

III. Rules Related to Berthing

Introduction

These rules have been formulated to assure each berth holder of safe management and fair administration of docks and floats, for the benefit of all.

These rules have evolved over the years as a result of experience, and also reflect the lease of the Club with the City of Stamford. All berthing rules are administered by the Berthing Committee, except where otherwise stated, subject to action by the Board of Governors. The Berthing Committee is required to bring to the attention of the Board, as soon as practicable, all infractions of Berthing rules. The Board will then judge and make disposition of each case on its merits. Therefore, to protect personal interests, each berth holder is urged to comply with the spirit and intent of the Rules insofar as possible.

The rules pertaining to berthing and float spaces shall be applicable to both summer and winter berth holders.

Berthing Fees

Summer and Winter Berthing fees shall be established annually by the Board of Governors. In accordance with the By-Laws; berth fees and an executed contract for returning berth holders must be received or postmarked by January 31st for Summer, and August 31st for Winter; or the berth is forfeited for that Season. Under unusual and mitigating circumstances, a payment made within 10 days of the Past Due dates may be accepted by a Review Board consisting of the Bridge Officers, Berthing Chairman, and Records Committee Chairman. Such payment shall include a fine in an amount determined by the above Board. Payment after that date will not be accepted and the berth is forfeited for that Season. Members must have a current mailing address on file with the Member Records Chairman. Claims of non-receipt of Invoice are not a valid excuse.

The Board of Governors may, as part of the Annual Dues and Fees Schedule, create a requirement for each summer and winter berth holder to perform a stated number of work hours. The work year runs from October 1st to September 30th each year. New berth holders occupying a berth after the first Tuesday in July are excused from work obligations for that season.

The berth hold can meet the work hour obligation by performing voluntary hours of work for Standing or Special Club Committees, Official Work Parties, a Club Office, or other activities approved by the Board of Governors. Such work hours shall be performed during the year the berth holder is occupying a summer or winter berth. If approved by the House Chairman, some or all of the work hours may be performed by a surrogate if the berth holder is physically unable to work, or the surrogate is a family member, or not member of the Club.

Berth holders who have not met the work hour requirement will be billed at the conclusion of the work year, the 30th of September, for work hours not performed. The hourly rate will be set by the Board of Governors in the Annual Dues and Fees Schedule.

Each berth holder is responsible for properly recording prior to October 1st his or her work hours and type of voluntary activity on the record kept by the Club Steward at the Club.

Life Members are the only berth holders excused from voluntary work hours.

1. Requirements:

Each berth holder must:

- Be a *bona fide* resident of the City of Stamford;
- Be an Active Member of the Club;
- Be paid up with respect to dues and fees;
- Own, be married to the person who owns, or be principal co-owner of the boat that is berthed in his or her name at the Club. The berth holder co-owner must own an interest equal to or greater than the other co-owners. All co-owners must be *bona fide* residents of Stamford and paid up Active Members of HYC. Each co-owner must have greater seniority than the least senior berth holder for that size berth;
- Registration or documentation records shall be *prima facie* evidence of ownership. (If the berth holder's boat is owned or co-owned by his or her spouse, the spouse need not be a member of the Club. All other co-owners of boats berthed at the Club must be *bona fide* residents of Stamford, Active Members of the Club and paid up with respect to dues and fees.);
- Register the boat in the State of Connecticut, and the registration must show a Stamford address; and
- Carry a minimum of \$100,000 watercraft liability insurance.

2. Registration and Insurance Documentation:

Each berth holder must submit Registration and Insurance documentation. Further, a new copy of the Insurance Certificate must be received by the Club within 30 days after the expiration date of the policy. A copy of the current year's Registration must be received by June 1st of each year. Failure to submit these documents by these dates will result in a fine of \$50 for each occurrence.

- Execute a berthing contract with the Club for each summer and winter season.
- Notify the Club within 10 days of any change in residence, ownership, registration or insurance affecting the member's berthing privileges. A berth holder who moves from Stamford must give up the berth by the end of the current season.

- Not berth more than one boat in the lagoon, except if there are open berths for the Winter Season, upon approval of the Berthing Committee, a member may berth two (2) boats.

3. Applications for berthing:

To apply for a berth, a member must meet the requirements and must submit a berth request card and a berth request fee (\$25.00 for a boat over 21 feet in length, \$15.00 for a boat 21 feet and under in length) to the Berthing Committee. The member's name will be placed on the appropriate waiting list, in accordance with the seniority number, at the time of the next revision of the list. Owning a boat is not a requirement for berth application. A member may apply for both a large boat berth and a small boat berth.

