

BAYOU PINES OWNERS' ASSOCIATION
RULES AND REGULATIONS FOR DOCKS, BOAT SLIPS AND BOARDWALK

Dock Rules Re-adopted by BPOA Board Vote 18 Sep 2006

Revised by BPOA Board Vote 10 Feb 2014

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As authorized by the Declaration Of Covenants, Easements, Conditions And Restrictions for Bayou Pines Article III, Section 1, Paragraphs (d) and (e), dated October 19, 1984, the following rules and regulations are established for the assignment, reassignment, use and maintenance of docks and boat slips. These rules and regulations are established to provide guidelines for dock usage, slip assignment and dock and boat slip modifications. The safety of owners and their guests are paramount when using dock facilities.

Dock and boardwalk repairs and routine maintenance are the responsibility of the Bayou Pines Owners' Association except as noted in these Rules and Regulations. The Bayou Pines Owners' Association Board of Directors will appoint a Dock Master each year. The Dock Master will be the focal point for the Association on matters dealing with the docks and any questions or problems which may arise. The Dock Master will keep the Board of Directors informed of any problem areas and will make recommendations as required, as well as providing a report to the board quarterly.

Violation of the dock rules shall be grounds for suspension of usage of the dock area. The Association Board may terminate dock privileges of an Owner for abuse or neglect in abiding by these Rules in whole or in part.

RULES AND REGULATIONS:

Activities/Items: No cleaning of any fish, etc. is permitted on the docks. Fishing, the use of crab and bait traps and cast netting are permitted from docks and sea wall with the following stipulations: 1) If bait is used while fishing, the dock area used will be rinsed of bait and fish parts 2) Crab and bait traps will not be used in vicinity of ladders or in assigned slips 3) Cast net debris will be removed after each cast 4) any of the aforementioned activities will not impede the mobility or interfere with other residents' access to and from their vessels.

Trampolines are not permitted on the dock. No items (e.g., floats, floating trampolines or similar devices, floating chairs) are to be secured to the dock. All items such as floats, chairs and other items must be removed from the common dock and boardwalk area each day. The use of any conveyance on the docks or boardwalk such as skate boards, bicycles, roller skates, motorcycles, motorbikes, go-carts, etc., is forbidden.

Assessments: The Association Board reserves the right to issue an assessment in an amount to be specified to any Member whose violation of these rules results in costs to the Association and/or owners. This action may be taken in addition to suspension of dock usage privileges.

Age Limits: Children under the age of thirteen and guests shall be accompanied by an owner at all times while on either dock, the sea wall boardwalk, or in the vicinity of the water and dock areas. No boat/watercraft operators under the age of 16 may utilize the dock.

Boat Lifts: Independent lift support pilings will be installed by lift owner. Except for utilities. boat lifts will be free standing and not connected to docks for support. This applies to all water craft to include personal water craft (Wave-runners, Sea-Doos, etc.). Boats not secured in a lift must be secured to mooring pilings and must not be secured to the dock structure. (Request for permission to install any additional pilings must be submitted to and approved by the board).

All lifts installed near the Associations docks will have a means to secure the operating mechanisms and controls from unauthorized operation. All motors should be covered and all controls must have a cover.

Commercial Activity or Usage: The docks and their facilities are for pleasure usage only. No commercial activity or usage is allowed. No boat/watercraft shall be allowed which is in any way or at any time used for commercial purposes or which charges or accepts a fee or any other form of compensation either directly or indirectly.

Covers: No Slip covers or canopies are not permitted. There will be no structure built above the horizontal support beams on boat lift support pilings except motor housings.

Damage: Any dock structure or appurtenances damaged or destroyed by negligence or improper use shall be replaced at the offending Owner's expense.

Disturbances: Owners and guests shall not create visual or noise nuisances. Loud parties, inappropriate conduct, loud music or other disturbances are not permitted on the dock or boardwalk.

