

## **RULES AND REGULATIONS CROWS NEST YACHT CLUB, INC.**

### **INTRODUCTION**

As used herein the word "member" shall mean and refer to any member of Crows Nest Yacht Club, Inc. ("Corporation") or as the context may require, any assignee or user of any member and shall include the masculine, feminine, neuter, singular, or plural as the context shall require.

All members, tenants, and invited guests as well as any other persons who might lawfully be entitled to use the facilities of the Corporation in any manner, are subject to the Declaration of Covenants, Conditions, and Restrictions ("Declaration"), and the Bylaws, and the Rules and Regulations of the Board of Directors of the Corporation.

Every member and tenant (renting a berth) shall be given a copy of these Rules and Regulations. Each member shall insure that the Corporation is notified at or before the time that such member begins the use and enjoyment of the membership. Such notification shall include the full name of the user, his permanent address, telephone number, cell number, email address and the name, official number or North Carolina registration of the boat authorized by the member to dock in his boat slip.

Each member is authorized under these regulations and should:

1. Warn any person who is observed to be violating the rules;
2. Call security/police to oust possible trespassers who do not identify themselves upon a polite request; and
3. Call the Atlantic Beach Police to quell disorderly conduct by anyone.

Each member should also notify the Yacht Club Manager whenever he has to warn someone, and the Yacht Club Manager in turn shall supply the Board of Directors with the facts of the incident as soon as practicable.

All members and tenants shall be responsible to see that their guests follow these Rules and Regulations while occupying, using, or visiting the Yacht Club facility. No member may invite any guest to use or enjoy any of the property or facilities of the Corporation in his absence except by virtue of an assignment or use of the membership made pursuant to the Declaration and the Bylaws.

No member or tenant shall invite guests to the facilities or property of the Corporation in unreasonable numbers or on unreasonable occasions or for unreasonable times.

#### **1. JURISDICTION:**

Any boat entering the Yacht Club immediately comes under the jurisdiction of the Corporation/Yacht Club.

#### **2. LIABILITY INSURANCE:**

All boats and crafts docked in any boat slip of the Yacht Club shall be covered by liability insurance providing, at a minimum \$100,000, single-limit coverage, Proof of such insurance shall be provided by the member or tenant to the Manager of the club. A photocopy of the declaration page of the insurance policy shall be provided each year at the annual renewal date. For renters, the above coverage is to be kept in force while the boat is stored at the Yacht Club. Any person who does not comply will not have their boat splashed until proof of insurance coverage is provided to the Corporation/Yacht Club. Any slip owner that rents a slip will not be liable for any damage caused by the tenant.

### 3. EMERGENCY SITUATIONS:

Owners and tenants agree that in cases of emergency, the Yacht Club may move a boat from the particular owned/leased space to any other mooring space.

### 4. STORM PRECAUTIONS:

To prevent damage from weather or storms, dock lines should be properly secured, and all outside property of any member, tenant or guest shall be battened down, secured, or placed inside the boat which should be closed and locked when the member leaves his boat slip.

Members and tenants planning to be absent from their boat slips for a prolonged period should remove all furniture, plants, and objects from their boats and notify the Yacht Club Manager of their plans before leaving. Also, all movable items should be removed from each boat if storm weather is threatening.

The owner(s) and tenant(s) of each boat in or at the Yacht Club are deemed to have appointed the Yacht Club Manager as his/her/their agent with authority to take all actions reasonably necessary to preserve and maintain the Yacht Club property and such boats, in that order.

In the event of any lawful authority orders, the evacuation of persons from Atlantic Beach, each member and tenant, shall immediately comply with such orders including, if necessary, leaving the Yacht Club facilities and causing his vessel, or the vessel docked at the facility at his instance, to be removed from the Yacht Club facilities. Any damage caused by such persons or vessels wrongfully remaining or left at the facility shall be repaired at the sole expense of such persons and vessels.

### 5. FUELING OF BOATS:

Under no circumstances will fueling of boats be done by Yacht Club personnel.

6. SECURITY: The Club Manager should be notified if any suspicious people or unusual activities are seen. All boats should be kept locked at all times. Owners and tenants are requested, for their own protection, to notify the Yacht Club Manager when they expect their boat to be away from its assigned berth for periods in excess of one (1) week. If owners and tenants are intending to sell their boats privately, they should accompany all prospective buyers.