4. Waiting lists for berths:

There shall be two waiting lists for summer berth assignments: one list shall be for large boats (more than 21 feet in length) and one for small boats (21 feet and under in length). The two lists for summer berths shall be revised as of January 31st each year, and posted on the Club bulletin board by February 15th of each year. There shall also be two waiting lists for winter assignments: in-water berth and land storage. These shall be revised as of August 31st of each year and posted on the Club bulletin board by September 15th of each year. A member's name remains listed for succeeding seasons until a berth or land storage becomes available, or until the member withdraws the request for a berth or land storage.

A third list for summer berthing shall also be maintained and posted by the Berthing Committee. This list will be comprised of current large boat summer berth holders who are seeking assignment to extra-wide berths (berths accommodating boats with beams up to 13' 3" - B1, B2, C1, C2, D1, D2, E2, and E4). Written requests for these extra wide berths **must** be submitted to the Berthing Committee by January 31st and renewed annually.

5. Procedure for berthing assignments:

- Open berth spaces as of the close of January 31st, for summer berthing, and as of the close of August 31st, for winter berthing, will be assigned by the Berthing Committee to the most-senior members on the waiting lists. Assignments for summer berths will be completed and posted by February 15th; assignments for winter berths will be completed and posted by September 15th.
- Subsequent assignments for berths are made, as open berth space becomes available, to the most-senior members on the waiting lists. No summer berths will be assigned after the end of the summer season, no winter berths will be assigned after the end of the winter season.
- A member has 72 hours from the time of notification of berth assignment to accept or decline it. If the member accepts, the assigned berth must be occupied within 2 weeks or the first Tuesday in June, whichever is later. If the member

refuses the assignment or does not occupy the berth as required, the berth will be offered to the next most-senior member on the waiting list.

- A member on the wait list for a winter berth may decline a berth offered on or after November 1st without forfeiting his place on the waiting list for subsequent assignment.
- A new berth holder shall be charged the full season's rate for the assigned berth. Payment for the berth must be received by the Treasurer within 30 days of the billing date, or the berth will be offered to the next most-senior member on the waiting list.
- The maximum size of boats to be berthed in the lagoon shall not exceed 35 feet in length and 13 feet 3 inches in beam. There shall be a total of four extra-wide berths for boats with a beam exceeding 12 feet. These four extra-wide berths may be assigned to any of the following berths: B1, B2, C1, C2, D1, D2, E2, and E4 and are assigned at the discretion of the Berthing Committee.
- Boats over 21 feet will be assigned to 24 foot finger berths; boats 21 feet and under in length will be assigned to 16 foot finger berths.
- The length dimension of a boat shall be taken from its registration or documentation records and the beam dimension by manufacturer's specifications or other means.
- The Berthing Committee shall post on the Club bulletin board, at all times, an up-to-date plan of the lagoon showing all assigned berths for the current season.
- A summer berth will be assigned to a previous berth holder for the summer season by February 15th, providing that all of the berth holder requirements have been met prior to January 31st. A winter berth will be assigned to a previous berth holder for the winter season by September 15th, providing that all of the berth holder requirements have been met prior to August 31st.
- A berth holder **must** request by January 31st a change of berth in writing to the Berthing Committee at the time the annual dues are paid. The Berthing Committee may reassign open berth spaces to such berth holders on a request basis in order of seniority. Requests for berthing changes must be re-submitted annually.
- Berth holders may exchange berths only with the prior approval of the Berthing Committee.
- As delineated in diagram entitled "Halloween Yacht Club Berthing Dimensions, As Revised December 30, 2006," a copy of which is annexed hereto as Appendix B, boats over 21 feet in length will be assigned to large boat berths and boats 21 feet in length and under will be assigned to small boat berths, except, however, the Berthing Committee, at its discretion, may assign small boats to berths A1, A2, and M29 through M34. The owners of small boats will pay small boat fees regardless of which berths their boats occupy.

6. **The berthing seasons defined:**

<i>Term</i>	<i>Begins</i>	<i>Ends</i>
Summer season	Third Sunday in April	First Sunday in November
Winter season	First Sunday in December	Third Sunday in March

Summer berth holders must vacate summer berths no later than the first Sunday in December. Winter berth holders must vacate winter berths no later than the third Sunday in April.

Assigned berth holders will not be charged *per diem* berthing fees during the transition periods between seasons.

