

Revised February 2024

## COTTAGE PARK YACHT CLUB

### Marine Facilities Rules and Regulations

For the purposes of this document MFC shall mean Marine Facilities Committee

#### A. General

1. All vessels on moorings, in the marina, on the piers and parking lot or stored on Club property must be registered with the MFC through the Secretary of the Club. All marine facility users (existing and new applicants) are required by April 1st of each year to submit a completed Marine Facilities Application/Form to the Club Secretary to renew or obtain a slip/space assignment.
2. Any member that wishes to use any of the Club's marine facilities must register their vessel with the Club and pay the appropriate charges/fees (excludes members that are participating in the Club's boat loan program. All vessels must display/bear the current year "Marine Facilities Sticker" which is issued annually by the club secretary upon payment by the member of all fees (including MFC fees and fines) and dues charged to their account. Should this sticker not be properly displayed by the member on their vessel, space usage, hoist, tender or launch service shall not be afforded that member. Launch service is only available for stickered CPYC member boats, Club rental moorings and authorized guests or visiting yachtsman approved by the Wharfinger.
3. Only Club members and their spouse and children can have access and be permitted to be on the pier and floats. Members may have guests at the Club, on the pier and floats when they are on the premises. Children of members under the age of 13, and not in a CPYC sponsored structured program, must be accompanied by an adult member, or assigned caregiver over the age of 13 when they are on the floats and pier. Children of members 13 years of age or older may be on the floats and head pier between sunrise and 11pm and may be accompanied by one non-member guest. If more than one non-member guest is present the child must be accompanied by an adult member on the premises. Children of members and their guests shall not congregate in large groups unless approved by the Club manager in advance. No child under the age of 13 shall be allowed on the Club launch unless accompanied by an adult.
4. Use of the club dinghies is limited to 30 minutes, and dinghies must be returned to Easterly work float and Westerly float adjacent to the launch float and properly secured.
5. Wharfinger - When and at such time the Board of Directors and the MFC deems necessary a Wharfinger will be appointed. The Wharfinger will have the authority to rent slips, approve temporary tie-ups and inform members when they are engaging in activities which are contrary to

rules, past practices, customs, and traditions with regards to the Marine Facilities. The position will report to the MFC chairperson.

6. Tie up areas have been designated as follows:

General tie-up for pick-up and discharge of guest and provisions is allowed on designated main and finger floats that are on the perimeter of the marina known as "T" slips. These "T" (temporary) slips are designated on the Marina Assignment Plan and are used for both temporary tie up and overnight rental as set forth in the Marina Assignment Plan as posted on the Club's website and Pilot House bulletin board. The specific details and process for procuring an overnight rental "T" slip or Club mooring are set forth in the CPYC Temporary Overnight Slip and Transient Mooring Rental Program memo as found on the Club's website and posted on the Pilot House bulletin board. Rental fees must be paid in advance of occupancy.

Maintenance tie-up is allowed on the Easterly Work Float and Westerly Dinghy Float, primarily for wash-down and light maintenance. Tie up is limited to 2hours.

Overnight transient tie-up is allowed on finger and main floats designated as T slips -for CPYC boating members and visiting yachtsman from other Clubs. Fee for this tie-up is set from time to time by the MFC and set forth on the Club's Marina Facilities Fee Schedule and in the Marine Facilities Form/Application. Approval for overnight tie-up must be obtained from the Club Wharfinger via phone or e-mail. If the Wharfinger is unavailable, authorization may also be granted by a member of the Marine Facilities Committee or the Club Manager. In the case of late night or emergency situations, the member must leave a written note in the Pilot House for the Wharfinger or MFC chairperson if the member has been unable to contact the Wharfinger, or other authorizers, for approval.

