

Rules and Guidelines for the Anchorage Community Waterfront Facilities

Amended and Approved by the Board of Directors on Feb. 15, 1977.
Amended and Approved by the Board of Directors on Oct. 7, 1980.
Amended and Approved by the Board of Directors on March, 1994
Amended and Approved by the Board of Directors on Sept., 2006
Amended and Approved by the Board of Directors on March 10, 2014
Amended and Approved by the Board of Directors on April 5, 2016
Amended and Approved by the Board of Directors on April 16, 2018
Amended and Approved by the Board of Directors on April 20, 2020
Amended and Approved by the Board of Directors on July 17, 2023

Rules and Conditions for the use of Community Waterfront Facilities.

1. All users of the Community Waterfront Facilities do so at their own risk. No warranty or representation by the Community concerning the condition of the marina facilities, including but not limited to docks, decks, cleats, power or water service, gates or launch ramp facilities or the suitability or appropriateness of any such facilities, structures, improvements, fixtures, services or equipment to the needs or requirements of any user regardless of whether such user is a resident of the Community, guest, visitor or any other category of user.
2. All users of the Community Marina Facilities by virtue of such use agree to indemnify, defend and hold the Community harmless with respect to any claim, damage or injury suffered by any person or to any property of the user, user's guests or invitees.
3. All boats occupying dockage shall be maintained in a safe and operable condition ("operable" as defined below in Guidelines, General, 11.) and shall not constitute a fire or other hazard.
4. No fuel, oil, lubricants, sewage or other waste shall be pumped, poured, dumped or otherwise discharged into the waters of Lake Ogleton.
5. The Community is not responsible for any loss or damage to any boat or other personal property at the Community Waterfront Facilities.
6. All costs and expenses attributable to damage done to any boat, structure, pilings, equipment, water or electrical system in Community Waterfront Facilities area will in every case, without exception, be the responsibility of the person or persons causing such damage or loss.
7. Any boats that sink in any area of the Community Waterfront Facilities will be promptly removed or refloated by the owner. If a sunk boat is not removed or refloated by the owner within seven (7) days of written notice by the Chairman to the owner of said boat, the Community will take appropriate action to refloat and/or remove said boat and all costs incurred including reasonable attorney and collection fees shall be the responsibility of owner.
8. Guests, outside contractors, agents, laborers or anyone else authorized access to a boat will not be permitted in the Community Waterfront Facilities area unless accompanied by a resident or unless prior arrangements have been made with the Waterfront Committee.
9. Contractors that perform work on residents' boats are required to have a minimum of \$300,000 liability insurance and workman's compensation insurance.

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10. No one shall store supplies, materials, accessories or debris on any portion of the waterfront area or construct or place thereon any lockers, chests, sheds, cabinets, steps, ramps or other structures without written approval of the Waterfront Committee. No modifications may be made to the electrical or water systems without written approval of the Committee.
11. Residents who use electric power supplied by the community during the winter months are required to pay according to the fee schedule on the slip application before being considered for reassignment.
12. Use of the launching ramp is limited exclusively to residents in good standing and their guests. Guests may not use the ramp unless the resident is present. Residents shall lock the access bar after they have finished using the ramp.
13. If the owner of a boat moored at the Community Waterfront Facilities which is liable to suffer damage or cause damage to other boats or property is not available or otherwise reachable and cannot be located or appear in time to prevent damage from occurring, such boat may be boarded by residents, officers, Directors, or their designees in order to take appropriate and necessary remedial action. The owner of said boat agrees to hold harmless and indemnify those persons who undertook such emergency remedial action from all liabilities, claims, damage, injury and expense, if any.
14. Commercial activity is not permitted in or at the Community Waterfront Facilities.
15. Liveaboards are not permitted.
16. All residents (Owners) of boats assigned dockage must share in the responsibility for any Waterfront security patrols (dock duty), trash removal, minor repairs and general upkeep of the Community Waterfront Facilities by participation in community workdays. Failure to perform these assigned duties, with the exception of medical or other reasonable reasons, may result in loss of slip assignment(s).
17. Each resident assigned dockage, each resident of the Waterfront Committee, each Director and officer will be provided with keys to the locks on the gates of the Community Waterfront Facilities. **KEYS ARE NOT TO BE DUPLICATED OR SHARED WITH ANY NON-RESIDENT** without written permission of the Waterfront Committee. Violation of this rule may result in loss of slip assignment.
18. Bicycles, tricycles, mopeds, skates, skateboards etc. are not allowed on the docks.
19. Dry storage at the Community Marina Facilities of dinghies, small boats, kayaks, paddle boards, floats or similar personal watercrafts require the prior approval of the Waterfront Committee. None of these types of vessels may be stored at the Community Marina Facilities without the prior written permission from the Waterfront Committee. Locations for dry storage shall be as directed by the Waterfront Chairman.
20. Children under the age of 10 are not allowed on the docks unless in the company and under the supervision of an adult.
21. Running and similar activities are prohibited on the docks.
22. Recreational swimming is expressly forbidden in, off of and around the Community Waterfront Facilities.

