

**FAIRFAX WATER
OCCOQUAN RESERVOIR
NO-SWIMMING POLICY**

July 11, 2013

I. Purpose

The Occoquan Reservoir (the "Reservoir"), located in Fairfax and Prince William Counties, Virginia, was constructed for and is maintained and operated as a major drinking water source serving the Northern Virginia community. The purpose of this Occoquan Reservoir No-Swimming Policy ("this Policy") is to protect the quality of the Reservoir for water supply purposes. For many years, Fairfax Water has posted signs at the Reservoir that swimming is prohibited. This Policy sets forth the basis for that continuing prohibition.

II. Authority

Virginia Code § 15.2-5114(2) empowers Fairfax Water to “adopt, amend, or repeal bylaws, rules and regulations, not inconsistent with this Chapter or the general laws of the Commonwealth, for the regulation of its affairs and the conduct of its business and to carry into effect its powers and purposes.”

In addition, Fairfax Water is the owner in fee simple of the land underlying the Reservoir. It is also the holder of various easements along the shoreline. The easements permit certain limited uses by adjoining landowners to access the Reservoir for purposes of boating and fishing, but not swimming, all subject to reasonable rules promulgated by Fairfax Water. *See* Fairfax Water’s Occoquan Reservoir Shoreline Easement Policy. This Policy is promulgated under Fairfax Water’s powers under Code § 15.2-5114 and its rights as a landowner.

III. Applicability

This Policy applies to all areas of the Occoquan Reservoir owned by Fairfax Water and within the Easements as defined by the Deeds.

IV. Prohibited Activities

Swimming in the Reservoir is prohibited. This prohibition includes all activities involving significant body-immersion in the water, including, but not limited to, wading, water-skiing, and tubing.

VI. Non-Compliance

Violators of this Policy will be reported to law enforcement authorities and subject to civil and criminal remedies for trespass.

VII. Definitions

“Occoquan Reservoir” means those portions of Occoquan River and Bull Run in Fairfax County and Prince William County (a) extending from the Fairfax Water Low Dam upstream to Lake Jackson on the Occoquan River and (b) extending from the mouth of Bull Run upstream to the Northern Virginia Electric Cooperative power line crossing of Bull Run near Hemlock Overlook Park.

VIII. Notice

Fairfax Water will post signs along the Reservoir advising the public of the prohibitions of this Policy.

IX. No Liability

Fairfax Water will not be liable for any damage or injury to any persons or property resulting from their authorized or unauthorized use of the Reservoir. *See generally* Virginia Code § 29.1-509.