Reservations for an overnight tie-up are strongly encouraged and are booked on a first come first serve basis. The duration of an overnight slip rental is limited to not more than a 7-day consecutive period. Members may extend this period if there is T slip availability and approval has been obtained from the Wharfinger or another authorizer set forth above. Non-members who are not affiliated with a recognized yacht club must have a referral from a CPYC member or be approved by the Wharfinger or a Marine Facilities Committee member to eligible for an overnight tie up.

Tie-off to boats, pilings or main or finger floats, other than what is set forth above is prohibited. No tie-up is allowed on the youth sailing float docks unless approved by the Wharfinger or an MFC member. All tie-ups are at the discretion of and subject to the review of the MFC.

Excluding an overnight slip rental, no vessel may secure to the above designated T floats for a period exceeding two hours without special permission (of an MFC committee member or Wharfinger) and should not be left unattended during this period.

7. The Easterly Work Float will not be used for storage. Sailing dinghy, tenders, N10 and Opti's on or about this float, unattended without special permission, will be fined.

8. No tie-up is allowed on the launch float and floats adjacent to the launch float. This area must be always kept clear to allow the Club launch to operate safely and for the dockage of Club dinghies. No tie-up is allowed in the spaces designated for the Club rowing dinghies.
9. Major maintenance, power washing or painting of yachts is not allowed on floats, the head pier, side pier, hoists, or parking area.
10. Marine facilities users/members may perform minor maintenance, repairs, and the removal of marine growth only within their assigned area or authorized areas, are responsible for the cleanliness and safety of the area.
11. Water hoses must be shut off, coiled, and returned to proper space after use. Every boater and slip occupant shall be responsible for the prudent use of water within his own area. Nozzles on hoses shall remain affixed. Water to the marina is shut off each night to prevent loss in the event of an unattended line break.
12. Marina occupants and all marine Facility users should report any damage or safety hazard to the MFC, Wharfinger, Club Manager or Launch operator.
13. All trash from marina and mooring occupants must be deposited in the parking lot dumpsters.
14. The club is not responsible for any damage sustained by any vessel in/on the marina piers, parking lot or mooring area. All marine facility users that have boats on the Club premises must have appropriate insurance coverage as set forth below and in the Marine Facilities Form/Application.

## **B. Safety/Other**

1. Storage of Gasoline or other flammable material is not permitted on/in piers, lockers, floats, or slips.
2. Refueling of vessels on the piers, docks and Club premises is prohibited.
3. Open fires are forbidden on piers and floats. Self contained propane barbecues on board yachts are allowed.
4. Children (non-swimmers or under 12) must wear life jackets and be accompanied by an adult when in marina, piers, float or slip area.
5. Running and horseplay in general is forbidden in the pier, float, and marine area.

6. Boarding steps properly secured and not an impediment to passage may be permitted, on an exception basis, by the MFC. Unsecured crates, milk cases, etc. are not acceptable.
7. No member shall jeopardize the safety of members or their property in the use of Club Facilities and equipment.
8. Dock boxes shall be limited in size by dimensions not to exceed 6ft long and 2ft wide. All dock boxes shall be fiberglass or polyethylene and may be purchased, at discount, from retail, through the MFC. All dock boxes must be installed by the MFC unless otherwise approved by the MFC chairpersons. It is recommended that dock boxes be removed at the end of the season, however, the final decision is left to the slip occupant. Other than the Committee-approved finger corner dock wheels/dock protection and approved dock boxes, no other dock items or hardware including screws, additional cleats, rings, ladders, clips, etc. are to be affixed, lagged, or screwed on the top of the synthetic decking, or docks without the consent of the MFC. All dock guards/protection, rub rails, fenders, and corner wheels must be white in color (unless approved otherwise by the MFC), and be on the approved list which will be published by the Committee each year.
9. Any modifications, additions, or other changes to marina slips, (including added cleats, stairs, tables, hose brackets, showers, etc.) dry dinghy and youth sailing docks, piers or floats must be first approved by the MFC.
10. Electric power from marina to yachts shall be by approved one-piece power cable (30 amp, 600 volts). No extension cords are permitted. Only one 30amp cable/plug-in per boat is allowed. However, the MFC may authorize a second plug, if conditions warrant, and a receptacle is available. All slip occupants are obligated to pay any/all electrical fee charges if their vessel has a 120-volt receptacle, regardless of whether they do or don't connect to the power pedestals.
11. All yachts when underway and under power must proceed at speeds under 5 knots when operating within the -, marina, and yacht basin area: maritime etiquette (minimum speed) must be observed when passing boats under sail within this area.
12. No bare feet in the marina, floats, or pier area. Gangways have grated treads!

