

**A Guide for Construction**  
**On**  
**Kentucky Department of Fish and Wildlife Resources**  
**Lakes and Land Buffer Areas**

This guide presents regulations in a user-friendly format that details procedures for getting permits for existing structures or construction of new structures on and around Department-owned lakes. It illustrates structures and their dimensions that adjacent landowners may legally build on Department-owned lakes and the buffer land around those lakes. These regulations are intended to allow additional lake access to adjacent landowners while limiting the extent of construction so that erosion will not be a problem and the natural beauty of the lakes and lands are not unduly affected. These lakes were obtained using revenue from fishing license sales or through direct donations, and no taxes or general funds were used.

New regulations for Department-owned lakes became effective April 2010, that will grandfather most existing structures previously constructed on and around Department-owned lakes. This pamphlet is only a guide and may not include every aspect of Regulation 301 KAR 1:016 which can be accessed on our website listed inside.



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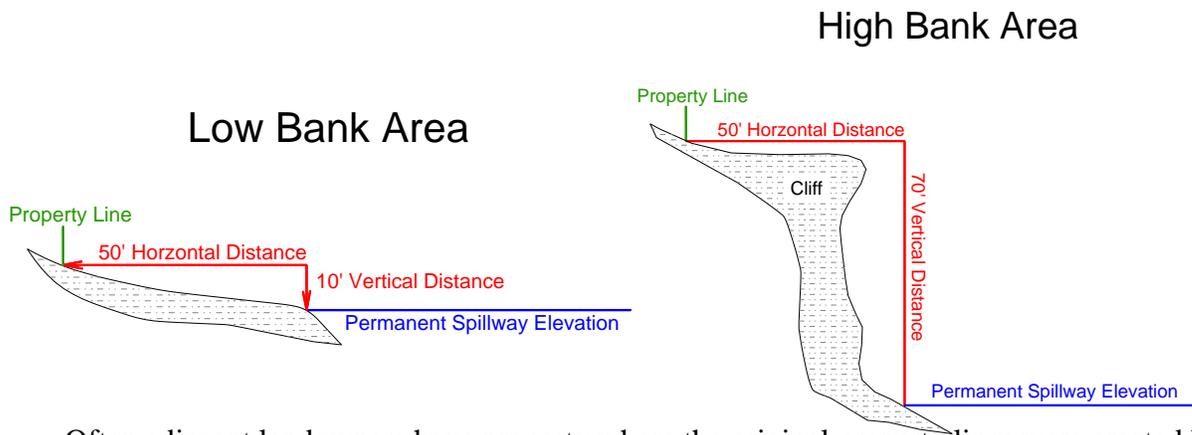
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This pamphlet is provided as a guide for understanding Regulation 301 KAR1:016 for all owners of land adjacent to the Kentucky Department of Fish and Wildlife Resources lakes or land buffer around our lakes (adjacent landowners). This regulation lists permit requirements and dimension restrictions for boat docks and shoreline-use structures (staircases and foot paths) built on Department-owned lakes and land. **Please note that in some cases where Department-owned or leased lands consist of high bluffs adjacent to our lakes, construction of new access structures down the side of those bluffs will not be permitted.** The Department maintains accurate records of all existing structures, and has personnel that routinely monitor the presence of structures and boat docks.

These regulations can be viewed at the Department's website (<http://fw.ky.gov/Fish/Pages/Access-Structure-and-Private-Boat-Docks.aspx>). For additional information, you may either call us at (502) 892-4527 or email us at [fwboatdocks@ky.gov](mailto:fwboatdocks@ky.gov). **In order to qualify for an access structure and/or a boat dock, the landowner must own at least 50 linear feet of shoreline that shares a boundary adjacent to the lake's land buffer or, in some cases, the shoreline (see illustrations and table below).** Land buffers are areas along the shoreline that are either leased or deeded to the Department to allow shoreline access to all anglers. The buffer areas vary by lake and location (Table 1, below), and they are measured horizontally from the lakes' shoreline when the water level is at the spillway elevation as illustrated below. This is called in-plane surveying.



Often adjacent landowners have property where the original property lines were created by deed but never placed on the ground. This may cause considerable confusion for understanding their property boundaries and rights around Department-owned lakes. At Lake Malone, the Department is placing 14 vertical survey monuments to aid surveyors that are tasked with determining the property lines. The monuments will provide coordinates and specific heights to determine the official spillway elevation, which dictates where the shoreline begins. Landowners will need to retain the services of licensed surveyors to determine property boundaries, but the monuments will greatly facilitate the process to save time and money. A topographical map that illustrates the positions of the monuments at Lake Malone will be furnished on our website after the monuments are placed. Global position coordinates for the monuments will also be available on the website. We are scheduled to complete the monument placements in 2010.

The Department’s land buffer areas vary in width by lake. The following list includes Department-owned lakes and the width of our buffer zone as measured perpendicular to the lake water’s edge at normal pool. Remember, concerning regulation 301 KAR 1:016, this Department has regulatory control only within this zone and the associated lakes. We do not regulate privately-owned land around our lakes.

