

MARINE FACILITIES RULES AND REGULATIONS INCORPORATED VILLAGE OF BAYVILLE

1. Applicants for slips, moorings and/or launching must be residents of the Village for at least six months of every year. Applications for slips, launching and/or moorings will not be accepted from anyone under the age of 18 years.
2. Assignment of a boat slip and/or mooring or other boating facility permit is not transferable to any other person or vessel. Co-ownership of a boat by husband and wife is permitted, however only one boat from any household may obtain a permit to obtain a slip at the Village Creek Marina. Moorings can be co-owned by spouses only, which spouses are the co-owner of that boat. Slips are for successful Applicants only, and cannot be passed on to children or to other people. Boats must be registered to the person(s) applying for and receiving the permit. All boats must be insured with the insurance in the name of the registered owner(s) of the boat
3. The boating season shall run from April 15th through November 15th. All boats and moorings shall be removed no later than November 15th. Any boat not removed by the designated date will be removed and stored at the owner's expense.
4. **All slips are to be occupied by the boat to which the permit was issued no later than July 4th. Any vacancy from the assigned slip for any reason, for more than 10 days, must be reported to the Village in writing, with all the documentation explaining the reason for the vacancy by the eighth (8th) day of such vacancy. Slips are not to be utilized solely for storage of boats. When berthed in a slip, each boat must be able to operate and navigate both to and from the dock under its own power as identified in the slip application. Trolling motors, and kicker motors shall not qualify to establish that a boat is "operable." Sailboats, if berthed at the Village Creek Marina, shall be exempt from the requirement that they be operable under power. Boats berthed in the Village slips are to be utilized during the boating season.**
5. Liability: All boats and boating equipment docked, berthed, moored, located or left at the Village Facilities are left at the sole risk of the owner of said boats or equipment. Permission to dock, berth, moor, locate or leave such property is conditioned upon the owner's acceptance of said risk. All boats utilizing the Village Slip Facilities are mandated to obtain adequate insurance before making use of the facilities. Proof of adequate insurance covering the risk of property damage to the Village facilities must accompany each application. In the event of any damage caused in whole or in part by the boat owner or the guests, said damage shall be the sole responsibility of the boat owner.
6. Any Applicant(s) for a slip must produce, with the application, the title for the boat if the boat is a titled vessel. The title for the boat must be in the name of the Applicant(s) for the slip. The boat registration must also be produced indicating that the boat is registered in the name of the slip applicant(s). Boats must carry their own insurance in the name as it appears on the title and the boat registration.
7. Permits are issued for boat slips and moorings under the express stipulation that they shall not be subleased or reassigned and shall remain at all times under the full control of the Incorporated Village of Bayville. The permit holder(s) understand that any violation of these rules can result in the removal of any boat from the Village Creek Marina. However, before such removal shall occur, the permit holder(s) shall be notified by certified mail to the address shown on the application and be afforded a reasonable opportunity to cure or correct the rule violation. The Village of Bayville always retains the right to remove any boat at any time to prevent injury or damage to persons, property or the marine environment.
8. The full fee is due and payable upon submission of application for approval and assignment, whenever during the season the Applicant's name rises to the top of the list.
9. No adjustments, rebates or refunds of fees paid, will be made after **MAY 15th**.
10. An individual on the boat slip waiting list shall be notified when his or her name comes to the top of the waiting list. A certified letter, return receipt requested, shall be mailed to the address listed on the slip application. If no response to the mailing is received within five (5) business days from the date of mailing, the application shall be deemed to have been rejected and the Applicant's name shall be removed from the slip waiting list. If the individual wants to remain on the list after refusal of the slip, his/her name will be placed at the bottom of the list after submitting a new application.

If an individual accepts the slip, he or she will be required to pay a \$250.00 non-refundable deposit within 5 business days of his or her acceptance. This deposit is to be applied to their slip fees upon submission of the application. He or she will be required to occupy the new slip with the proper size boat within 30 days of acceptance.

When an individual is offered a slip after April 15th, the beginning of the boating season, the applicable slip fee, including the dredging fee, will be pro-rated based on a 215 day boating season. The fee is calculated based on the date the Village offers the slip, not when it becomes occupied by the incoming boater.

