

## **Marina Rules and Regulations for Slip Owners and Annual Members (Members) of the Port of Sunnyside Club, Inc.**

**Approved for 2012**

### **RULES**

1. It is mandatory that slip owners have a copy of these rules and adhere to them. The rules are a part of the Boat Slip Proprietary License and Lease Agreement (the "Agreement") between each Slip Owner and the Port of Sunnyside Club, Inc. (Article V, Fourth). **The Slip Owner is required to inform all others for whom the Slip Owner is responsible of these rules, including renters.**
2. These rules may be altered, amended or repealed from time to time by the Board of Directors of the Port of Sunnyside Club, Inc.
3. The By-Laws of the Port of Sunnyside Club, Inc., and the "Agreement", creates and establishes rights, liabilities and responsibilities, between the Port of Sunnyside Club, Inc., and the Slip Owners which are in the nature of or equivalent to rules. Some of such By-Laws and such "Agreement" rules are not contained in this booklet of rules. Such By-Laws Rules and "Agreement" rules by reference are made a part of this booklet of rules.
4. Violation of these rules or provisions of the "Agreement" should be reported to the Marina Manager and when feasible, in writing. If within 30 days the violation or claim has not been handled by management to the satisfaction of the member, a written grievance, outlining the nature of the violation or claim against marina work or services, must be made to the Chairperson of the Grievance Committee of the Board of Directors. If necessary, a hearing involving all parties will be held by the Committee to recommend action to the Board of Director. The Board of Directors will have the final authority to settle any and all grievances.
5. Members who have special needs may apply for a variance in writing to the Port Authority to bring to the Board of Directors. A minimum of 5 days notice is required in order to be put on the agenda for consideration at the next regularly scheduled Board of Directors meeting that the requester may attend.
6. Any vessel with a captain or crew member living on board a boat in the marina must be registered with the marina office.
7. Suggestions for the betterment of marina rules or management of facilities should be forwarded, in writing, to the General Manager or the President of the Port of Sunnyside Club, Inc.

## **ANIMALS**

1. Animals must be leashed when off boats. Pet owners shall be responsible for clean up of animal feces immediately. Pet clean up stations have been established throughout the marina.
2. Animals must not be permitted to disturb members or their guests. An unattended dog constitutes a nuisance.

## **BOATS – MOORING AND OPERATION**

1. Boats in slips or tie-along spaces must be moored securely, properly and safely and the main engines must not be operated in gear while the boat is secured.
2. A boat, including all projections, may not extend over the common walkway. The boat is limited to no more than three feet from the end of the slip as stated in the members lease agreement.
3. Boats (including dinghies and other small boats) shall be moored or kept only in such slips or at such tie-along spaces as are rented and assigned specifically for that purpose.
4. Boats must be operated properly and safely. If wind or other conditions cause a hazard in a boat's operation (including entering or leaving slips), members shall obtain assistance, as conditions require.
5. Boats (large and small) operated in or near the marina must be operated at minimum speed so that no wake is produced. Ordinarily, unless wind conditions require more speed, minimum speed is at closed throttle.
6. Boats backing from slips have the right-of-way, and all other boats must yield that right-of-way. Boats leaving the marina have the right-of-way over boats approaching or entering the marina. One long blast on your horn should be sounded prior to leaving your slip.
7. All boats are required to register at the Marina office. Boats not registered are subject to impound.
8. The Marina will launch and secure boats using two bow lines and two stern lines. It will be the boat owner's responsibility to verify that their boat is secured to their satisfaction.

9. Any vessel, new to the Marina, that will be moored/slipped in the Marina, must be pre-approved by the Marina Manager. Any appeal of the Managers decision may be brought before the Board of Directors for final resolution.

### **FREEZE IN**

1. Boats are not permitted to freeze in.

### **BOATS – REPAIRS AND MAINTENANCE**

1. During the painting of boats, drop cloths must be used to prevent spillage on the slips, common dock ways and in the parking lot.
2. All boat repairs and maintenance work shall be done safely. Members assume liability for damage to adjoining boats, docks, personal property and the parking lot black top during such maintenance (in boating season or in winter lay-up).
3. Major rebuilding or maintenance, requiring the use of multiple power tools, torches, paint sprayers, heavy equipment and/or other outside contractors must meet Marina requirements for insurance liability.
4. From Memorial Day weekend through Labor Day Weekend, work that is noisy or could disturb other boaters should be done Monday through Friday between the hours of 8:00 a.m. and 8:00 p.m.
5. When an order for service work is given, the marina office must be advised of any missing part or apparent malfunction that could cause personal injury or property damage if the boat were to be operated by a serviceman without this information.