7. Occupancy of berths:

A berth holder who has not occupied an assigned berth, or who has occupied an assigned berth and vacates the berth, on or before the first Tuesday in June for the summer season and the first Sunday in December for the winter season, will forfeit the berth fee unless, before the deadline, written notice has been received by the Berthing Committee of the berth holder's intention to relinquish the berth and further provided that the berth is reassigned during the applicable season by the Berthing Committee. With respect to a berth holder who has vacated the berth, the daily berthing fee for the period of occupancy shall be deducted from any refund granted.

A berth holder may request a personal extension of the above deadlines for occupying an assigned berth, by providing written notice of the request, including the reason for and the duration of the extension on or before the above deadlines. A ruling on the request will be made by the Board of Governors.

Provided that the Berthing Committee has given its approval, a winter berth holder may occupy a berth in the marina as early as October 15th without a *per diem* charge if a *bona fide* berth is available.

8. Berth holders are obligated to:

- Maintain their boats in a safe and seaworthy condition;
- Operate their boats so as not to constitute an annoyance or hazard with respect to fire, health or navigation;
- Secure their boats so that they remain in their berths, docks. (Methods and materials used for securing or fendering, when secured to a dock, must have the approval of the Berthing Committee.) No rub rails are to be attached permanently to main or finger docks. Notify the Steward or Berthing Committee when vacating berths for a week or more and advise the steward if an earlier return is planned. (The Club has the authority to use a berth in a boat's absence.) Return water hoses to hangers after use, turn off water, and leave hose nozzles open to

relieve pressure. (Personal hoses shall not be left on the floats, nor left attached to water outlets.);

- Notify the Steward of any intended servicing of their boats by outside personnel, or use of their boats by guests;
- Keep docks and floats clear of any obstructions or objects that impede the flow of traffic, or endanger those who pass by. (Dock lines that remain after a boat leaves shall not be thrown across the dock, but shall be left neatly on the side of the dock.);
- Secure halyards of sailboats so as to minimize noise; and
- Show the home port of Stamford on their boats, if any port is shown at all.

9. Berth holders are prohibited from doing the following in the lagoon:

- Living aboard boats;
- Discharging heads;
- Cooking with open fires (Cooking is permitted within boats, but not on deck and not on the floats);
- Setting open flames, lighting sparklers or fireworks, using torches, spray painting or conducting other maintenance or repair operations that constitute a hazard or nuisance; and
- Sailing (except under emergency conditions).
- Violations of the above are subject to a fine.

10. Dinghies

Dinghies are to be left in areas of the west bank of the lagoon (berth or non-berth holders) or at the main dock (berth holders only) or as otherwise designated by the Berthing Committee. All dinghies stored at the Club will be assessed a fee as determined by the Board of Governors. Dinghies at the Club are subject to the following conditions and procedures:

- Dinghies are defined as not to exceed 12 feet in length and may be outboard powered (not to exceed 15 HP) or manually propelled. Included are wood, fiberglass, metal and inflatable boats, both hard and soft bottom.
- All dinghies in the lagoon and on Club property shall be identified with the member's seniority number.
- All powered dinghies must have current registration and insurance on file with the Berthing Committee.
- Berth holders are specifically prohibited from keeping a dinghy at the berth of their primary boat, whether by tying it to their boat, to a nearby dock, or mooring it independently.

- The Berthing Committee has designated a total of eight (8) dinghy tie-up spaces along the main dock. These spaces are to be allocated to berth holders based upon seniority. Applications for these spaces will be accepted up until the January 31st deadline for the upcoming summer season. Applications received after that date will be accepted and assigned, subject to availability, at the discretion of the Berthing Committee. All applications will be posted.
- Fees for the dinghy space will be reviewed annually and will be as recommended to the Finance Committee by the berthing Committee, and approved by the Board of Governors.

11. When available, berth space in the lagoon may be occupied by non-berth holders subject to the following:

- A non-berth holding Active Member may have the use of berth space for 2 overnight periods per year without charge.
- Other visitors may rent berth space at a daily rate to be fixed by the Board of Governors. The rate for members shall be less than the rate for non-members.
- A visitor must register in a log in the Club, notify the Steward of the intended date of departure, and indicate where the visitor may be reached until departure.
- The allowable duration of stay for visitors is at the discretion of the Berthing Committee on a day-to-day basis.

