

# **WINDMILL MARINA ASSOCIATION, INC. RULES AND REGULATIONS AS OF JANUARY 1, 2003**

The term "Members" as used in these "Rules and Regulations" refers to owners and subleases (renters) of the Windmill Marina Association Proprietary leases. It shall be the "Members" responsibility to acquaint guests with rules and encourage conformity.

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## **1. BOATS: MOORING AND OPERATIONS**

1. Boats in slips or tie-along spaces must be moored securely, properly and safely.
2. No boat or vessel shall obstruct docks, land or waterways so as to cause a problem. This includes all rejections, such as transoms, platforms, booms, davits, dinghies, personal watercraft and bow pulpits. Due to the physical layout of the marina, allowable overhangs may vary by location. Any boat length, which exceeds its slip length, must receive approval from the management prior to mooring in the marina.
3. Boats (large or small) operated in or near the marina must be operated at low speed so no wake is produced.
4. Boats shall be moored or kept only in such slips or at such tie-along spaces as are assigned specifically for that purpose.
5. All sailboats shall have their halyards secured to prevent annoying clatter.
6. All boats must enter and leave the marina under power.
7. No mini-sailboats, dinghies or personal watercraft will be permitted to congest the harbor passageways.
8. All boats operating in the harbor are to leave a safe distance between them and other boats. No passing is allowed upon entering or leaving.
9. Keys for every boat must be kept in the marina office.
10. During painting of boats, drop cloths must be used to prevent spillage on the slips, dock ways, or common areas.
11. All boat repairs and maintenance work shall be done safely. Members assume liability for damage to adjoining boats, slips and other property.
12. No painting or other work is to be done on boats in the marina except by the boat owners or their immediate families. If it becomes necessary to hire specialized services, the boat owner must first clear this with the marina office personnel.
13. Any outside contractors or individuals performing any repairs or services at the marina, at a boat owners request must register in the marina office,

and must comply with the marina's **Outside Contractors Policies & Procedures** and be approved by the marina's General Manager.

14. All services rendered in an emergency will be charged to and paid for by the boat owner.
15. Boats leaving for an extended cruise will notify the marina office. Windmill Marina Association, Inc., reserves the right to make temporary guest use of any slip when vacated by tenants.
16. The marina office will handle fees for transient rentals (30 days or less), and rental funds retained by the Association.
17. All transient renters must show a Temporary Dockage Slip, which are obtained from the marina office.
18. No boat will be offered for sale without notifying the marina office. For Sale signs will not be permitted on boats in the water, nor will prospective buyers be allowed on a boat without the owner, or his representative.
19. All subleases of boat slips must be handled through the marina office and approved by the marina manager.
20. No charters are to operate from the marina. Boats conducting a charter business are not allowed to pick up or disembark guests on marina property.

## **2. FUELING**

1. All fueling must be done at the gas dock in compliance with posted instructions and directions from the gas dock attendant.
2. During fueling, the operation of engines and smoking is prohibited.
3. All portable fuel tanks are to be filled on the gas docks only.

## **3. ELECTRICAL**

1. All connections to marina electrical sources shall be grounded.
2. There shall be no modification of electrical service without permission from the marina manager.
3. The cost of increased electrical power and outlets beyond electrical service provided by the marina and installation of same is the responsibility of the member and must have the approval of the marina manager.

4. Charges for repairing electrical boxes damaged by overload or improper connection will be assessed to the responsible party.

#### **4. SLIPS**

1. Members shall not add to, take away from, or alter in any manner without permission from the General Manager, their slips or adjacent dock ways or electrical and/or water service facilities.
2. Members shall not permit accumulation of debris, refuse or unsightly materials on their slips or common dock ways.
3. Members shall not allow their vessel to protrude into head piers and common walkway areas as to limit pedestrian traffic when moored.
4. Members shall not install dock boxes without management approval. Dock boxes shall be fiberglass and white in color. Dock boxes are not allowed on headier or in common walkways. Boat steps must be approved by Marina Management. Recommended boat steps shall be fiberglass or metal. Boat steps shall not block common walkways.
5. Boat restoration is not permitted in slip area (i.e. grinding, sanding, spray painting, etc.) This type of activity must be cleared through the management, as we want to respect member's property and rights to quiet time and the environment.

#### **5. SWIMMING AND FISHING**

1. Any and all swimming and water sports are prohibited in the marina.
2. Fishing is only allowed by members and their guests, and only when it does not interfere with boat traffic or passageway of common docks.