### **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, skate, skateboard or engage in “horseplay” on slips, common dock ways or in the parking lot or anywhere else on marina property. Small children shall wear life jackets while on slips and common dock ways unless accompanied by an adult.
3. Children operating small boats must be supervised by their parents or other responsible adults. They must not interfere with other boat traffic and must follow, in all respects, the current Minnesota DNR Boating Guide.

## COMMERCIAL ACTIVITIES

1. Slip Owners and Annual Members (Members) shall not occupy or use the slip or permit the same or any part thereof to be occupied or used for any purpose other than as a private docking facility for the member. Members shall not use the slip or permit the same or any part thereof to be used for any commercial activities or as part of any commercial activities to sublet the slip in such manner as specifically permitted hereunder.
2. Members also shall not occupy or use the slip or any common property for any purpose which will interfere with the rights of other members or annoy such members by unreasonable noises or otherwise, or which will obstruct the waterways, slips, walkways, fingers or sidewalks or the marina. The member will comply with all of the requirements of the Board of Health, Corps of Engineers, and Department of the Interior, the Pollution Control Agency, or other governmental authorities. Members will also comply with all laws, ordinances, rules and regulations with respect to the occupancy or use of the slip or common areas and will not do anything or permit anything to be done which might increase the rate of fire or other casualty insurance premiums on the marina or any of its contents.
3. Solicitation of business, or offers to sell or solicitations of orders for goods, wares, merchandise or services, by any persons, except with approval in writing by the Port Authority, is prohibited.
4. Members shall not post or permit posting by any persons or firms, upon their boats or slips, except with approval in writing by the Port Authority, any signs soliciting orders for good, wares, merchandise, services of other property (real or personal) excluding the sale of your boat or slip.
5. No signs shall be posted with a member's name or their company's name directing guests to a particular slip unless approved by the Port Authority.
6. Members entertaining large groups on board are urged to embark and disembark their guest with due consideration for the privacy and tranquility of members in adjoining tie-along spaces and slips.

## CONDUCT

1. Members and their guests should conduct themselves with consideration for and courtesy toward other members and guests and give their full cooperation to all security efforts of the Port of Sunnyside. Members are responsible for controlling their guest's conduct and behavior. Rules applying to children as to skating, etc. shall also apply to adults.

2. Disorder, disruptive or ill-mannered conduct by members or their guests, which involves risk of harm to the marina, is prohibited.
3. Unreasonable noise, loud stereos or loud parties after midnight is prohibited on weekends or after 10:00 p.m. on weekdays.
4. Except for entering or leaving slips, main engines, generator and other noise-making equipment shall not be operated between 12 midnight and 9 a.m. Main engines shall not be operated in slips for longer than is necessary for warming purposes.

## **ELECTRICAL**

1. All connections to marina electrical sources shall be grounded.
2. A charge for repairing electrical boxes damaged due to overload or improper hook-up will be assessed to the responsible party.
3. A dock circuit breaker must be in the "OFF" position before connecting or disconnecting shore power cord.
4. During the boating season, the electrical meters will be read at each slip monthly and the boat owner occupying the slip will be responsible for all electric charges.
5. During winter storage, for safety reasons, electricity may only be used by boat owners or their representatives as long as the boat owner or their representative is present on the marina property.

## **FUELING**

1. Fueling is restricted to the fuel dock only. Adding fuel to, or removing fuel from, a boat may be carried out only at the fuel dock during operating hours.
2. Tie boat securely.
3. Stop engine and electrical equipment. No open flames. Remove gas caps or identify proper fueling receptacle.
4. No smoking within **100 feet** of the fueling area.
5. Close all windows, doors and hatches.
6. Do not bother attendant while fueling.
7. After fueling, vent boat, open windows, etc.

8. Run blowers 3 to 5 minutes.
9. Fuel spills must be cleaned up before starting engine.
10. Directions of attendant must be followed.
11. If you have just refueled your boat at the fuel dock and have topped off your tanks, please burn off a few gallons before you return to your slip. In warm weather, the gas will expand and may flow into the vent and overboard into the Marina causing a dangerous situation.
12. Violations are subject to immediate cessation of fueling, and will be reported to the Marina Manager.