### **C. Use of Electric Hoists**

1. Owners, when launching yachts, must determine that the hoists are operated by responsible persons. Only boat members that have taken the Club's hoist operating training program are allowed to operate the Club hoists, unless they are accompanied by another member who has had the Club's hoist training.
2. Boat trailers are to be returned to proper parking areas immediately after launching and hoist properly secured.

3. Absolutely no scrubbing, polishing or maintenance of yachts is permitted while yacht is suspended on hoists.
4. Use of the electric hoists are limited to vessels no more than 26ft and overall weight not to exceed the hoist's rated capacity by the manufacturer.

A fine of \$100.00 per occurrence may be assessed for willful violation of Sec A, B and C

#### **D. Qualifications for Marina Occupancy, Slip Assignment, Dry Sailing Space and Marina Management**

Yacht ownership and seniority of yacht club membership are the criteria:

1. Yacht ownership will be determined by the MFC based on all available information including, but not only, yacht registration or Coast Guard documentation.
2. Initial assignment and granting of slip/space assignments shall be based on membership seniority. Seniority of membership is based on date of membership at the time of application for a slip/space assignment. To the extent that the vessel is owned by more than one member, seniority shall be established by averaging the card numbers of each owner. In the case that initial multiple membership changes, seniority and continued occupancy shall continue to be established by card averaging. If at any time the vessel becomes singularly owned by member/occupant having a higher card number than the average, then this owning member must reapply next season for marine occupancy. No member can have more than one slip or space unless expressly approved by the MFC and only if there is excess availability. Lockers are only available to members that own boats that are on the Club's premises. Other than in the marina, member's power boats are not eligible for dry storage on the piers or floats unless they are less than 14ft and under 15 hp.
  - 2a. Selection List. A list of members who apply for slips, pier space, lockers, laser space, and tender space will be established in the spring of every year. The Club secretary shall record all requests from received applications and remit summary with membership seniority status to the MFC Chairperson by April 1st prior to the start of the season. This list will be used for initial assignment and will remain in effect until the Facilities are closed for the season on November 1 of that same year. Names will not be carried over from the preceding year. Should a slip or other facility become available during the season, selection and assignment will be made from this list, all other Facility rules considered.
  - 2b. In the case of marina assignments, applying members not yet qualifying for a permanent slip assignment may apply for one of the four "floaters" position for the upcoming season. These floater positions are also assigned on a seniority basis. Floater Program rules are set forth on the Club's website and New Member Orientation Package and must be adhered to without exception.

2c. Once assigned, the slip/MFC occupant may retain custody of a slip/space/locker while a member in good standing and a yacht owner. Specific assignments may be exchanged and reassigned by the MFC, as it deems appropriate, and where assignment circumstances require it. Marine facility occupants may exchange or swap slips/spaces amongst themselves but only after getting approval from the MFC. Existing marina occupants may request a new slip assignment prior to the start of each season; however, such requests are not guaranteed and are at the discretion of the MFC. An existing occupant requesting a change will have priority over a new member seeking a slip assignment, but only if boat size and slip availability permits, and the MFC has deemed such a change to be appropriate.

