

RIVERBEND OF NAPLES MOBILE HOMEOWNER'S ASSOCIATION, INC.

**RULES AND REGULATIONS (Boat Rules Excerpt)**

*Previous Amendments: 3/9/2009, 3/30/2011, 12/15/2016 and 2/21/2019. This version was approved 3/1/2019 at a duly held Board of Directors' Meeting. (J.5.1) was added)*

**I. BOATS AND BOAT TRAILERS**

1. SIZE REQUIREMENTS

a) West Lagoon

1) Vessels are limited to 17'6" from bow furthest point forward to engine mounting transom. Engine /outdrive is not included in the measurement, neither are accessories on the stern of the vessel not extending further than the engine/outdrive.

The beam (width) of vessel may not exceed 7'6".

b) East Lagoon

1) Vessels are a minimum of 17'7" and are limited to 21 feet from bow furthest point forward to engine mounting transom. Engine / outdrive is not included in the measurement, neither are accessories on the stern of the vessel not extending further than the engine/outdrive.

The beam (width) of vessel may not exceed 8'-6".

c) Riverfront Slips

1) At the present time, size regulations will be exactly like those of the East Lagoon. When and if future docks are constructed, the Dock Coordinator and Board of Directors will determine maximum allowable size.

No existing vessels will be grandfathered in.

All county/state restrictions will be adhered to.

d) General Dock/Vessel Considerations

1) Vessel draft must not exceed three (3) feet to ensure fewer impacts with manatees and to provide one (1) foot of clearance at low tide between the vessel and the navigable waterway bottom.

2. SLIP REQUESTS AND ASSIGNMENT PROCEDURES

**NOTE: ALL REQUESTS ARE TO BE IN WRITING**

a) An assignment of a slip is restricted to Shareholders having qualified boats on Corporate property requiring current registration and also verifying boat ownership at all times. In the case of watercraft on Corporate property not requiring registration other proof of ownership may be accepted but only a temporary slip assignment will be made.

b) Any Shareholder of the Association can make a written request or e-mail to the Dock Coordinator for a suitable dock slip. These requests will be placed on the boat slip waiting list by the order received. The list will be posted in the clubhouse, the website and is also available from the Dock Coordinator.

The request must be acknowledged by the Dock Coordinator in writing or e-mail within five (5) business days. The shareholder is responsible to follow-up confirmation acknowledgment.

c) Only one request per shareholder will be allowed on file at any one time. No multiple requests will be allowed.

d) Requests cannot be for a specific slip. Requests can be for Lagoon changes closer to or further from the river. When a shareholder's name comes up, they can accept the available slip or decline. Declining means your request and its seniority are canceled and the next dated request gets the option of accepting the available slip.

Declining shareholder may then reapply and their request will be placed at the end of the dock request list according to the date received.

e) All slip assignments are made by the Dock Coordinator. Any required clarifications/disagreements should be brought to the Dock Coordinator's attention and will be brought to the Board of Directors for resolution.

f) In the event a slip space is available and a Shareholder not owning a watercraft but looking to purchase, they will have sixty (60) days to purchase a qualifying watercraft. The Shareholder shall provide the Dock Coordinator with proper documents for the contemplated vessel regarding its suitability for the available docking.

A non-refundable check for two (2) months worth of fees will be due upon notification of the request. A sixty (60) day conditional hold begins on the date of notification by the Dock Coordinator of an available slip space.

If the sixty (60) day period expires during the off-season, the shareholder will have thirty (30) additional days on their return or from January 1, whichever is earlier. A manual measure of the vessel will be done by the Dock Coordinator upon arrival.

*NOTE: Off-season is defined as being between May 1 through December 1.*

g) Shareholders may have only one assigned slip. The Dock Coordinator will assign surplus slip space which may be used for temporary slip assignments. The temporary slip space must be vacated upon written request from the Dock Coordinator.

In any case there is a maximum of two slips per Shareholder.

No more than two registered boats are allowed on Corporate property at any one time.

h) Whenever an assigned slip space is not in use for any reason, it may be temporarily assigned by the Dock Coordinator to a qualified vessel. The assigned slip is restricted to qualified boats on Corporate property. In case of watercraft not requiring registration, proof of ownership is required and only temporary slip assignments will be made for such watercraft.

- i) Any Shareholder may retain their assigned slip space for sixty (60) days without a registered boat provided they acquire a registered, qualified boat by the end of that time period. The Shareholder must alert the Dock Coordinator of this sixty (60) day intention. If a registered, qualified boat is not acquired within 60 days, the slip may be reassigned
- j) Any slip not used by Shareholder for one calendar year will be considered vacated and shall be reassigned by the Dock Coordinator.