### 7. SAFETY AND COMPLIANCE WITH ALL APPLICABLE LAWS:

All persons using the Yacht Club facilities shall do so lawfully and in such fashion as to maintain and preserve those facilities and the property of the Yacht Club. Each person shall be responsible for his/her own conduct and safety. No high-heeled, spiked, or corrugated shoes shall be worn on any pier or dock of the Yacht Club. All persons shall comply with all ordinances of

the Town of Atlantic Beach, Carteret County, and the State of North Carolina.

8. DISORDERLY CONDUCT:

Disorderly conduct by an owner or tenant or his guests or visitors that might injure a person, cause damage to property, or disturb other owners or tenants, shall not be tolerated.

9. SOLICITATIONS:

No unauthorized person shall solicit business or offer goods, wares, and merchandise or services for sale on the premises of the Yacht Club without consent of the Yacht Club management.

10. TRASH DISPOSAL AND DISCHARGE OF WASTE:

No owner, tenant, or guest shall throw, discharge, pump or deposit from any boat or float any refuse, oil, spirits, and flammable liquid or polluting matter in the harbor. All such matter shall be deposited in appropriately marked trash drums within the Yacht Club or in approved oil disposal facilities. Waste material such as paper, beer or drink cans, cigarette stubs, trash, etc. must not be thrown from the boats or dock areas. Tossing food or garbage out for the gulls produces unsanitary conditions around the dock area and shall not be permitted. Newspapers, magazines and other similar items should be placed in a solid waste container. Garbage and other perishable items shall be placed in plastic bags, secured at the top, and placed in solid waste containers. Recycle containers are provided at various locations and are properly labeled. Please use all trash and recycle containers only for their designated purpose. Loose garbage (as opposed to trash or empty cans) shall not be deposited anywhere on the premises. **NO TRASH OR EMPTY BOXES OF ANY KIND SHALL BE LEFT ON THE DOCKWAYS.**

11. BOAT REPAIRS:

No major repairs or complete overhauls shall be made on boats moored at the Yacht Club. Extent of permitted repairs shall be at the discretion of the Yacht Club Manager. The Yacht Club Manager can STOP AT ONCE any repairs which either one at his sole discretion feels exposes the docks or property of others to any harm. Owners, tenants, and licensees shall pay the cost of repairs or replacement of any property damaged by them, their families, or guests. Boats stored in the Dry Storage area are under no circumstances to be repaired in the Dry Stack Rack they occupy. Repairs may be made by owners and tenants only in the Work Racks in the properly designated areas. Work Racks may not be used for prolonged periods of time. Any discretion regarding boat repairs will be exercised by the Club Manager.

12. OPERATION OF ENGINES:

Unnecessary operation of engines in slips is not permitted. Engines may not be operated in gear while boats are secured to the dock.

13. WATER/POWER LINES AND CONNECTIONS:

Water or power lines shall not be left unattended across main walks. All connections to Yacht Club electrical receptacles shall be with Marine grade UL Approved cords only. All accessory cords shall be maintained by the member or tenant for his slip in good, safe operating condition. Frayed, damaged, unsafe, or non-compliant cords shall promptly be replaced by the Yacht Club at the expense of the member or tenant.

#### 14. MOORING:

All boats shall be moored in a safe manner, on cleats with adequate dock lines. Dock lines which, in the opinion of the Club Manager or Yacht Club management, are not adequate shall be replaced at the expense of the owner or tenant. If the owner or tenant cannot be notified to make the change, then the Yacht Club will replace the lines at the expense of the member or tenant. No part of any boat shall extend over the main walkway.

#### 15. SLIP/VESSEL SIZE RESTRICTION:

No one shall dock or place in any slip any vessel whose length exceeds the slip size by more than two (2) feet beyond the end of the slip pilings, or whose width extends beyond pilings between boats, and which therefore could impede access to boats on either side of the boat in question. There is a limitation of one vessel per slip unless approved by the Yacht Club Manager and that vessel is to be moored within the confines of its appropriate pilings. This restriction shall not apply to the transit area of the docks.

#### 16. DOCK BOXES:

One dock box may be constructed that is neat, well-constructed, attached to the dock, and painted white. The Club Manager or similar official representing the Yacht Club will be the judge of this item. Maximum size: 8' in length, 2 1/2' in height, and 3' in width. Location of all dock boxes which also must be anchored will be as designated by the Club Manager.

#### 17. ACCESS TO BOATS:

Members or tenants desiring the Club personnel to have access to their boats shall provide the necessary pass keys to him. When any lock is changed, the member or tenant shall inform the Club Manager and provide him with a new key. An after hour Key Box is provided for members and tenants. This should be used by all Yacht Club members and tenants when they return to the Yacht Club after the Club has closed. This Box is available to all members and tenants who prefer not to leave their key in the boat switch overnight. It is required that each person comply. The Club's personnel cannot look for or assume responsibility for keys left on the boats.