Table 1. Department-owned lakes and permit requirements.				
Lake	Land Buffer Zone	Legal Status of Buffer Zone for Department Owned Lakes	Requires Boat Dock Permit	Requires Shoreline-Use Permit
Beaver	50 feet	Department Owned	Yes	Yes
Boltz	50 feet	Easement	Yes	No, see A below
Bullock Pen	50 feet	Easement	Yes	No, see A below
Carpenter	30 feet	Department Owned / Easement	Yes	Needs Determination, see A below
Corinth	100 feet	Department Owned	Yes	Yes
Elmer Davis	50 feet	Department Owned	Yes	Yes
Guist Creek	50 feet	Department Owned / Easement	Yes	Needs Determination, see A below
Kincaid	50 feet	Department Owned	Yes	Yes
New & Old Kingfishers	20-50-ft	Department Owned / Easement	Yes	Needs Determination, see A below
Malone	50 feet	Department Owned	Yes	Yes
<p>A - The Department does not own (by deed) any of the land around Bullock Pen and Boltz lakes, but easements exist to create the lakes. Therefore, adjacent property owners on these lakes are not required to obtain shoreline-use permits for their access or non-access structures on the easement areas; however, they will be required to abide by the regulation’s boat dock permit requirements. This is also true for portions of Carpenter, Guist Creek and Kingfisher lakes since the Department does not own all of the buffer zone around these lakes. If you are unsure of your property's status, please contact the Department with your site-specific deed information to collectively make a decision regarding a Shoreline-Use Permit.</p> <p>There will be a one-time exception granted to adjacent landowners around Bullock Pen Lake since it was included in the original boat dock regulation (which was adapted many years ago) but was removed about 15 years ago. Adjacent landowners with boat docks that were constructed on Bullock Pen Lake prior to April 15, 2010 need to contact this Department for a permit application, but there will be no fee associated with the initial permit for the remainder of the current 10-year period. When the next 10-year permit period begins in January 2018, all adjacent landowners wanting to construct new boat docks or keep existing boat docks will be required to purchase a new boat dock permit.</p>				

# **Boat Docks**

## **Boat Dock Construction Restrictions and Permit Applications**

If you are an adjacent landowner and have an existing boat dock (without a valid permit) or want to construct a new boat dock, you must submit a completed Boat Dock Permit Application to the Department. Any current boat dock permits must be renewed within ninety (90) days following the expiration date. A landowner will only be eligible for one (1) Boat Dock Permit per adjacent property. A landowner who owns multiple contiguous properties adjacent to Department property will not be issued more Boat Dock Permits than the number of completed permanent dwellings on those properties or only qualifies for one (1) Boat Dock Permit if there is no completed permanent dwelling on any of the contiguous properties. The dimension for building your boat dock and getting permits for an existing or new boat dock are given in the following sections.

A boat dock that was constructed prior to April 15, 2010 is exempt from dimension requirements for the life of the boat dock. A boat dock owner who rebuilds an existing dock shall reapply for a permit and meet all the requirements described below. Boat docks are considered rebuilt if total reconstruction is necessary.

### **Boat Dock Specifications for Construction after April 15, 2010**

**A boat dock constructed or rebuilt** shall not exceed eight (8) by sixteen (16) feet in dimension and have a surface area of more than 128 square feet. The longest dimension of the boat dock shall be positioned perpendicular to the shore.

**A boat dock shall not have more than one (1) walkway** connecting the boat dock to the shore that shall:

- (1) Be positioned perpendicular to the shore;
- (2) Be anchored to Department property by:
  - (a) A concrete pad no larger than ten (10) square feet; or
  - (b) Two (2) metal posts on each side of the walkway.
- (3) Not be wider than four (4) feet;
- (4) Be the shorter of:
  - (a) A length sufficient to reach a water depth of two (2) feet when the lake is at normal pool; or
  - (b) Twenty (20) feet in length.
- (5) Not be used for boat mooring.

**Flotation for a boat dock** shall be made from materials manufactured for marine use.

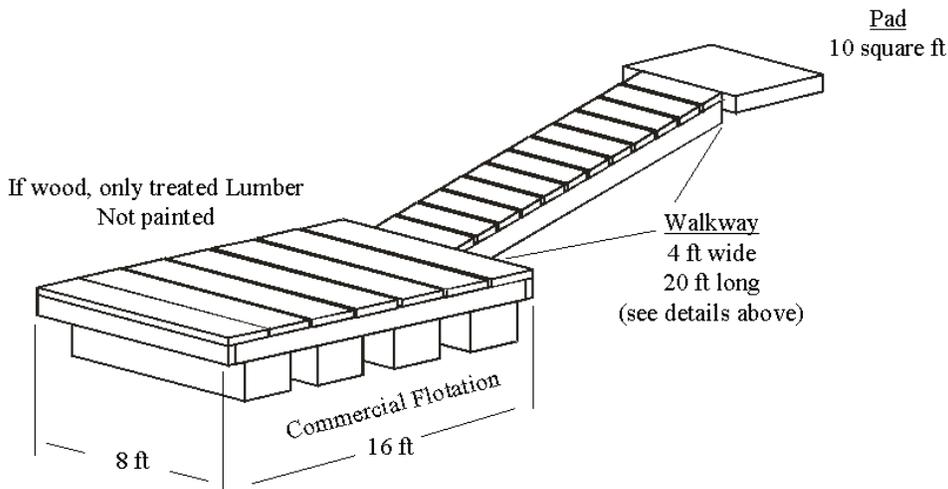
**All wooden material on a boat dock** shall be kiln-dried lumber that has been commercially pressure-treated with a wood preservative and shall not be painted.