3. Should an applying member/vessel owner be eligible for a slip assignment, but the marina is unable to accommodate said vessel (as determined by the MFC), then said applying member shall not be assigned a slip until an accommodating slip is available. Said member shall have priority for the next available accommodating slip assignment (regardless of season) and be permanent first floater at his/her election with the normal floater fee assessed until a slip is assigned. An existing occupant cannot be forced out of the marina to accommodate the applying member regardless of the seniority of the applying member.

4. When assigning specific slips, and/or responding to occupant requests, the MFC shall, as a primary consideration, take into account the length, beam, displacement, handling characteristics of the yacht and the boat handling skills of the member. When the foregoing is not a key factor, seniority will be the primary consideration.

5. Non-occupancy of the assigned slip for more than one season will result in forfeiture of a slip assignment. However, an occupant may elect to take a one season sabbatical and not occupy the assigned slip. The MFC must be notified in writing of this election and all fees must be paid for this period. The slip will be assigned on a temporary basis until the return of the original occupant or forfeiture. A slip/space occupant that sells their vessel during the season shall vacate their assigned slip/space within (2 weeks) of the sale. At that time, the occupant must decide if they wish to invoke the sabbatical privilege set forth above, said sabbatical shall last through the end of the current season if the sale occurs prior to July 31st. Slips that are forfeited or given up during the season shall be assigned to the next eligible slip applicant.

6. In the event an occupant decides to acquire a different vessel (in replacement of an existing one occupying the marina) and said new vessel is not able to be accommodated by the existing slip assignment, then the member/occupant must make a written request of the MFC for a new slip assignment. If the committee determines that there are no slips available to accommodate the new vessel, the member, regardless of seniority, is not guaranteed a slip assignment and occupants of lesser seniority cannot be ejected from the marina to accommodate this existing member/occupant. Said requesting occupant will have priority when the next accommodating slip is available. Existing marina occupants that trade-up in size to a larger vessel that cannot fit into the existing slip assigned to them, shall have priority over new applying members regarding slip assignments for the oncoming season/year to the extent there is slip availability to accommodate the larger vessel.

7. In the event of the death of a slip/space member /occupant during the boating season (period that the Club marine facilities are open), the spouse/family shall advise the MFC of their intention regarding the vessel and slip usage for the remainder of the season. Unless the surviving spouse/partner has exercised their right under Section 2 (H) of Article III of the Club by-laws to assume the deceased membership position and has informed the MFC of their intention to retain the vessel and the assigned slip, the assigned slip/space will be forfeited and assigned to a new occupant who is next eligible for a slip assignment. If the death of the member/occupant occurs off season (prior to or after the closing of the marine facilities) the slip/space is no longer available, and the slip/space assignment is terminated, unless the surviving spouse/partner has exercised their assignment right under the Club by-laws reference above.
8. No slip occupancy shall be permitted for any vessel greater than 46 feet or a gross tonnage more than twenty tons without special approval of the MFC. Similarly, no occupancy shall be permitted for any vessel less than 16 feet. For purposes of these rules, footage above does not include bow pulpits or swim platforms. Notwithstanding the above, no vessel in excess of 50 feet in total length (LOA), including swim platform, engine bracket and pulpit, shall be permitted slip occupancy. Dry spaces are for sailing vessels only (no powerboats). Slip and space fees are charged on actual hull length, not LOA.
9. Minimum spring-line specifications for marina yachts shall be five-eighth inch nylon for vessels 26 ft or less and three-quarter inch for vessels greater than 26ft. Each occupant is required to use four adequate cleat savers. No chains can be affixed to the cleats or dock hardware. In the case of forecasted inclement weather, all boaters and marine facility users are required to be sure that all securing lines are sufficient in both number and condition.
10. The Wharfinger, MFC Chairperson, or Club Manager should be notified when a marina slip will be vacated by the regular yacht for a scheduled period of two days or more. A log will be maintained in the Pilot House or Snack Bar to record such vacancies and the estimated time of the yacht's return. A scheduled period will be declared only by the yacht owner.
11. Qualified "Floaters", as directed and approved by the Wharfinger, may occupy such vacated slips based only on information contained in the log, not on information obtained from third parties. Existing permanent dock lines shall not be disturbed. Floaters must vacate slips at least 12 hours prior to the estimated time of return of the permanently assigned vessel.
12. When a slip is temporarily vacated by an eligible occupant, the slip may only be used by a floater or an assigned overnight tie-up renter. A slip occupant cannot assign usage of his/her slip nor leave a dinghy in place of the assigned vessel unless approved by the Wharfinger or an MFC person.
13. Dry dinghy dock storage is available on a limited basis for marina and mooring occupants, however, exceptions may be approved by the MFC. In-water dinghy dock tie-up/storage is allowed on the easterly side of the Youth Sailing floats. Dinghy storage (dry or wet) is limited to boats 14ft or less and engine horsepower of 15HP or less. Non-marina and mooring members seeking dry