#### **6. CHILDREN**

1. Members and their guests must not permit their children to conduct themselves so as to disturb other members and their guests.
2. Children must not run, ride bicycles or engage in horseplay on slip or common walkways. Small children must wear life vests while on slips and common walkways unless accompanied by an adult.

## 7. ANIMALS

1. Animals, when off boats, must be leashed. Droppings must be disposed of properly.
2. Animals, when on boats, must not be permitted to disturb members or their guests, such as a barking dog left alone on a boat.
3. Pets are not allowed inside restrooms

## 8. SAFETY

1. In order to comply with state national fire codes, the use of hibachis or any type of portable charcoal or wood fired cooking equipment shall be prohibited on any dock way or boat berthed or moored in the marina.
2. All boats must meet minimum safety standards set up by the U.S. Coast Guard.
3. The use of fireworks is prohibited in any part of the marina.
4. Common dock ways shall be kept absolutely clear of obstructions and nuisances.
5. Automobiles and other vehicles shall be operated at 10 M.P.H. or less.
6. Trailers are to be parked in designated areas only.
7. No paint removal guns or spray-painting equipment may be used at anytime in the marina, on land or water, without the approval of the Marina Manager.
8. The use of any open flame equipment or devices will be strictly prohibited on marina property without approval from WMA. Only WMA approved vendors are allowed to shrink-wrap boats or operate open flame equipment or devices.

## 9. INSURANCE

1. Each member must have a current certificate of insurance on file in the Marina Office showing liability coverage on their boat of at least \$500,000 for Bodily Injury and Property Damage Protection. ***(Certificate of insurance should be forwarded to the Marina Office annually upon renewal of the Liability Coverage.)***

## **10. POLLUTION**

1. Members and their guests shall not throw or discharge any cans, bottles, refuse, waste, oil, raw sewage or any other inappropriate material into the marina waters.
2. All boats must be equipped with holding tanks or approved treatment devices, such as chlorinators.
3. Absolutely no hazardous waste products: batteries, oils, antifreeze, etc. shall be put in marina trash containers. All hazardous waste will be disposed of properly by member.

## **11. CONDUCT**

1. Members and their guests should conduct themselves with consideration for other members and guests.
2. It is the policy of Windmill Marina Association, Inc. to maintain a working environment free from offensive or degrading remarks or conduct. Therefore, the Association shall prohibit offensive behavior. Such behavior includes inappropriate remarks about a person's race, color, creed, religion, national origin, sex, marital status, disability, age, status with regard to public assistance, membership or activity in a local commission dealing with discrimination. Offensive behavior prohibited by this rule also includes requests to engage in illegal, immoral or unethical conduct.

One specific kind of prohibited behavior is sexual harassment. Sexual harassment, which can consist of a wide range of unwanted sexually directed behavior, is defined as: unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- a.) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b.) Submission to or rejection of such conduct by an individual is used as the basis for employment decision affecting such individual; or
- c.) Such conduct has the purpose or result of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

This policy applies to each and every member and employee. Any member or employee who violates this policy is subject to termination of employment or termination of membership and proprietary lease. No retaliation or intimidation directed towards anyone who makes a complaint will be tolerated.

3. Disturbing noises must be kept to a minimum. Unreasonable noise or large parties after midnight is prohibited.
4. Except for entering or leaving slips, main engines and generators and other noise-making equipment shall not be operated in slips for longer than is necessary for warming purposes.

## **12. RULES**

1. These rules, when a copy thereof has been furnished to the Members of Windmill Marina Association, Inc. become binding in accordance with item No. 3 of the Boat Slip Proprietary Lease.
2. These rules may be altered, amended or repealed from time to time by the Board of Directors.
3. All grievances in respect to violation of marina Rules and Regulations must be made in writing to the marina manager.
4. Suggestions for improvement of marina rules should be forwarded to the Board of Directors in writing with the signature of the member.

***PLEASE REMEMBER THAT WHEN YOU ASK FOR A SPECIAL FAVOR, YOU ARE DOING SO FOR ALL THE PEOPLE IN THE MARINA. IT IS OUR INTENT TO TREAT EVERYBODY EQUITABLY, FAIRLY AND RESPONSIBLY. WE WILL ENFORCE THESE RULES AS WRITTEN, AND EMPHASIZE THE NEED FOR YOUR KNOWLEDGE OF THE RULES AND COOPERATION IN FOLLOWING THEM.***