**A boat dock shall moor** no more than two (2) boats or one (1) boat and two (2) personal watercraft on Lake Malone and Guist Creek Lake only.

**An additional jon boat, canoe, or personal watercraft** may be stored on top of a boat dock, except a personal watercraft shall only be stored on top if a commercially manufactured self-loading ramp is used.

**Any structures** (whether enclosed or unenclosed), or any other items or deviations from the maximum dimensions provided are prohibited on boat docks if a waiver has not been previously approved.

Boat Dock Maximum Dimensions

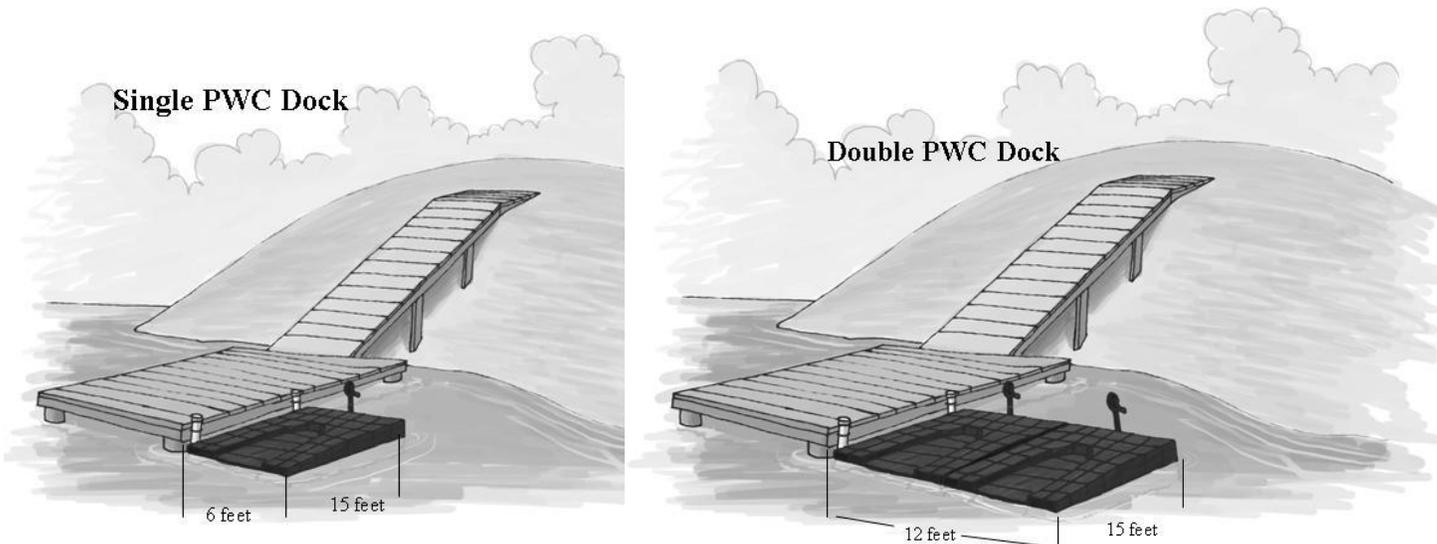


**Personal Watercraft Dock Specifications for Construction after April 15, 2010**

A **personal watercraft mooring system (PWC)** that is attached to an approved boat dock at Lake Malone and Guist Creek Lake shall be a commercially manufactured floating system and not exceed the following:

- (a) Six (6) feet in width and fifteen (15) feet in length if mooring a single personal watercraft; or
- (b) Twelve (12) feet in width and fifteen (15) feet in length if mooring two (2) personal watercraft.

A **personal watercraft mooring system** must be attached to one (1) side of the boat dock, but not the front.



**Permits for Boat Docks Constructed After April 15, 2010**

Adjacent landowners **must** request a Boat Dock Construction Permit prior to building or placing a boat dock on Department-owned lakes. The following is a step-by-step procedure for obtaining permits to construct a boat dock on Departmental lakes.

- 1) **You must first acquire a Boat Dock Permit Application** by downloading one from our website, or you may request an application by contacting the Department at (502) 892-4527 or emailing us at [fwboatdocks@ky.gov](mailto:fwboatdocks@ky.gov). If you have an email address, the application will be emailed to you, otherwise, it will be sent by traditional mail.
- 2) **Fill out the application** for your boat dock. Include detailed plans. Proposed plans must include dimensions no larger than the specifications given in the “Boat Dock Specifications for Construction after April 15, 2010” section of this pamphlet (page 6).
- 3) **Submit your plans** by email or traditional mail.
- 4) **Departmental personnel will visit your site** to determine if your building site is suitable for boat dock construction and your construction plans meet our requirements.
- 5) **We will contact you** with results of the pre-construction inspection. If your construction plans are approved, the appropriate fee will be determined by our staff and given to you at this time. The **permit costs \$100 for a 10-year interval** beginning on January 1, 2018 through December 31, 2027, and **the fee is prorated by year**.
- 6) **Send in payment for your permit**. After we receive your permit application and fee, we will issue you a construction permit. **You will have one year from the date of permit issuance to complete dock construction**.
- 7) **After your boat dock construction is complete**, you must contact the Department. We will send personnel to your site to acknowledge that your construction was completed according to the approved plans. We will then send you a permit tag.
- 8) **Affix the permit tag to the front edge of the boat dock** facing the lake.
- 9) **If you fail to acquire a Boat-Dock Permit prior to construction or if you do not build your boat dock according to the plans that you submitted and we accepted, this Department will take appropriate actions as detailed in 301 KAR 1:016.**