dinghy storage/space must obtain MFC approval and is only available if there is excess space after accommodating marina and mooring occupants.

14. Occupancy for an oncoming season is not permitted earlier than the official opening of the Club's marine facilities as determined by the MFC. All exceptions must be approved by the MFC in advance. At the close of each boating season, all marine facilities occupants must remove their boats and personal property from the Club premises as winter storage is not available or permitted.

15. Refunds or return of marine facilities fees (pro-rated or otherwise) are not allowed/accepted unless the member terminates all marine facility occupancy/usage by June 1<sup>st</sup> of the current year. For new assignments after September 1<sup>st</sup>, fees and other marine facility charges may be pro-rated, to the extent the board/MFC has approved such a policy.

### **E. Moorings**

1. Each boat owner must have a mooring or storm mooring if they do not have a trailer to store/haul out their vessel. Each member must confirm mooring readiness before assignment each year. Members that require moorings must obtain a mooring permit from the Town of Winthrop. The size, condition and adequacy of the mooring must comply with the Town's mooring rules and be approved by the Harbormaster or their designated/authorized contractor. The location of all moorings is governed by the Harbormaster or his/her designated mooring contractor. Members must not place moorings or cause moorings to be placed without first obtaining a location from the Harbormaster or his designee, or the MFC. (For Mooring Requirements see Town of Winthrop Waterways Rules and Regulations (WWR&R)). All CPYC moorings must be installed by the Harbormaster or his/her designated contractor. The ultimate responsibility for the safety and liability of the yacht is the owner's, not the Cottage Park Yacht Club.

2. As required by the Town waterway rules, periodic inspection of moorings is required by the Harbormaster or his designee. All CPYC moorings are required to be inspected every three (3) years by the Harbormaster or his/her designated mooring contractor. The MFC and the Winthrop Harbormaster will be notified by the mooring contractor of moorings that are not in compliance with the above rules or are deemed unsafe. The mooring contractor will inform the member of the unsafe condition of a mooring and request him/her to make the necessary repairs within 15 days of the notice. The Harbormaster will resolve any disputes between the parties. If the member fails to comply and make repairs, the Club may suspend usage of all marine facilities as well as levy fines or punishment as it deems reasonable. During repairs, the member will make arrangements with the mooring contractor for a temporary mooring if necessary.

3. All new moorings will be located as set forth above. Pre-existing moorings may remain in present locations provided they are not endangering other vessels or impeding navigation to and from the Club. A free zone of approx. 250 feet beyond the southerly side of the Marina and 150-foot-wide fairway extending from N4 to N2 will be established and always maintained.



4. All boat owners are responsible for knowing their mooring weight, condition, and location. All moorings must display a valid town mooring sticker and owner's name as required by Town's waterway rules and regulations.

5. Members will be asked if their mooring can be used as guest or transient moorings. All member owned CPYC moorings are solely for the member's use, and should not be rented, leased or used by others. Aside from the rental of a Club mooring, transient moorings may be made available at the discretion of the Wharfinger, MFC or Town Harbormaster or his /her contractor designee. The Wharfinger will keep a list of all such transient mooring occupants.