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23. Residents in good standing may use the launch area when not in use by boaters for allowing their dogs to swim or wade. Dogs are prohibited from diving or jumping off of the docks.
24. All dogs, while not aboard their owner's boat, must be on a leash and under the control of a responsible party at all times.
25. Any boat moored in a slip without authorization will be charged \$2 per foot per day.

Guidelines for the Waterfront Committee

These guidelines, rules, and procedures supersede and replace all previous instructions for the operation of the community waterfront facilities.

The authority for assignment of dockage facilities rests with the Board of Directors. The responsibility for implementation of approved policies and guidelines is assigned to the Anchorage Waterfront Committee.

The Waterfront Committee shall be a working committee consisting of a chairperson appointed by the president and approved by the Board of Directors and as many resident boat owning residents in good standing who wish to join; however, no more than three non-boat owners may be members of the committee. The Board of Directors may remove the chairperson at any time.

The chairperson shall provide reasonable advance notice to all committee members of upcoming Waterfront Committee meetings and/or activities.

If a resident of the community objects to an action of the Waterfront Committee in the carrying out of these rules and guidelines under which it operates, including dockage space assignments, that resident may lodge a formal protest in writing with the chairperson of the Waterfront Committee. Protests will be promptly considered by the Waterfront Committee and the protesting resident will be given an opportunity to present their objections and issues in person to the Committee for the Committee's consideration and resolution.

If the protest is not resolved to the satisfaction of the resident who lodged it, the resident may appeal the decision of the Waterfront Committee to the president who will present it to the Board of Directors for resolution. Both the protesting resident and the chairperson of the Waterfront Committee will be given an opportunity to present their positions in person to the Board of Directors. The decision of the Board of Directors will be final.

GENERAL

Rules regarding Dockage assignments:

1. "Dockage" as used in these regulations, means written permission from the Board of Directors to berth or store a boat in an assigned space at the waterfront facilities owned by the Anchorage Community Association, Inc (the "Community"). Dockage includes the spaces on or alongside the bulkheads at the piers, the mooring pilings, or at any buoy, marker, raft or float owned by the Community (collectively the "Community Marina Facilities").
2. Dockage and the use of the Community Marina Facilities is restricted to residents in good standing, and tenants whose non-resident owners are in good standing and whose dues are paid in full at the time of application for a slip assignment. Residents must be in good

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standing (dues paid or a financial arrangement approved by the board of directors) by March 1 each year in order to be assigned a slip in the Anchorage community marina for that year. After January 1, new residents must be in good standing within 60 days of taking residence to be eligible for a slip assignment that year. Guests of residents may be assigned dockage by the Waterfront Committee on a temporary basis (not to exceed 4 consecutive days in any one month, or longer periods as approved by the Waterfront Committee) only if such assignment does not preclude any resident from enjoyment of any rights to use of the Community Marina Facilities and may be terminated at any time by the chairman or the Board of Directors as a result of but not necessarily limited to (i) violation of these rules and guidelines and (ii) accommodating dockage needs of resident.