### **Boat Docks Constructed Before April 15, 2010 - Grandfathered**

If you own or purchased land adjacent to our buffer zone or lake’s shoreline, and there was an existing boat dock prior to April 15, 2010, you should have a valid permit tag attached to the boat dock. Valid permits purchased by a previous owner will be transferred to you at no cost after you contact us by email or at the phone number listed above. If you do not have a valid tag or are unsure if your tag is valid for

your boat dock you **must** do the following within 90 days of April 15, 2010, to keep your boat dock on our lake:

- 1) **If you are unsure of your permit status**, contact the Department at (502) 892-4527 or email us at [fwboatdocks@ky.gov](mailto:fwboatdocks@ky.gov).
- 2) **If you do not have a valid permit** for your boat dock, you may download an application from our website or request one by contacting the Department by phone (502) 892-4527 or by emailing us at [fwboatdocks@ky.gov](mailto:fwboatdocks@ky.gov). If you have an email address, the application will be emailed to you, otherwise, they will be sent by traditional mail.
- 3) **Boat dock permits are valid for a 10-year interval** beginning on January 1, 2018 through December 31, 2027. **The cost is \$100 per permit and is prorated by year.** Your fee amount will be given to you when you request a permit.
- 4) **You must mail the permit application** along with fee payment to Kentucky Department of Fish and Wildlife Resources, Fisheries Division, #1 Sportsman Lane, Frankfort, KY 40601.
- 5) **We will send the permit tag** by traditional mail.
- 6) **Affix the permit tag** to the front edge of your boat dock facing the lake.
- 7) **If you fail to acquire a Boat-Dock Permit for an existing boat dock on our lakes, the Department will take appropriate actions as detailed in 301 KAR 1:016.**

## **Shoreline-Use (Access) and Non-Access Structures**

Effective April 15, 2010, Shoreline-use Permits are required for all structures built on land buffers of Department-owned lakes. Many structures including storage buildings, gazebos, etc. have previously been illegally constructed on Department-owned lands. The regulation passed in April 2010 created a mechanism to grandfather these existing structures, prevent construction of any new non-access structures, and allow pathways and stairs to be constructed within specifications that are outlined in this pamphlet. Permits must be obtained whether the structures existed before April 15, 2010 or if an adjacent landowner would like to build new structures. Adjacent landowners must apply for Shoreline-Use Permits within ninety (90) days of April 15, 2010 and of subsequent expiration dates; the permits will be valid for 15 year cycles.

The sections below outline the procedures to obtain permits for shoreline-use (including all grandfathered structures and new construction of access structures), maximum dimensions for new access structures, and the fee structure for the permits. Please note that no new gazebos, storage buildings, or other non-access structures will be permitted for new construction or rebuilding.

An adjacent landowner who has or rebuilds an **existing** access structure that was constructed prior to April 15, 2010 shall be exempt from the detailed structure limitations presented in the following sections if the landowner applies for and maintains a valid Shoreline Use Permit. An existing structure may be maintained to extend the life of the structure. An existing staircase may be rebuilt with less or an equal number of steps present in the current structure, but necessary landings must not be rebuilt larger than 4 ft x 4 ft in dimension (4 ft by 8 ft when a switchback is necessary).

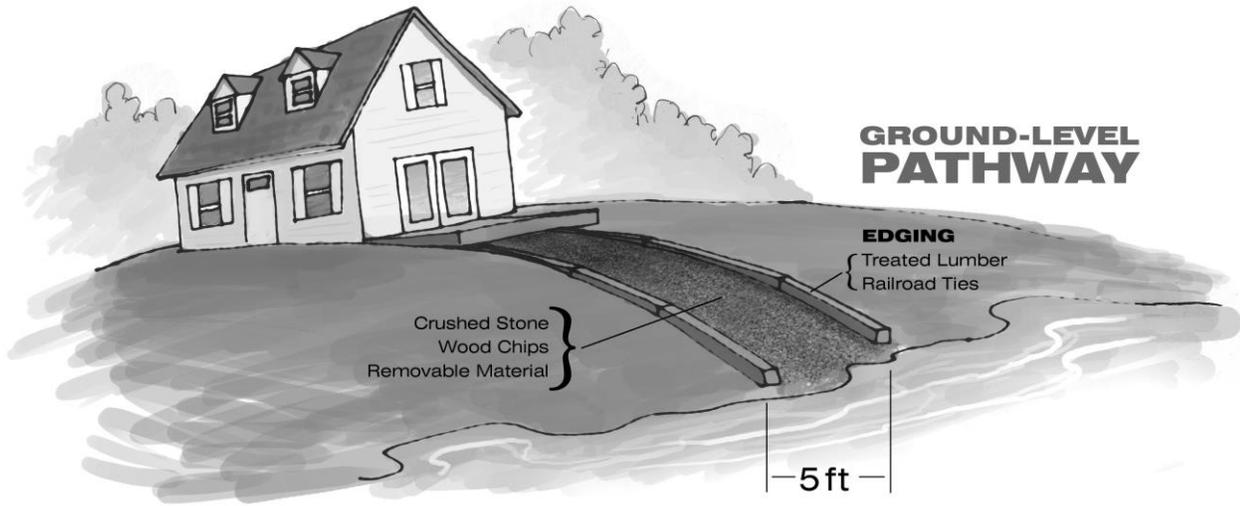
**Plans for rebuilding any pre-existing structures must be submitted to the Department prior to construction.**