#### 18. DRY STACK BOAT SPLASHES & RETURNS:

Owners and tenants requesting boats in for after-hours pickup must call before 4:00 PM of the day concerned. Boats left at docks overnight must be away from docks by 8:00 AM the following morning due to the Club's limited day slips. All boats must return to docks and be cleaned in time to be stored before closing time. Yacht Club will not stay open for owners or tenants to clean boats. Seasonal hours of operation will be posted in Ships Store.

#### 19. ALTERATIONS:

No part of the docks, dock boxes, utility posts, or any other permanent attachment to the docks may be altered in any way. The names of boats shall be displayed only on the boats and/or dock boxes.

#### 20. CLUBHOUSE:

The Clubhouse with its facilities is for the exclusive use of the members, tenants, and their invited and accompanying guests only. The Clubhouse may be used by a member for a private

meeting or function with the prior permission of the designated representative (the Yacht Club Manager) of the Board of Directors. The hours of general availability and also for private functions will vary by season and will be posted in the Ships Store.

#### 21. SHOWER AND BATHROOM FACILITIES:

Owners, tenants, or guests using shower facilities shall discard items such as empty containers, packages and other throw-away items in the trash receptacles provided. Please try to keep these facilities clean as others will be using them after you. If the showers and/or bathroom facilities are found to be unclean or disorderly, it is requested that the condition be reported to the Yacht Club staff at once. These facilities are only available during normal business hours that are posted in the Ships Office.

#### 22. POOL:

Members, tenants, and guests are expected to comply with all the rules and regulations regarding use of the pool which are posted conspicuously in the pool area. No life guard is provided; therefore the Club assumes no responsibility or liability for any and all damages therein.

#### 23. SPEED LIMIT:

The speed limit for boats within the Yacht Club shall be dead slow or wakeless speed, whichever is slower. The motor vehicle speed limit for all land vehicles shall be 5 MPH.

#### 24. PARKING:

Vehicles should be parked in designated parking areas. No washing of cars or boats will be allowed in the parking lots. Any boats or trailers parked other than in designated parking areas may be towed away at the owner's expense. The parking facilities are for the exclusive use of the members, tenants, and their invited and accompanied guests only. Cars shall be moved from designated loading areas before members go to their boat slips in order that others may use the loading area/ramp. No trailers will be left on Yacht Club property.

#### 25. STORAGE:

No owner, guest, or tenant shall store any trailer or other vehicle at the Yacht Club. Supplies, materials, accessories or gear of all kinds shall not be stored within the Yacht Club except in approved dock boxes or lockers. All materials and equipment must be kept clear of the docks. No fuel or other combustibles shall be placed on or within any dock box.

#### 26. CHILDREN/DEPENDENTS:

Children under twelve (12) years of age are not permitted on premises without the immediate presence of a parent or other responsible adult. PARENTS SHALL NOT ALLOW CHILDREN TO RUN AND PLAY ON THE DOCKWAYS, THE POOL AREA, OR ANYWHERE ON THE PREMISES.

#### 27. GUESTS:

No guests will be allowed the use of the Yacht Club facilities or any property of the Corporation unless accompanied by a member or tenant. Every member or tenant shall insure

that his guests abide by all these Rules and Regulations and shall be responsible to the Corporation for any violation. The number of guests invited at any one time by any member or tenant shall be in keeping with the rights of other members or tenants to have and enjoy the use of these same facilities.

28. FISHING, SWIMMING, ETC.:

Fishing from Yacht Club docks, floats, or gangways is not allowed. There shall be no swimming, diving, or spinnaker flying in Yacht Club waters.

29. NOISE:

All members, tenants, and their guests shall refrain from playing stereo, television, or musical instruments loudly after 10:00PM and before 8:00AM. Everyone shall respect the rights of other persons lawfully on the premises. After 10:00PM quiet, orderly behavior is expected of all members, tenants, and their guests. Children should be under the direction of their parents at all times.

30. FOOD AND BEVERAGES:

No cooking shall be allowed on any docks or in the Clubhouse.

31. LAUNDRY:

Laundry shall not be hung on docks or finger piers within the Yacht Club.

32. FISH CLEANING:

Fish cleaning of any kind will not be permitted on docks, boats tied to docks, or parking areas except at designated fish-cleaning tables or other places as may be designated by the Board of Directors.