3. A dockage assignment is valid from the date of assignment until the following March 31st unless (a) it is voluntarily relinquished sooner by the assigned resident or (b) the assignment is recommended for termination by official action of the Waterfront Committee and such recommendation is approved by a majority vote of the Board of Directors. Recommendations for termination shall be considered by the Board of Directors only in the case of a violation of these rules and regulations and only after the offending party has received written notification of a violation(s) which violation has remained un-remedied for a period of fifteen (15) calendar days unless otherwise specified in the written notification and an opportunity for a hearing on the matter conducted by the Waterfront Committee or Board of Directors as more fully described below .
4. Except in those cases where the amount of dockage available for assignment is reduced by damage to the facilities (by fire, ice, storm, collision, rot, siltation, erosion, etc.) or by action of any governmental body, including the Board of Directors, those residents in good standing who are not in violation of these rules and guidelines and who hold valid assignments of dockage on March 31st shall be assured of receiving renewed assignments for the succeeding year for their same boat.
5. Dockage will be assigned on the basis of the minimum space necessary for the safe operation of each particular boat. No resident has a right to continuous occupancy of any particular space.
6. To be valid, an assignment of dockage must be issued in writing, by the Waterfront Committee and approved by the Board of Directors, for specific boat which is solely owned by a resident in good standing, a special member whose non-resident owner is in good standing or jointly owned by resident and/or tenant in good standing.
7. Unless specifically authorized by the Waterfront Committee, substitution of boats, (whether or not owned by the same resident), exchange of dockage assignments, or the granting of permission for the use of assigned dockage by any other person or boat is prohibited.
8. Occupants of dockage, shall be required to demonstrate proof of ownership by providing to the Waterfront Committee (i) a copy of the current documentation or, (ii) state title certificate (iii) any other reasonable information as may be requested by the Waterfront Committee to confirm ownership, for each year in which application is made, for the boat to occupy such dockage. In the case of a chartered vessel, a signed copy of the charter contract may be accepted. Additionally, a certificate of insurance with a minimum of \$300,000 liability coverage must be submitted with the slip application each year. These certificate copies will remain on file with the Committee Chair. Refusal to comply with such requests within a reasonable time will be cause for recommendation of termination of assignment of dockage or other action as appropriate under the circumstances.

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9. The Waterfront Committee chairperson must be notified, in writing, within three (3) days of the sale, transfer, change in ownership or loss of a boat assigned dockage. In the case of sale or transfer, or a change in ownership structures that result in non-conformance with these rules and regulations, such boat must be removed from the assigned dockage within seven (7) days. Until such removal, the new owner, its agents, contractors, guests, if not a resident of the Community, may not be in or on the Community Marina Facilities unless authorized by the previous owner, partner or interest holder.
10. Normally, only one boat per residence will be assigned dockage. Additional boats owned by qualified residents may be assigned temporary dockage by the Waterfront Committee when space permits, but such second boats must be removed immediately by their owners when the space they occupy is required for non-temporary assignment to qualifying residents who do not currently hold assigned dockage.
11. Slips shall only be assigned to qualified residents that own vessels that are operable, seaworthy and are in suitable condition to function on the open water as designed and/or intended (an, “operable vessel”). Vessels that are inoperable or not seaworthy and/or cannot function on the open water as intended and/or designed shall be determined by the Waterfront Committee, in their sole and absolute opinion, to be inoperable (an “inoperable vessel”). When and if the Waterfront Committee determines that a vessel is inoperable, the Waterfront Committee Chairman shall so advise the owner of the inoperable vessel in writing in which event the Waterfront Committee Chairman shall withhold issuing a dockage assignment from the owner of said vessel or otherwise direct the owner to remove the inoperable vessel from the Community Marina Facilities and vacate a previously assigned slip. Failure to remove an inoperable vessel from the Community Marina Facilities within thirty (30) days of receipt of the written notice from the Waterfront Committee chairman or failure of the owner to undertake such actions to make the vessel operable within thirty (30) days of receipt of the written notice may result in the Community taking any and all actions necessary to remove the inoperable vessel from the Community Marina Facilities, charging all costs and expenses incurred by the Community, including reasonable attorney and collection fees, to the owner. If defaulting boat owner is showing good-faith effort to remedy the default, the Waterfront chairman has authority to grant an extension.
 - a. Each vessel, to be considered operable, must leave its slip under its own power as intended by its designer and travel at least 3 miles outside of Lake Ogleton without assistance a minimum of once each season.
12. Written notice to the Waterfront Chairperson is required prior to vacating an assigned slip for a period of thirty consecutive days or more during a slip assignment term. Violation of this rule may result in loss of slip assignment. During the period of absence, this slip may be temporarily reassigned.
13. Owners may store their boats on trailers in the parking lot as stipulated below. Boats must not block stairways or access to the launching ramp or sewer pumping station. Trailer wheels must be safely blocked to keep them from moving in high wind conditions. Owners agree to hold Anchorage Community Association harmless for any and all damage to their boat or trailer as in Rules and Conditions for the use of Community Waterfront Facilities 1. above.
 - a. Owners may store their boats on their trailers in the parking lot for any named storm during the season. These boats must be removed from the parking lot within 48 hours of the storm’s passing

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- b. Owners may store their boats on their trailers in the parking lot during the off-season defined as Thanksgiving to the end of March. Owners must register their boat via the Winter Storage Application process on the Website. Stored boats must vacate the parking lot by March 31.
14. Residents must request a storage location for their Kayak/Dinghy via the Kayak/Dinghy Application process on the Website each year. Kayak/Dinghy assignments will be made by the Waterfront Chair (and committee approved) on a first come first server basis. Kayak/Dinghy storage will not be permitted on the ground with the exception of assignments to W-01 to W-05 (wall). Only two Kayak/Dinghy assignments per household will be allowed.