**Non-access structures, such as gazebos or storage buildings,** excluding existing permanent dwellings, shall be itemized in the adjacent landowner's Shoreline Use Permit and allowed until it can no longer be reasonably maintained without complete reconstruction.

**Shoreline-Use (Access) Structure Specifications for Construction after April 15, 2010**

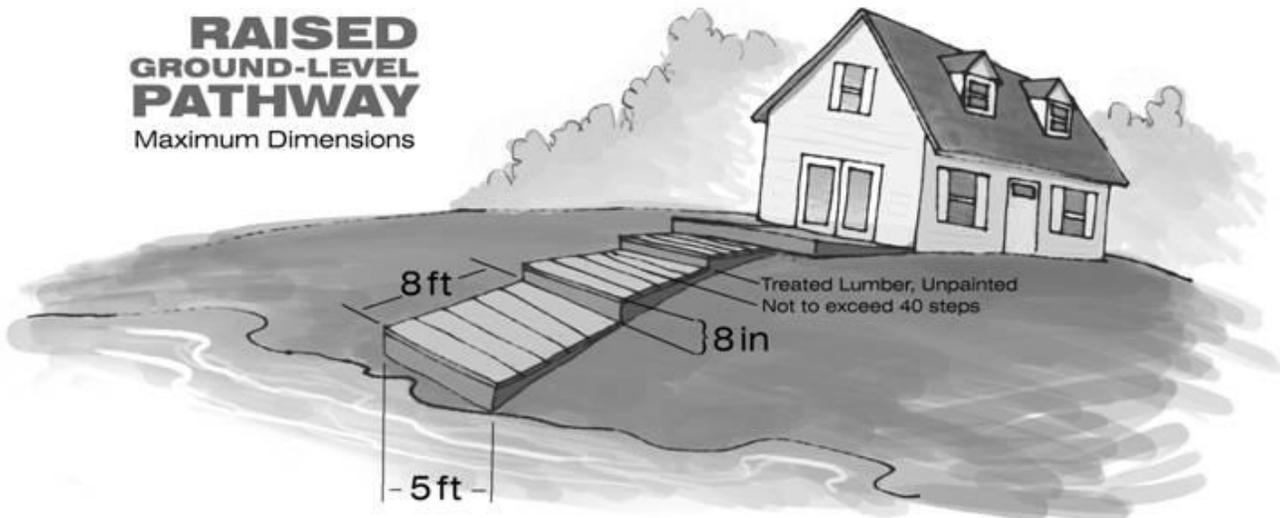
**A ground level pathway shall:**

- (1) Only have pretreated lumber or railroad ties as edging;
- (2) Not consist of asphalt, concrete, or any other permanent surface;
- (3) Only consist of crushed stone, wood chips, or other removable material as fill between the edging, except that local natural stones or rocks may be used as steps;
- (4) Not exceed five (5) feet in width including the edging; and
- (5) Follow the natural contour of the land if possible.



**A raised ground level pathway shall:**

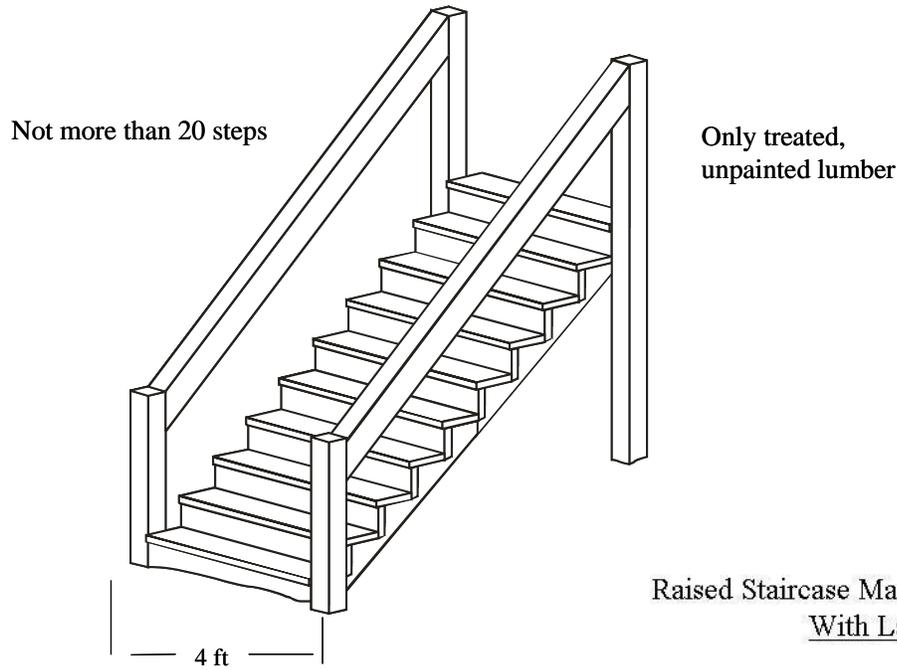
- (1) Not exceed eight (8) inches in height.
- (2) Not exceed forty (40) steps, with each step not exceeding five (5) feet in width and eight (8) feet in length;
- (3) Only consist of pretreated, unpainted lumber; and
- (4) Follow the natural contour of the land if possible.



