have precedence in the leasing of shore racks. Other persons may be allowed to lease a shore rack if there are no Town of Randall property owners on the Waiting List.

Lease applicants shall be placed on the Waiting List, in chronological order based on the date on which the Town accepts the application to lease a shore rack. This Waiting List shall be strictly adhered to regarding the offer of a shore rack to those persons who are senior in the chronology.

If a person on the Waiting List refuses an offer of a shore rack from the Town, then that person shall be removed from the Waiting List. That person may in future again apply to be placed on the Waiting List.

b. Reassignment of Shore racks

A Lessee in writing may apply to request a reassignment to another shore rack. The Town will maintain a chronological list of applications for reassignment, based on the date on which the Town accepts the property owner's application for reassignment. As shore racks become available the Reassignment List will be reviewed, in order of chronology, to determine if an available shore rack satisfies a Lessee's request. If the applying Lessee obtains the lease of the vacant shore rack, then that Lessee's present shore rack becomes vacant and available for lease to another person.

If a person on the Reassignment List refuses an offer of a shore rack from the Town, then that person shall be removed from the Reassignment List. That person may in future again apply to be placed on the Reassignment List.

3. Lessee Allowed to Lease One Shore rack

A Lessee, which shall include his/her spouse and their children, shall be allowed to lease one (1) shore rack only.

Usage of said slip shall be limited to the Lessee, which shall include his/her spouse and their children only.

4. Number of Watercraft Allowed for a Shore rack

A Lessee is allowed to use more than one (1) watercraft for a leased shore rack, however only one (1) watercraft may be placed on

Lessee's shore rack at a time. All watercraft used for the shore rack must be so indicated on the Lease.

5. Preexisting Lease Conditions

A preexisting allowed lease condition or use, which is inconsistent with either the present Lease or this instant Policy, may be allowed as a legal use if approved by the Pier Administrator.

The legal preexisting lease condition or use in question may not be granted to or extended or transferred to or allowed to any other person other than the person who legally possessed the legal lease condition or use in 2006.

6. Complaint Procedure and Appeals

The Pier Administrator shall handle and decide all Complaints related to the leasing of shore racks.

Persons on the Waiting List, and on the Reassignment List and Lessees, have standing to file a Complaint directly to the Pier Administrator or the Town Clerk. All Complaints shall be in writing.

The Pier Administrator shall file with the Town Board a copy of the Complaint and shall file with the Town Board, in writing, the Decision on the Complaint. The time of the filing of the written Complaint thru the time when the written Decision is filed with the Town Board shall not exceed thirty (30) days.

A complainant, who is not satisfied with the Decision of the Pier Administrator, shall be allowed to Appeal to the Town Board.

The written Appeal must be filed with the Town Clerk within thirty (30) days after the complainant was mailed the written Decision.

The Town Board possesses the sole discretion on whether the Town Board will accept and decide the Appeal. The Town Board has the absolute right to refuse to accept and to hear the Appeal.

If the Town Board accepts the Appeal, the Decision of the Town Board shall be final. There is no appeal from the Town Board's Decision.

The Town Board shall issue any Town Board Decision within sixty (60) days of the written Appeal being filed with the Town Clerk.

7. Lease Rate Increase

The Pier Lease Rate shall incrementally increase across the board by the cost of living index + 2% annually.

END OF POLICY ON LEASE OF SHORE RACKS