## **RENTERS**

1. Non-Members who rent from the Port of Sunnyside Club, Inc. or from Slip Owners are required to purchase an Annual Membership in the Port of Sunnyside Club, Inc. As an Annual Member, they will enjoy all the benefits of an Owner, except that they will be required to pay winter land storage, at the current rate, if they choose to have the Port of Sunnyside Club, Inc. haul out their boat and store it on the marina property. The Annual Membership fee will be charged at the current rate and includes a reduced rate on service labor and a discounted fuel price.
2. Renters, who lease tie-along dockage or slips from slip owners of the Port of Sunnyside Club, Inc., or directly from the Port of Sunnyside, are subject to all of the rules listed in this booklet, including proof of insurance.
3. Renters shall register at the Port of Sunnyside office, acknowledge receipt of Marina Rules and Regulations and pay the Annual Membership fee.
4. Renters who have not complied with the Marina Rules and Regulations, who are in default to the Marina, or to a Slip Owner, for any balance due for rental of a slip or who are ineligible for Membership, are prohibited from renting any slip or tie-along space in the Marina during the following year or any year in which the default has not been satisfied. Future rental will require the approval of the Board of Directors of the Port of Sunnyside Club, Inc.
5. Renters shall comply with Marina identification standards by utilizing the Sunnyside identification sticker on both automobile and boat.

## **POLLUTION**

1. Members and their guests shall not throw, discharge or deposit from any boat or float into the marina water, any cans, bottles, refuse, waste, oil, spirits, flammable liquid, bilge oil or other inappropriate materials. This matter shall be deposited in containers provided at the marina and be properly disposed of.
2. Portable toilet contents (waste) must either be taken home or to an approved dump facility for disposal. The pump out station at the Fuel Dock is an approved facility. Marina restrooms (permanent or temporary) are not an option for such disposal.

## **INSURANCE**

1. Members are required to have their insurance company or agents provide a certificate of insurance for watercraft liability, demonstrating a minimum of \$500,000 in liability coverage annually, to the Port of Sunnyside Club, Inc. The Port of Sunnyside Club, Inc. must also be listed as an “Additional Insured” on the certificate. When subletting their slip, slip owners should advise the parties they sublease to of this requirement.

## **“RED TAGGING”**

1. The Marina Manager, Port Authority, or any duly authorized officer of the Port of Sunnyside has the authority to “red-tag” a boat when a mechanical or electrical condition is such that if operated, it could cause property damage, personal injury or an explosion and fire. No operation of the engines or movement from the slip or tie-along will be allowed until the condition has been corrected and approved by the Marina Manager, Port Authority or Board of Directors.

## **SAFETY**

1. All necessary precautions must be taken as described under fueling. Members are urged to fuel before guests arrive or request them to leave the boat while being fueled. The posted Gas Dock rules must be adhered to. No fuel shall be stored other than in approved tanks or cans aboard your boat.
2. The use of charcoal-burning equipment and/or fires of any kind on vessels, in slips or adjacent dock ways are prohibited. Propane-fired or electric grills may be utilized, but only on the boats and not on the docks. Consideration for dock neighbors is emphasized as to smoke and fumes. Grills on the patios should be used if requested by your boat neighbors.

3. Blowers must be operated for a reasonable time (at least 5 minutes is recommended) before starting main engines or other equipment in the hold. Members are urged to equip their boats with "fume detectors".
4. Potentially explosive conditions must be anticipated (when possible upon reasonable inspection), promptly discovered and promptly eliminated.
5. Boats shall be reasonably and properly equipped with fire extinguishers and other safety equipment (PFD's, lights, horn or whistles, first aid kits, anchors, lines, bilge pumps, paddles, flashlights) in good working order. Members are urged to follow the standards and comply with safety recommendations of the Coast Guard. The Port Authority will be guided by these standards in determining boat safety issues.
6. Common dock ways shall be kept absolutely clear of any articles of any kind. Slip walkways shall be kept clear of articles constituting unreasonable hazards. Water hoses, electrical cords, cable TV lines and lines or other materials must not be permitted to extend across common dock way surfaces. Permanent shore services, (i.e) electrical, cable(s), cable TV and water services are to be attached to the inside of the slip finger in a manner approved by the Port Authority.
7. Automobiles and other vehicles shall be operated at 10 miles per hour or less. Drivers must observe the stop signs and designated parking areas.
8. Members shall promptly report to the General Manager or marina office any safety rules infractions and any unsafe or hazardous conduct that comes to their attention.
9. A security guard is employed at night by the marina. You are encouraged to report any suspicious activities to them at any time. The security guard carries a cell phone (number available at the office and in the back of the Marina Roster) for your convenience.

## **SWIMMING AND FISHING**

1. Swimming in the marina is prohibited.
2. Fishing is allowed by members and their guests (only when member is present), if it does not interfere with boat traffic or passageway on the common dock ways.