12. Fueling of boats in the lagoon is permitted only at the Fuel Dock (east end of "A" Dock) under the following conditions:

- Times: Any day, 6:00 A.M. to sunset.
- Precautions: No more than 10 gallons of fuel may be carried or poured at one time.
- Plastic UL-approved containers or metal cans with flexible pouring spouts shall be used. Funnels are recommended to avoid spills. Fire extinguishers shall be conveniently available on boats. All smoking materials must be extinguished.
- Emergency fueling: A disabled boat towed into the lagoon will be allowed to fuel at its assigned berth with only enough fuel to get under way. The maximum allowed is 5 gallons. The above precautions must be observed.
- The penalty for non-compliance with the above is a \$200.00 fine for the first offense. Any subsequent offense penalty is a fine of \$200.00 and loss of berth for the next winter and summer season.

14. Shore power (120v) shall be defined and regulated as follows:

- "Permanent users" may be connected to shore power at all times during the summer boating season, day and night. The permanent user may use any device or appliance desired up to a total power consumption of 1,725 watts (15 amps @ 115 volts), as long as the device does not violate the safety regulations set up by the Electrical Committee. A permanent user must supply at personal expense a "Y" connector (Hubbell Part 64CM51 or equivalent) approved by the House Committee, so as not to block the use of the outlet by others.
- "Occasional users" are those who make use of shore power a few times during the summer boating season, briefly, for purposes such as the use of electric drills, trouble lights, soldering irons, etc. This class of use is not intended for electrical heating or cooking devices, general lighting, television, refrigerators or other appliances on a routine basis.

Users of shore power must observe the following safety precautions:

- a. Shore power cords must be of proper size and have insulating properties that qualify for marine service. Three conductor #12 wire, with rubber or PVC insulation, is required.
- b. Power cords leading to boats shall be dressed in such a manner as to not constitute a trip hazard to members walking on the floats. Also, the power cords shall not put stress upon the outlet boxes, lamps or posts upon which the outlets are located.
- c. Only battery chargers of approved design (ULC) shall be used in the lagoon. Manufacturers' safety precautions for use of chargers must be observed.
- d. Unless authorized, members may not open outlet or distribution boxes under any circumstances. All failures of power which cannot be rectified by pushing the reset buttons on outlet boxes should be reported to the Electrical Committee and/or the Steward.

The Berthing Committee in conjunction with the Electrical Committee shall:

- a. Judge the effectiveness of the fees set for dock power usage to ascertain that the fees collected offset the cost of power to the Club;
- b. Inspect boats and appliances used on boats, and the manner of use of power when boats;
- c. Ascertain that berth holders are being fairly and properly assessed in their usage of power; and
- d. Recommend changes, as necessary, in the rules and regulations regarding power.

IV. Rules Related to Small Boats

Introduction

Small boat racks on the Club grounds are a special facility requiring special rules.

1. Any Active Member of the Club is eligible to apply for a single space on the boat racks provided he or she is:

- A *bona fide* resident of the City of Stamford; and
- Paid up with respect to dues and fees.

2. Any Active Member of the Club is eligible to apply for a single space on the boat racks provided he or she:

- Owns, be married to the person who owns, or be co-owner of the boat that is in his or her rack space. (If the space-holder's boat is owned or co-owned by his or her spouse, the spouse need not be a member of the Club. All other co-owners of boats in racks at the Club must be *bona fide* residents of Stamford, Active Members of the Club, and paid up with respect to dues and fees.);
- Have approval of the Berthing Committee for the boat to be placed on the rack. (In general, rack space is reserved for narrow-beamed boats such as: shells, kayaks, canoes and board boats that are no longer than 20 feet in length.);
- Displays the Member's seniority number on the boat;
- Carries a minimum of \$100,000 liability insurance;
- Submits, prior to the berthing season, documentary evidence of ownership, registration if required, and insurance;
- Executes a berthing contract;
- Agrees to be responsible for the safety of his or her boat;
- Notifies the Club within ten days of any change in address, ownership or insurance affecting the member's privilege of rack space;
- Be able to lift the boat on and off the rack by hand; and
- Be a member to launch small boats at the club.

3. Owning a boat is not a requirement for rack space application.

To apply for rack space, a member must meet the requirements and must submit a rack space request card along with a non-refundable rack space request fee (\$15.00) to the Berthing Committee. The member's name will be placed on the waiting list, in accordance with seniority number, at the time of the next revision of the list.

4. The rack space wait list will be revised as of January 31st of each year and posted on the Club bulletin board by February 15th.

No names will be added to the waiting lists for rack space after posting on February 15th unless all applicants on the list have been offered rack space, and the list is exhausted. When this happens, the names of members who submitted rack space cards after the list was posted will be added to the list in accordance with seniority number.

A member's name will remain listed for succeeding seasons until a space becomes available or until the member withdraws the request for a space.