*However, the affected Shareholder may petition the Dock Coordinator and Board of Directors for an extension due to extenuating circumstances.*

### 3. BOAT /BOAT TRAILER STORAGE

- a) Trailer/boat storage area is accessible by using driveway between units #37 and #38. Storage area extends north and south along the egress /west property line. Trailers should be parked as close as possible.
- b) All boat trailers are to be clearly marked with the Shareholder's name and unit number.
- c) Boats and boat trailers may be stored under carports or in driveways of Shareholder's Unit during the off-season or in the boat/boat trailer designated back storage area. All boats must be stored on a trailer. Smaller boats (canoes, kayaks, inflatables) can be stored under units or in a secured acceptable manner.
- d) Boats may not be stored between units or in grassy areas around units at any time, except for designated storage areas.
- e) Any boat or trailer stored in the boat / boat trailer storage area that is not used for one calendar year may be considered in violation. It will be removed by the Board at the owner's expense after due consideration.

*Again, the affected Shareholder may petition the Dock Coordinator and Board of Directors for an extension due to extenuating circumstances.*

- f) Oversized boats, not qualified for our waters, shall only be stored under the Shareholder's carport. They shall not be entitled to be stored out in the boat/boat trailer storage area unless there is an open storage space available as assigned by the Dock Coordinator.

### 4. BOAT/DOCK FEES

- a) All boats and boat trailers on Corporate property are subject to fees which allow the Shareholder the privilege of using the launching ramp, storage area and available slip space.
- b) Fees are subject to change at the Annual Budget Meeting.

c) Shareholder is responsible for notifying the Treasurer and Dock Coordinator in writing all changes additions or subtractions of boat/boat trailers within five (5) business days of the change.

## 5. MAINTENANCE, USE AND TIE UP RESPONSIBILITIES

a) All vessels must be tied up as tightly as possible at all times so as not to impede or restrict the passage in our limited waterway. Vessels must be able to move with sliding rings with the tide variations so as not to hang up on any objects or float further from the dock.

b) Docks must be kept clear for foot traffic at all times

c) Access to the East Lagoon is limited to the area between Unit #18 and #19.

d) Respect other's right of use.

e) The Association is responsible for maintaining all docks in safe operating condition at all times. This includes the upkeep of all required signage, PVC materials on the dock pilings as well as the decking material within or adjacent to other association property.

f) No alterations of any kind are to be made to the dock property without written consent of the Dock Coordinator.

g) The chain across the launch ramp is to be locked at all times after use of the ramp. The Dock Coordinator supplies keys.

h) Boats are not to be left unattended. If you are planning to leave the area for a week or two, please notify the Boat Coordinator the name of your "BOAT BUDDY". The "BOAT BUDDY" is the person who will be available if an emergency should arise with your boat. Leave your keys with your "BOAT BUDDY".

i) If you do not intend to be in the area for longer than a 14-day period, you must remove your boat from the water and either store it in the designated area or under your carport. Boats cannot be left unattended. No exceptions will be permitted.

j) Boats or trailers shall not be parked on the street during garbage pickup days.

k) No boat or trailer shall be parked overnight on Walkerbilt Road for any reason.

l) Hand washing and/or power washing of vessels is not permitted on the corporate road on garbage pickup days. You may wash your vessel on your driveway, in your carport, at the boat ramp, or in the trailer storage area.

m) Maintenance of your vessel is not permitted on the road (i.e. oil changes, scrapping the bottom, bottom painting) or any other maintenance that would cause deterioration to our roads, or pollution to our land and waters.

You may use your driveway, carport, or the trailer storage area.

#### 6. FLOATING SLIPS FOR WATERCRAFT (Wave runners, Kayaks, Paddleboards and Canoes)

*NOTE: Are permissible on a case to case basis subject to the following stipulations.*

- a) It is located in our lagoons.
- b) The construction will not violate water quality standards or affect water flow.
- c) The slip will not impede navigation of others.
- d) The slip does not require a permit.
- e) The floating slip is not permanently attached to the actual dock slip itself.
- f) Approved material shall be used to anchor the floating slip by driving the material into the sea floor.
- g) There will be NO temporary or permanent attachment of any kind to the concrete or wooden docks. NO EXCEPTIONS.

#### 7. MISSION OF THE BOARD OF DIRECTORS AND THE DOCK COORDINATOR

- a) The Board of Directors shall be responsible for the maintenance and management of the Association's river access resources with the goal of maximizing their benefit for the Association and its Shareholders in a fair and equitable manner in accordance with the association rules and regulations.
- b) Failure of the vessel owner to adhere to the decision of the Dock Coordinator concerning the above rules shall be subject to the loss of their slip privileges by the Board of Directors.
- c) When a violation is found, the Board of Directors shall notify the owner/slip holder. This violation shall be corrected within five (5) business days or a time agreed by the Board of Directors with due consideration.
- d) A slip is a privilege, not a right. That privilege may be revoked by the Board of Directors.

NOTE: If the owner is on-site (in season), a written assessment of the violation shall be hand delivered and acknowledged by the owner / violator.

If the owner is off-site, the notification shall will be sent via the US postal service along with a phone call and/ or e-mail and will be acknowledged by the owner / violator.