33. ANIMALS:

Animals shall be leashed at all times when on Yacht Club premises. No animals shall be tied to any part of the dock, including fingers or dock boxes. Animals shall be physically kept on board at all times. The owner of an animal on the Yacht Club premises will be responsible for cleaning up pet feces immediately.

34. SIGNS:

No "FOR SALE" signs or other signs are permitted on the premises without permission of the Yacht Club Manager who also shall hold approval authority as to the size, shape and location of such signs.

35. COMMERICAL PURPOSES:

Use of boats moored at the Yacht Club for unauthorized commercial purposes is prohibited. Attaching any advertising materials to a boat is prohibited.

36. SLIP RENTAL:

Slips may be rented to non-members on an annual rental basis only. If a renter terminates a Rental Agreement before the end of the terms of the Agreement, there will be no prorated refunds. Also, members are not permitted to allow others to use their slips (wet or dry) on a guest basis. Slips are to be used only by members or tenants that have an annual Rental Agreement.

37. BOAT RAMP:

The boat ramp is a Yacht Club facility and is for the members and tenants only. It is not to be used by friends, relatives or guests of members.

38. DRUGS AND RELATED PARAPHENALIA:

Absolutely no illegal drugs shall be used on the Yacht Club property. Anyone suspected of violation of this policy shall be reported to the Club Management. Any violations will be reported to the local law enforcement officers.

39. DRY STACK ACCESS BY MEMBERS AND TENANTS:

No one except Club's personnel is to access boats or the Dry Stacks area unless the member or tenant is accompanied by one of the Club's personnel.

40. INDEMNIFICATION:

The members, tenants or guests agrees to indemnify to the fullest extent permitted by law, the Yacht Club's Management and other personnel against any and all liabilities, damages, costs and expenses (including attorney's fees and any other charges or fees incurred by the Yacht Club).

41. CONCLUSION:

Violations or disagreements arising under these Rules and Regulations should be referred to the Board of Directors for appropriate action or resolution. Final decisions will be made by the Board of Directors. These Rules and Regulations shall be reviewed by the Board periodically, and appropriate changes or additions may be made. If you have any questions or suggestions, please refer them to the Board or to the proper committee. Please note that the Bylaws provide for fines against any member or tenant violating these Rules and Regulations and give the Board of Directors the power to suspend the rights of any member or tenant for non-compliance.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2009.

BOARD OF DIRECTORS  
CROWS NEST YACHT CLUB, INC

Signed and duly adopted by the Board of Directors:

Alton Odom, President

Gerri Edgerton, Secretary

John T. Stanley, Vice-President

Steve Hale

Walter LaRoque, Treasurer

Ken Gibbs

**CROWS NEST YACHT CLUB**  
**SPLASH RULES FOR CLASS A MEMBERS & RENTERS**  
**Effective April 1, 2006**

1. There will be no forklift service for a boat when the owner is behind in assessments or dues. Dues are due on or before the last day of the month preceding the dues month. Dues are overdue on the first day of the month.
2. Boat operators will lower and secure all moveable tops, antennas, other rigging and rise trim tabs before leaving the boat for storage as the Yacht Club will not be responsible for damage to them.
3. There will be no overnight or long-time berthing at the floating docks.
4. Boats in the ten fixed berths will be returned to dry storage if left unattended or before closing if arrangements have not been made with the Club Manager for leaving out overnight for early morning departure. These boats will be picked up at 8:00 AM if still in the Marina the following morning.
5. Due to limited dock space, any boat left unattended will be returned to dry storage. These boats may be added to splash list when the operator returns.
6. Call ahead splash requests will be accepted when the Club is open, Monday to Friday noon. Weekend call ahead splash request will only be accepted if the Marina is not congested. If congested, the operator must be at or in the Club area before the boat will be splashed. No call ahead on the three summer holiday weekends.
7. The refueling berths will be used for refueling only. No loading and unloading, cleaning, etc.
8. There are to be no boats put in the water “splashed” 30 minutes before closing. This allows us to pull boats out of the water that have been requested and insures enough berths for other members to dock their boats.
9. All motors are to be left in the down position. Do not trim your motors up! This is to prevent excessive damage to both your boat and other members’ boats.
10. If you would like to work on your boat, we do have three work racks available for use. Please call us in advance so we can make arrangements to have your boat moved to one of the work racks. No work can be done on the boat while it is in your storage slip!
11. If you arrive after hours of operation, there is a drop box for your keys located on the gate of the pool area. We will check the box every morning and pull the boats out that day. The above Splash Rules are hereby incorporated into the Final Rules and Regulations document as certified by the Board of Directors of the Yacht Club.