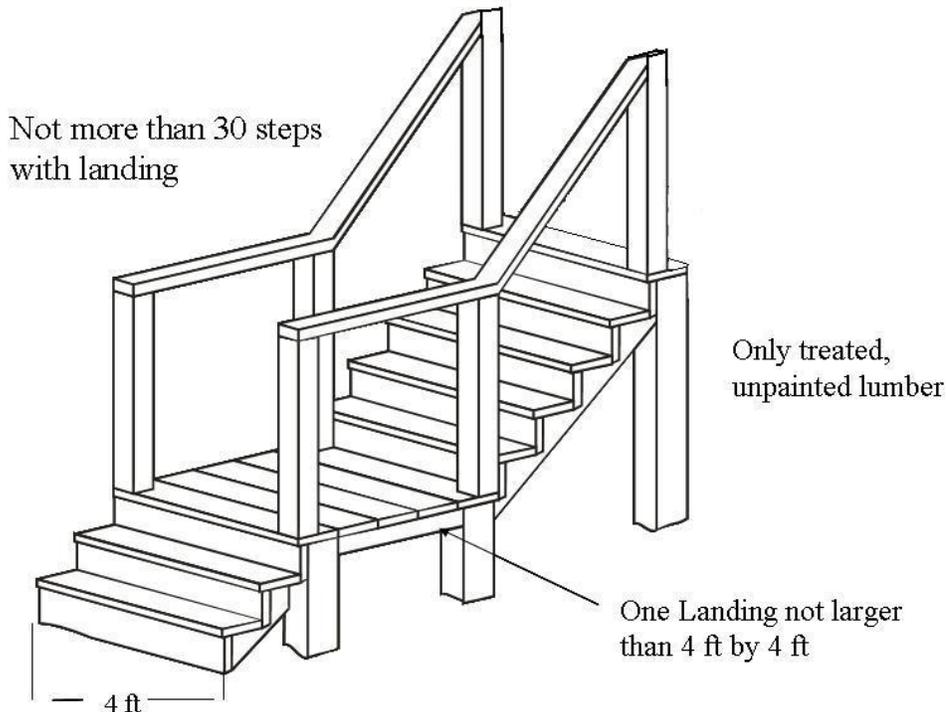
**A raised staircase shall:**

- (1) Not exceed four (4) feet in width;
- (2) Not have more than one (1) landing that does not exceed four (4) feet in width and four (4) feet in length;
- (3) Not have more than twenty (20) steps if a landing is not used;
- (4) Not have more than thirty (30) steps if a landing is used;
- (5) Only consist of pretreated, unpainted lumber; and
- (6) Conform to prevailing building code standards for stairs for the county of record or, if such standards do not exist, comply with Section 1009 of the Kentucky Building Code Standards for stairs.

**Raised Staircase Maximum Dimensions  
Without Landing**



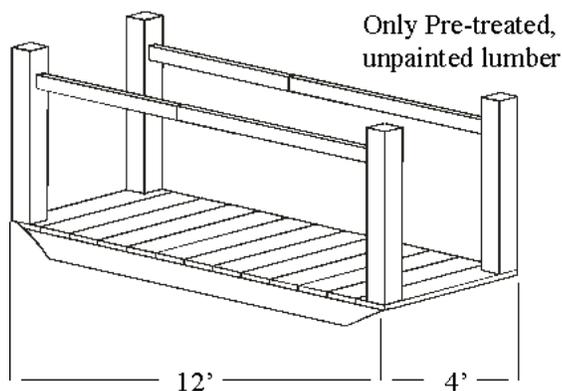
**Raised Staircase Maximum Dimensions  
With Landing**



**A foot bridge shall:**

- (1) Not exceed four (4) feet in width and twelve (12) feet in length;
- (2) Not use a tree as an anchoring device; and
- (3) Only consist of pretreated, unpainted lumber.

#### Foot Bridge Maximum Dimensions



### **Permits for Structures Built on the Department's Land Buffer Before April 15, 2010 - Grandfathered**

If you have any structure on the Department's land buffer, and it was constructed prior to April 15, 2010, it will be grandfathered for the life of the structure **providing you obtain a Shoreline-Use Permit within 90 days of April 15<sup>th</sup>**. The following instructions will guide you through the permitting process.