## **SLIP AND COMMON CONSTRUCTION, COVERINGS AND EQUIPMENT**

1. Members shall not add to, take away from, or otherwise alter, by construction or otherwise, without approval in writing by the Port Authority, their slips or adjacent common dock ways, or electrical and/or service facilities.
2. Members shall not generally paint carpet or otherwise cover their slips or adjacent common dock ways.
3. Members shall not place or keep on their slips any lockers, freezers, other substantial structures or material. Approved white dock boxes shall be permitted, and should be installed per Marina specifications. (Specifications are available at marina office.) Combustibles shall not be stored anywhere on the dock.
4. Stairways shall not take up more than 1/2 the width of the finger and must not be constructed of wood. Stairs should meet ANSI standards for rise and run.
5. The movement or addition of cleats has to be approved by the Marina Manager and the work has to be performed by marina staff at the owners' expense.

## **PATIOS**

1. The patios and grills are intended for the use of members. If a group is using a patio for a picnic, they shall not have the exclusive use of the grill if someone else wants to cook and eat elsewhere.
2. Please help us keep these areas looking neat and clean by removing your refuse.
3. If a propane tank runs empty while you are using it, please exchange it at the marina office. If a grill needs propane and none is available at the marina, please get the tank filled and submit the receipt to the Sunnyside office for reimbursement.
4. If the patio on your dock is in use, you may use one of the other patios for your gatherings. Patios may not be reserved.
5. Grill brushes will be provided by the marina and you are encouraged to clean the grills when you have completed your cooking. Also, please wipe off the picnic tables when you are finished.
6. Keep your fellow boaters in mind when using the patios in the evening and extend the same courtesy to them as far as noise is concerned as you would if you were on the boat.

## **RAMP RULES**

1. The ramp is available for use anytime except for the hours from midnight to 6 a.m.
2. Parties eligible to use the ramp are slip owners, members and condo owners as listed by the condominium associations.
3. Parties eligible to use the ramp must register their vehicle, boat and trailer in the Marina\_office. An identification sticker will be issued for the registered trailer.
4. Keys will be given to eligible, registered parties in the marina office.
5. Trailer parking must be in designated spots at the far south end of the lot so that members are not blocked from using parking adjacent to their piers. Trailer parking is not to exceed 3 days.
6. No “Power Loading” is allowed and all posted ramp rules must be followed.

## **RUN ABOUTS, DINGHIES, & P.W.C'S**

1. Members will have the option of renting a tie-along space for a runabout, dinghy or P.W.C. at the current marina rates, or they may leave their second boat on a trailer to be stored at the south end of the marina and use the ramp. The current rate for storage fees on a trailer and boat would then be due. Members with dinghies & P.W.C.'s 14' or less, will have available limited access locations that have been designated by the marina. These locations will be charged per boat at the marina's current flat fee rates on a first come first served basis.
2. Limitations:
  - a. Boat must be 14' or less in length.
  - b. Boat must be registered to member as owner.
  - c. If the boat is left in the water overnight while not in the Member's slip or rented space, dockage must be arranged with the POS office. Members will be billed \$35.00 per night, per boat in the water.
  - d. All second boats on trailers will have to follow this policy. Member's boat cannot be stored behind vehicle in the parking lot. The Member will be allowed to park an empty trailer, while attached to the member's vehicle, for a period of time not to exceed 3 days in the south portion of the Marina lot. Members should be sure to have the current sticker displayed for both vehicle and/or trailer.
  - e. The member is entitled to no more than one boat on shore.

3. Members can store one dinghy or P.W.C., 14' or less in length, per slip where regular boat is stored. The 3' rule for overhang shall apply. The craft must be registered in the member's name. No P.W.C's or inflatable boats are allowed on the docks. If the member owns more than one of these crafts, the member must rent a space for the second small craft.

## **LAND STORAGE**

1. A slip owner is entitled to one year of land storage at no cost as long as the slip owner's slip remains vacant for that year. Subsequent year's storage will be billed at the current Marina land storage rate, regardless if the slip remains empty or is rented. Summer land storage cannot exceed 3 years.
2. Boats cannot be occupied for overnight use once they have been placed in the parking lot for winter storage.

## **TRANSIENTS**

1. No day launching is allowed.
2. Transients are required to display the temporary Guest Parking Pass.
3. Transients are billed at the current Marina dockage rate.

## **CONCLUSION**

Depending on the seriousness of the infraction, a member who violates the rules may be warned or even terminated under the by-laws and lease. Persistent violation of the rules has to be dealt with firmly to protect everyone's right to the safe and orderly use of the Marina. Please keep the rules in mind and encourage others to do likewise. "Do unto others..."