5. Procedure for rack space assignments:

- Open rack spaces as of the close of January 31st will be assigned by the Berthing Committee to the most-senior members on the waiting list. Assignments for rack spaces will be completed and posted by February 15th.
- When the waiting list of members has been exhausted -- either by space assignment or by refusal to accept an offer space -- the Berthing Committee will offer space on racks to the most-senior members on the list of members.
- A member has 72 hours from the time of notification of a rack space assignment to accept or decline it. If the member accepts, the assigned space must be occupied within two weeks or the first Tuesday in July, whichever is later. If the member refuses the assignment or does not occupy the space as required, the space will be offered to the next most-senior member on the appropriate waiting list.
- A new space-holder shall be charged the full season's rate for the assigned space. Payment for the space must be received by the Treasurer within 30 days of the billing date or the space will be offered to the next most-senior member on the appropriate waiting list.
- The Berthing Committee shall post on the Club bulletin board, at all times, an up-to-date plan of the small boat rack which displays the assigned space for the current season.

6. Procedure for rack space *reassignments*:

- Rack spaces will be reassigned to their previous space- holders by February 15th, providing that all of the space-holder requirements have been met prior to January 31st. The Berthing Committee has the right to reassign space as necessary.
- A space-holder who does not intend to apply for reassignment must vacate the assigned space no later than the Saturday before the third Sunday in April.
- A space-holder may request a change of space in writing to the Berthing Committee. The Berthing Committee shall reassign open rack spaces to such space holders on a request basis in order of receipt. Requests for space changes must be resubmitted annually.

- Space-holders may exchange spaces only with the prior approval of the Berthing Committee.

7. Occupancy of rack space shall be as follows:

- A person with rack space may keep his or her boat in the assigned space for a full year, commencing with the third Sunday in April.
- A space-holder's boat must occupy the assigned space no later than the first Tuesday in June. A space not occupied by this date will be declared vacant and will be reassigned by the Berthing Committee.
- A space holder may not place more than two (2) boats on one space.
- A space-holder may request a personal extension of the deadline for occupying a space. This request must be made in writing to the Berthing Committee. The request must be received in advance of the deadline and must specify the reason for and the duration of the extension. The ruling on the request will be made by the Board of Governors.
- A space-holder who has occupied a space, and who then vacates the space on or before the first Tuesday in July, will be charged a weekly fee for the period of occupancy or the season space fee, whichever is less.
- A space-holder who vacates the space after the first Tuesday in June will not receive a refund.

8. Rack space-holders are obligated to:

- Maintain their boats in a safe and seaworthy condition;
- Operate their boats so as not to constitute an annoyance or hazard with respect to fire, health or navigation;
- Secure their boats so that they remain in their spaces (Methods and materials used for securing must have the approval of the Berthing Committee);
- Keep the area surrounding the racks clear of any obstructions or objects that impede the flow of traffic or endanger those who pass by; and
- Show the home port of Stamford on their boats, if any port is shown at all.

9. Rack space-holders are prohibited from:

- Storing sails and masts except in the tubes available for each space holder; and
- Sailing in the lagoon.

Appendix A: Calendar of Berth and Rack Space Activity

January 31st

- Last day to execute berthing contract for assignment to summer berth.
- Last day to execute rack space contract for annual reassignment.
- Last day to file a berthing request card for summer berth waiting list.
- Last day to file rack space request card for rack space waiting list.
- A berth holder **must** request by January 31st a change of berth in writing to the Berthing Committee at the time the annual dues are paid.

February 15th

- Waiting lists posted on Club bulletin board for summer berths and rack spaces.
- Assignment of available summer berths and rack spaces to members on waiting lists, in order of seniority.

Third Sunday in March

- Winter berthing season ends.
- No further assignments for winter berths.
- Shore power available to boats.

Third Sunday in April

- Summer berthing season begins.
- All winter boats must be in their summer berths or out of the lagoon.
- All rack boats not reassigned to rack space must vacate the space.

First Tuesday in June

- Berth holder or rack space holder must occupy the assigned berth or rack space or it will be reassigned.

August 31st

- Last day to execute berthing contract for reassignment to winter berth.
- Last day to file berthing request card for winter berth waiting list.

September 15th

- Waiting list posted on Club bulletin board for winter berths; assignment of available winter berths to members on waiting list in order of seniority.

First Sunday in November

- Summer berthing season ends; no further assignments of summer berths.
- Water turned off on docks.

First Sunday in December

- Winter berthing season begins; all summer-berthed boats must be in their winter berths or out of the lagoon.
- Berth holder must occupy the assigned winter berth or it will be reassigned.
- Shore power not available to boats.