- 1) **If you do not have a valid Shoreline-Use Permit** for your structure(s), you may download an application from our website or request one by contacting our Department at (502) 892-4527 or by emailing us at [fwboatdocks@ky.gov](mailto:fwboatdocks@ky.gov). If you have an email address, the application will be emailed to you, otherwise, it will be sent by traditional mail.
- 2) **Submit to the Department a completed Shoreline-Use Permit Application within 90 days of April 15<sup>th</sup>** by email or traditional mail. Do not fill in any information listed below your signature line on the application.
- 3) **After receiving your application**, we will send Departmental personnel to inspect your structure(s).

- 4) **Our Department will return your permit application** including information concerning the required fees. The price structure is detailed immediately below this section under “**Shoreline-Use Permit Fee Structure**” on page 15.
- 5) **You must return your permit application** along with a check made out to “Kentucky Department of Fish and Wildlife Resources”. Mail the application and payment to Kentucky Department of Fish and Wildlife Resources, Fisheries Division, #1 Sportsman Lane, Frankfort, KY 40601.
- 6) **If you fail to acquire a Shoreline-Use Permit within 90 days of April 15<sup>th</sup> for structures on the land buffer, the Department will take appropriate actions as detailed in 301 KAR 1:016.**

### **Permits for Shoreline-Use (Access) Structures built After April 15, 2010**

Adjacent landowners **must** request a Shoreline-Use Permit Application prior to building or placing any access structure on land buffers around Department-owned lakes. The following is a step-by-step procedure for obtaining the permit application.

- 1) **You must first acquire a Shoreline-Use Permit Application** by downloading one from our website, or you may request an application by contacting our Department at (502) 892-4527 or emailing us at [fwboatdocks@ky.gov](mailto:fwboatdocks@ky.gov). If you have an email address, the application will be emailed to you, otherwise, it will be sent by traditional mail.
- 2) **Fill out the application** for your structure. Include detailed plans. Proposed plans must include dimensions no larger than the specifications given in the section of this pamphlet under “Shoreline Use (Access) Structure Specifications for Construction after April 15, 2010” (pages 11-13).
- 3) **Submit your plans** by email or traditional mail.
- 4) **Departmental personnel will visit your site** to determine if your building site and construction plans meet the requirements.
- 5) **We will contact you** with results of the pre-construction inspection. If your construction plans are approved, the appropriate fee will be determined by our staff and your application will be returned to you with the permit cost determined by the extent of your planned construction. The fee structure is detailed immediately below this section under “**Shoreline-Use Permit Fee Structure**”.
- 6) **Send in payment for your permit.** After we receive your permit application and fee, we will issue you a construction permit. **You will have one year from the date of permit issuance to complete construction.**
- 7) **After your shoreline-use structure has been built,** you must contact the Department. We will send personnel to your site to acknowledge that your construction was completed

according to the approved plans. We will then acknowledge by mail or by email attaching a “pdf” file that we have received your payment and your shoreline-use structure has a valid permit.

- 8) If you fail to acquire a Shoreline-Use Permit prior to construction or if you do not build your structure according to the plans that you submitted and we accepted, this Department will take appropriate actions as detailed in 301 KAR 1:016.**

### **Shoreline-Use Permit Fee Structure**

For structures on the Department’s buffer land, we have a tiered permit system that is determined by the extent of construction on Departmental property. Cost may vary from \$100 to \$300 for a 15-year period beginning on January 1, 2010. If an adjacent landowner applies for a Shoreline Use Permit for multiple structures that cover more than one (1) tier, then a single permit will be issued at the highest tier level for which the applicant qualifies. If a permit is purchased at a time during the 15-year interval, the fee will be prorated at 5-year intervals. Shoreline-use permit fees are tiered in the following manner:

- (1) A Tier I (\$100) permitted structure shall include:
  - (a) All compliant access structures as described (pages 11-13) under “Shoreline Use (Access) Structure Specifications and Requirements for Construction after April 15, 2010”;
  - (b) An existing access structure with fifteen (15) or less steps;
  - (c) An existing footbridge; or
  - (d) A new footbridge that is compliant with specifications listed on page 13.
- (2) A Tier II (\$200) permitted structure shall include an existing structure having:
  - (a) thirty (30) or less concrete steps; or
  - (b) Concrete steps; or
  - (c) A structure that does not comply with the requirements established in Tier I and having sixteen (16) to thirty (30) steps.
- (3) A Tier III (\$300) permitted structure shall include:
  - (a) An existing structure, including a concrete access structure, that does not comply with the requirements established in Tiers I or II and having more than thirty (30) steps;
  - (b) A new access structure that does not comply with the requirements established in Tiers I and II.
  - (c) An existing staircase that has one (1) or more landings that exceed a four (4) feet in width or four (4) feet in length; or
  - (d) An existing non-access structure, such as a storage shed or gazebo.

The Shoreline Use Permit must be renewed every fifteen (15) years within ninety (90) days of the termination date by paying the fee established in 301 KAR 3:022 and submitting an affidavit that an unauthorized addition or modification has not been made to a permitted structure. The permit will be transferable at no additional cost, if ownership changes, for the remainder of the fifteen (15) year period. It will not be renewed if the access structure is out of compliance, except if the access structure was built prior to April 15, 2010. The permit can be extended, by written request to the Department, for an additional twelve (12) months if the property is transferred or the landowner dies during year fifteen (15) of the permit period.