#### **F. Other Provisions.**

1. As provided for in Article XI, Section 1 of the Club By-Laws, there shall be no commercial use of these Marine Facilities by members. In addition, marina or mooring occupants may not use the facilities for permanent residency unless approved by the MFC.

2. The MFC will hold two work parties each year- one in the Spring to open the Facilities and one in the Fall to secure the Facilities. It is mandatory for all slip occupant members to attend all these work parties. Other Facilities users are encouraged to participate. Members who elect not to attend may have someone work in their place or elect to pay a work party fee of \$100.00 per day for non-attendance.

#### **G. Liability for Damage**

1. Every yacht owner who is a marine facilities occupant is responsible for any damage to Club or another member's property caused by him or his/her yacht and the cost of repairs may be collected in the same manner as any other membership indebtedness.

2. Liability insurance in an amount no less than \$300,000 and in a form satisfactory to the Marine Facilities Committee shall be carried by all boat owners and facilities users. Evidence of such coverage shall be furnished to the MFC each year with the submission of the Marine Facilities Application or upon their request. Failure to maintain such satisfactory coverage shall be grounds for expulsion from the facilities, termination of facility privileges, fines or any other punishment deemed appropriate by the Club.

#### **H. Storm and Hurricane Alert and Contingency Plan**

Members must be aware that the Club has a plan that calls for the evacuation of the Marina and Pier Areas when storm conditions and/or other heavy wind and sea conditions are predicted (generally when forecasted winds are 40MPH (sustained) or more. In general, Marine Facilities users will be notified via e-mail or by phone to evacuate the Marina and Pier Area when the potential for damaging winds is probable within 72 hours. Hurricane/Storm conditions will be set based on weather expectations as follows:

Alert:	72 hours - All boat owners advised to prepare for Hurricane/Storm
Readiness:	48 hours - All vessels must evacuate Marina/Laser/Pier Area
Warning:	24 hours - Power to Marina/Piers secured.
Danger:	12 hours - Gangways secured
Post:	Storm passed; boats cleared to return as deemed appropriate and authorized/announced by the Club Officers and/or the MFC.

While the Club will make every attempt to contact affected boating members in the event of an evacuation, it is the obligation of all members to call the Club to be apprised of the condition that has been set by the Officers/MFC by calling the Club @ 617-846-2792 (CPYC).

In the case of a Storm or Hurricane, CPYC boaters are reminded of the following:

- If you can haul the boat out, do so, as it is your safest option.
- Double up all lines and check to be sure there is adequate chafe gear. Also add additional fenders and be sure the vessel is spring properly to avoid hull and marina damage.
- If you are on a mooring, be sure your mooring pennants are adequate and in good condition. Add chafe gear and extra lines if feasible and be sure your anchor does not interfere with the mooring lines.
- Reduce damage by securing/removing sails, dodgers, enclosures, and Biminis.
- Disconnect shore power cable cords, water hoses, and shut off propane valves.
- Secure all loose gear and secure or remove all dock boxes.

Members are advised not to stay aboard their vessels during a storm.

### **I. Enforcement**

- 1) Club officers, members of the MFC and club employees are put on notice to strictly enforce these Marine Facilities Regulations.
- 2) Penalties for breach shall be determined by the Board of Directors upon the recommendation of the MFC and may consist of fines, denial of club privileges, temporary suspension or expulsion from membership depending on the severity of the breach. A list of those penalized shall be posted on the bulletin board during the periods of penalty. Should any fines be outstanding or past due, the member is suspended from use of the Club and its privileges.

### **I. Authority**

These rules and regulations shall be governed and enforced by the Board of Directors. Any change and/or modification is only valid when approved by the Board. It is the obligation of the MFC to enforce these rules and to bring before the Board any appropriate recommended additions, changes, etc. when necessary.

Marine Facilities Committee