Assignment Procedures

The following procedures shall guide the Waterfront Committee in making assignments of dockage:

- A. Commencing an application process for assigning dockage no later than the end of February each year.
- B. Concluding and closing the application process by March 15th each year, which date may be extended by the Board of Directors (the, “Deadline Date”).
- C. Establish and maintain Waiting List for applications received both before and after the Deadline Date for which no slips are available.
- D. Establish and present proposed slip assignments to the Board of Directors for their review and approval on or about the end of March.
- E. Manage and oversee changes, exchanges or other modifications of approved slip assignments.
- F. Assign temporary dockage as requested and if able.

A. Application for dockage.

- 1. Applications for assigned yearly dockage shall be accepted by the Waterfront Committee only from residents in good standing and tenants whose non-resident landlords are in good standing.
- 2. Application for assigned temporary (not to exceed 4 consecutive days in any one month) dockage may be accepted by the Waterfront Committee for non-resident guest of qualified residents (the, “sponsoring resident”). All non-resident guests assigned dockage shall be furnished a copy of these Rules and Regulations by the sponsoring resident and the sponsoring resident shall assume all liability and responsibility for its guest(s) and shall hold, indemnify and defend the Community harmless from any event arising out of non-resident’s activities. Temporary dockage to a non-resident guest may be terminated at any time and at the will of the Waterfront Committee chairman or the Board of Directors.
- 3. Each application for dockage shall be accompanied by proof of ownership and insurance of the boat involved (as required in General item 8 above) except in the cases of applications

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for temporary dockage as defined in paragraph 2 above.

4. Each application shall include the following information and requirements:
 - (a) Name(s) and address(es) of owner(s);
 - (b) Date applicant purchased their home in Anchorage;
 - (c) Date applicant occupied their home in Anchorage;
 - (d) Date applicant was first assigned a slip in Anchorage;
 - (e) Description of boat – length, beam, draft with keel up and down (if applicable), motor (IB, OB, I/O), manufacturer, trade name (model) and boat's name;
 - (f) Current dockage location or number;
 - (g) Dockage preference;
 - (h) In the case of applicants with no currently assigned dockage, time (in months) on a Waiting List since initial application.
 - (i) An acknowledgement of the community covenants: *“No. 17. Waters. (a) It is distinctly understood that the use of Lake Ogilton and community docks and areas is to be at the risk of the user and the Declarants shall not be liable for damages or injury resulting from said use.”*
 - (j) An acknowledgement of receipt of a copy of these rules, regulations and procedures and an agreement to abide and be bound by them at the risk of forfeiting one's slip assignment and use privileges of the Community Marina Facilities.
 - (k) The committee may maintain a database comprised of the information received from the applicants and issue a simplified slip application. If it does so, it will publish annually the computer-generated rank order/waiting list, and will present slip assignment data in graphic form. This information will be posted on the community web site at <http://anchoragecommunity.org>. Applicants will have three (3) days from date that the data is published or posted, as the case may be, to make corrections if needed.

B. For initial assignment at the beginning of each boating year (normally by March 31st).

1. The Waterfront chairperson shall post on the community website these Rules and Guidelines. The community will make paper copies available on request to any household in the community, at the homeowner's cost. In addition, the Rules and Guidelines shall be distributed via email (and available for download on the website) to all residents including a slip application form for the upcoming season by March 1st of every year.
2. The Waterfront Committee will determine the exact location and size of each dockage space available for assignment for the ensuing year and consider length, beam, draft, and accessibility requirements for purposes of making slip assignments.
3. The Committee shall examine each application received by the deadline (March 15th unless

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extended by the Board of Directors) and, to the extent reasonably possible, assure itself that the data submitted is correct and complete. Any incomplete or incorrect applications shall be returned to the applicants and shall be required to be completed and/or corrected and resubmitted within three (3) days. Applications not promptly corrected or completed shall be dropped from consideration.