## **Other Activities on Department Property**

**No person shall be permitted to take water** from the lakes listed in this pamphlet except for residential use by adjacent landowners, temporary use in a time of emergency drought, or an adjacent landowner who has been given the right to do so by deed.

**A person, without first obtaining written permission from the Department, shall not** place or build any unpermitted object (i.e. swing set, satellite dish, statues, signs, sand/gravel beaches, boats/canoes, etc.) or structure, plant any vegetation, place or use any mechanical equipment, take water from any lake listed in this pamphlet, **cut, clear, burn, damage, or kill trees or shrubs greater than two (2) inches in diameter measured at ground level**, or moor a boat to the shoreline for more than forty-eight (48) hours.

## **Waivers**

**An adjacent landowner shall first obtain a waiver** from the Department for any deviation to the specifications established in the administrative regulation by submitting a written request to the Department and providing a detailed plan to the Department of any planned deviation.

**A person shall not begin construction on a project that includes a planned deviation until the Department has approved a waiver.** The Department, in deciding whether to grant a waiver for a new access structure, shall consider if the deviation is in substantial compliance with the requirements established in 301 KAR 1:016 and illustrated in this pamphlet, the deviation does not pose a potential safety hazard, topographical or other physical features of the land necessitate a deviation, the waiver request does not exceed the staircase landing dimension or step limit by more than twenty (20) percent, or new staircase will conform to prevailing building code standards for the county of record or, if such standards do not exist, complies with Section 1009 of the Kentucky Building Code Standards for stairs, as established in 815 KAR 7:120.

The Department, in deciding whether to grant a waiver for a boat dock, shall consider if the deviation is in substantial compliance with the requirements established in this administrative regulation, the deviation does not pose a potential safety hazard, or if topographical or other physical features of the land necessitate a deviation.

An adjacent landowner, either individually or as a director or high managerial agent of a business organization, who violates any provision of this administrative regulation shall be denied a waiver for a new or rebuilt structure for a period of two (2) years from the date of the citation, with the waiver denial applying to the individual and any business for which the person is a director or high managerial agent.

## **Non-Compliance, Permit Revocation, and Appeals**

The Department shall revoke each Boat Dock Permit and Shoreline Use Permit issued to a person if that permit holder without Department approval, renovates, modifies, makes an addition to an existing boat dock, access structure, or non-access structure, constructs or places a new non-access structure on

Department property, fails to maintain the boat dock, boat dock walkway, access structure, or non-access structure in a structurally sound condition, or fails to renew the Boat Dock or Shoreline Use Permit within ninety (90) days of expiration.

An adjacent landowner who has a noncompliant boat dock, boat dock walkway, access structure, or non-access structure shall be notified in writing by the Department that the landowner has sixty (60) days to come into compliance, to remove the boat dock, walkway, or structure, or to make an appeal. If the regulation requirements are not met within sixty (60) days, the Department shall have the authority to remove the noncompliant structure at the owner's expense and the structure shall become the property of the Department.

If an adjacent landowner, either individually or as a director or high managerial agent of a business organization, violates any provision of 301 KAR 1:016 for a second time, then the Department shall revoke for a period of three (3) years from the date of the second citation all Boat Dock Permits and Shoreline Use Permits issued to the adjacent landowner, any business organization for whom the individual adjacent landowner is a director or high managerial agent, and any director or high managerial agent of the adjacent landowner who is a business organization.

For any adjacent landowner whose permit is revoked all structures shall be removed at the owner's expense within thirty (30) days of revocation if an appeal is not filed. If the structures are not removed by the owner within thirty (30) days and no appeal is filed, then the Department shall have the authority to remove the structure at the owner's expense, and all structures removed shall become the property of the Department.

An adjacent landowner whose waiver request is denied or whose permit is denied or revoked may appeal the decision in accordance with the provisions of Kentucky Revised Statutes Chapter 13B (<http://www.lrc.state.ky.us/KRS/TITLES.HTM>), and the Department shall appoint a hearing officer and conduct the hearing in accordance with the provisions of that statute. The hearing officer shall make a recommendation to the Department of Fish and Wildlife Resources' Commission, and they shall make a decision by majority vote. An appeal of the Commission's decision shall be in accordance with the provisions of the Kentucky Revised Statutes Chapter 13B. At the conclusion of all appeals or at the expiration of any appeal period for which an appeal has not been made, the owner shall remove any unauthorized structure within ten (10) days, at the owner's expense. An unauthorized structure that has not been removed by the owner within ten (10) days shall be removed by the Department at the owner's expense, and each structure removed shall become the property of the Department.

**IF YOU FAIL TO UNDERSTAND ANY INFORMATION IN THESE GUIDELINES, PLEASE CONTACT THE DEPARTMENT AT (502) 892-4527 or EMAIL US AT [fwboatdocks@ky.gov](mailto:fwboatdocks@ky.gov) PRIOR TO ANY CONSTRUCTION ACTIVITIES.**