11. There will be two (2) categories of boats by length as stated on the registrations:
Small boat category will be from 16 feet to less than 25 feet.

Large boat category will be from 25 to 36 feet in length with a **beam not to exceed 12 feet**. Boats that are currently in a slip and have a beam exceeding 12 feet will be grandfathered and allowed to remain in the assigned slip; however, if this boat is to be replaced, the beam of the new boat cannot exceed 12 feet (Resolution 2013-88).

12. Any security that is provided for the marine facilities is for the protection of Village property. The Village does not assume responsibility for any damage done to vessels or equipment at the Village marine facilities.
13. Toilets and Refuse: No boat head or holding tank may be flushed at any time in the boat basin area. No refuse of any kind may be dumped or thrown overboard. Suitable containers will be provided for refuse.
14. Fishing:
 - A. The cleaning of fish is prohibited in the boat basin and on the floats.
 - B. Fishing from any boating facility is strictly forbidden. Fishing will only be permitted in designated areas.
15. Fuel: Fueling of boats **shall not be permitted** at any Village marine facility.
16. Electricity: Electric outlets are provided for the exclusive and limited use of the slip occupants and for those boats equipped with shore power. The use of portable battery chargers is strictly prohibited. There will be a seasonal fee for shore power use.
17. Major repairs to any vessel at any Village marine facility will **not be permitted at any time**.
18. All boats berthed in the Village slip facility, must at all times furnish reinforced nylon line: 3/8 minimum up to 18', 1/2 minimum over 18'. All lines are to be permanently affixed to the dock with thimbles and shackles. All boats shall be berthed stern to the main dock. All lines and method of securing the boat to the slip shall be inspected and approved by Village. Failure to comply with this rule will result in the revocation of the issued permit.
19. All boats moored at the Village mooring facilities will use only US Coast Guard approved equipment, subject to inspection and approval.
20. Speed: All boats entering and leaving the boat basin and mooring areas must use the marked channel and travel at the slowest headway possible (dead slow with no wake). This rule will be rigidly enforced. This rule also applies to jet skis. Failure to comply with this rule will result in the revocation of the issued permit.
21. Water skiing and personal watercraft are forbidden to be operated within the confines of the Village of Bayville mooring areas at speeds in excess of 5 M.P.H.
22. The use of the slip by persons other than the slip permit holder (or their immediate family) is **strictly prohibited**. In the event the permit holder wishes to have a guest, any guest must be accompanied by the permit holder or their immediate family. For the purpose of this rule, immediate family shall be spouses and children residing at the residence of the permit holder. Each slip permit holder will be issued two (2) keys for the gate lock at the Village slips. There will be a \$10.00 surcharge for each key. In the event a key is lost, there will be a \$10.00 charge to replace the key. The slip permit holder is prohibited from providing the aforesaid key to anyone other than their immediate family. Failure to comply with this rule will result in revocation of the issued permit. Every boat that is berthed at the Marina MUST have the current year permit sticker affixed and visible on the stern of the boat. Failure to have the current permit sticker affixed shall result in a \$50 fine. If the permit sticker is lost, there shall be a \$50 fee to replace the sticker.
23. The above rules and regulations have been officially put in place to create fairness among the members of the boating public and the Village residents. Violators of these rules shall be subject to the revocation of the issued permit pursuant to these rules and regulations and denial of the use of the Village facilities.
24. Seniors, 65 and older, and disabled persons shall pay 50% of the required fees, slip and mooring fees excluded.
25. Violation of any of the rules and regulations governing the use of any of the Marine Facilities shall constitute grounds for revocation of slip, mooring, or ramp permit.
26. Any false statements contained in the Slip Permit Application shall constitute grounds for revocation of the issued permit.
27. These rules may be amended as necessary at any time and with the approval of the Village Board of Trustees.
28. Applicant agrees to follow any and all applicable Federal, State and local laws, ordinances, rules and regulations.

I, _____, hereby agree to follow and be bound by the terms and conditions set forth in this Marine Facilities Rules and Regulations agreement.

Signature of Applicant

Date