4. As soon as possible after the deadline for the receipt of applications and after the waiting period for the resubmission of applications returned for correction and completion, the Committee shall assign the following point values as appropriate to each application:
 - One point for each full or partial month of ownership of property in Anchorage.
 - One point for each full or partial month of residency in Anchorage (need not be continuous).
 - One point for each full or partial month of continuous occupancy of currently assigned dockage.
 - One point for each full or partial month on the official Waiting List. (Applicable only to those residents not currently assigned dockage).
5. On completion of the above assignment of points, the entire group of applications will be divided into two categories, labeled A and B respectively. Category A will include all applications which show current dockage assignments and Category B will include all others.
6. The applications in each category will be ranked according to the total number of points assigned in descending order.
7. The ordered listing of Category B applications will be appended to the ordered list of Category A applications to form one list. The Committee will then consider each application in turn and tentatively assign each operable boat to an available space. In this effort, the Committee shall assign to each operable boat the absolute minimum amount of space necessary for safe operation without regard to prior assignments or the degree of desirability or convenience involved. The Committee's actions shall be guided and controlled by one and only one criterion, to wit: to maximize the number of residents applications which can be assigned adequate dockage space without denying adequate dockage space to those currently assigned space.
8. After the maximum number of adequate assignments has been made, those applications which were not assigned dockage shall become, in the same rank order as they appeared on the list used in the preceding section, the official and approved Waiting List.
9. The Committee shall next go through the entire tentative assignment listing and attempt to accommodate as many individual preferences as possible (according to the preference locations indicated in the applications). In this effort, it shall be guided by the relative point total standings of the various applicants, disregarding points assigned for waiting list time, and give preference, where necessary, to those with the highest point totals. Preference is not given when a vessel has not been utilized away from the slip for at least one day during the previous slip assignment.
10. The tentative listing, after adjustments for desirability and convenience, shall be submitted to the President and the Board of Directors for review, approval, and publication to the community. All approved assignments become effective on April 1st and all necessary

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moves and shifts of boats and personal gear, i.e., dock lines, hoses, etc., must be accomplished by April 15th.

C. For maintaining the Waiting List for applications received after deadline date for initial assignments (March 15th - or as extended by the Board of Directors).

1. The Waiting List created by the Committee after making its initial assignments will be maintained according to the following procedures:
 - (a) As each new application is received, the Committee shall recompute the point totals for ownership, residency and Waiting List time (according to the schedule previously described) for all existing Waiting List applications as well as for the new applications and make the necessary changes in the order of priority so that those applications with higher point totals take precedence over those with lower totals.
 - (b) As a dockage space becomes available through termination of an assignment or otherwise, the vacancy will be offered to the applicant with the highest priority on the Waiting List.
 - (c) If the vacated space is adequate for the first priority applicant's boat, the applicant has three (3) days from time of notification in which to either accept or reject an assignment of dockage. If the first priority applicant rejects or fails to accept within three (3) days, the vacant space will be offered to the second priority applicant who will also have the right to accept or reject, and so on until the space is assigned. Those applicants who reject or fail to accept an offered space retain their relative standing on the Waiting List and continue to accumulate whatever ownership residency and Waiting List points they are entitled to receive.
 - (d) If the vacated space is inadequate for the applicable operable boat of the Waiting List applicant to which it is offered, the Committee will endeavor to rearrange existing assignments to accommodate the applicant's operable boat. When the Committee determines that a change or changes of assignment will accommodate a new arrival and there is a choice as to which of two or more boats should be required to move or change assignments, the owner or owners with the lowest point totals for continuous dock occupancy should be required to make the necessary changes. If no space can be made available through this procedure, the offer of space to that applicant will be withdrawn by the Committee and the space will be offered to the next highest priority applicant on the Waiting List.

D. For changes, exchanges or modifications during the period April 1st through March 31st affecting holders of assigned dockage.

1. Whenever a vacancy occurs and an assignment of space is made to an applicant on the Waiting List, any current dockage assignment holder who decides that the recently vacated space is more desirable may request assignment to that space provided that the Waiting List applicant is not thereby denied adequate dockage space. If a resident requesting the more desirable space has a higher total of points for ownership, residency and dock occupancy than any other dock occupant who may also have requested the recently vacated space, the exchange will be permitted by the Waterfront Committee. A series of exchanges may result from such an action, but in no case will the applicant from the Waiting List be denied adequate space for his boat.

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2. An occupant of dockage may apply for and be granted permission to move to a larger or more desirable space only once during the period April 1st to March 31st of any year. However, moves made at the request of the Waterfront Committee in order to provide space for an applicant from the Waiting List or in order to correct obvious inequities or challenging situations will not be considered to have been requests for more desirable space.

E. For assignment of second boats.

If unassigned dockage space exists after all applications from residents have been accommodated, or if boat slips exist which are not acceptable to applicants on the Waiting List, the Committee may consider applications from existing slip holders for dockage space for second boats. Slip holders assigned dockage space for second boats must surrender such dockage space promptly whenever such dockage space is assigned by the Waterfront Committee to a qualified resident not then presently assigned a slip. For purposes of assigning dockage space to qualified residents on the Waiting List, all second boat assignments will be considered as vacant spaces.