Dock Alteration: No alterations, additions, or installation is permitted to any dock area. No one may build, store, construct, or attach anything to the dock including, but not limited to, mooring whips, cleats, fenders, ladders, or additional pieces of wood, lights.

Dock Boxes: No dock boxes, lockers, storage containers, or boarding steps of any kind may be left on the dock. Owners shall keep the dock area clear of all gear, ropes, tackle, and other obstructions, and agree to properly dispose of waste or trash (including treated or untreated sewage from heads or holding tanks). There is no discharging of the bilge in the docking area.

Dock Cleanliness: No waste cans, paper, debris or other refuse are to be left at the dock or dock area or thrown into the bayou. Removal of trash from the premises is the responsibility of the boat/watercraft owner or guest. No glass containers or bottles of any kind are be permitted on the docks

Dock Closure: The Association Board reserves the right to close the dock for repairs, emergency conditions, or other circumstances as deemed necessary

Electrical Devices: Electrical devices such as batteries may not be stored on the docks; electrical cords must be ground fault protected; electrical cords cannot be placed/run on the walkway. Electrical cords running from a house should only be used for an emergency situation and for a short duration (less than 2 hours). For example, if a resident loses their power and needs to raise or lower their boat, they may need to run an electrical cord with ground fault protection for immediate, short-term use.

Electrical power lines: Lines will be laid at owners' expense from the owner's power source (meter box / electrical box) to the dock / slip where needed. The electrical should be a continuous run with no junction box.

Emergency Permission: In an emergency situation, non-owners may utilize the dock, though the non-owner boat/watercraft must be removed as soon as possible.

Explosives/Fire/Flammable: Explosives, fireworks, sparkler and other hand-held fireworks are not permitted on boats/watercrafts or on the dock/boardwalk at any time. No fire of any kind, including fire contained in a charcoal burner, is permitted on the dock or on a boat/watercraft while the boat/watercraft is moored at the dock.

Ground Fault Circuit Interrupter (GFI or GFCI): GFIs are required at the shore for all power to the dock.

Guests and Visitors: It is the responsibility of the Owner to inform guests of the dock regulations and ensure compliance. All Owners are responsible for their own and guests' conduct.

Ladders: Provided for the convenience and safety of owners. Ladders must be stowed in the up position when not in use to preclude the formation of barnacles and other sea growth. Ladders will only be operated by an adult owner.

Life Jackets: Use of life jackets is required for infants, children and non-swimmers while on the docks.

“Live Aboards”: Members and guests are not permitted to live aboard any boat/watercraft while moored or in the immediate area of the dock, nor may any pets be left aboard.

Multiple Boats/Watercrafts: No more than 15 vessels can occupy the slips at any given time. If there is more than one vessel per upland unit and a resident desires to use their empty slip, all owners having more than one vessel in their slip will have to remove their second vessel. Owners shall keep the dock area clear of all gear, ropes, tackle, and other obstructions, and agree to properly dispose of waste or trash (including treated or untreated sewage from heads or holding tanks). There is no discharging of the bilge in the docking area.

Non-motorized watercraft: Cannot be launched from the boardwalk or over the rip-rap. They must be launched from one of the areas where a ladder is installed.

Non-resident boats: cannot remain for more than 24 hours in an owner's assigned slip and the unit owner/authorized renter must obtain permission from the dock master; they are not permitted to use BPOA common utilities.

Pets: All pets shall be kept on leashes and not left unattended. The owner is responsible for ensuring that the docks, walkways, and immediate areas surrounding them are not used by pets for soiling. Owners are responsible for cleanup of any “accidents” immediately.

Piling placement: Pilings cannot extend beyond the allotted space as determined by half of the width of the area between two fingers and no piling shall extend beyond the leased premises. All watercraft must not exceed the width of half the distance between the two fingers. A request to install pilings for mooring purposes must also be submitted to the board through an architectural change request and include detailed specifications of placement.

Relocation: The Association reserves the right to move an unattended boat/watercraft when required or when a boat/watercraft is in violation of these rules in a manner which negatively impacts other homeowners. The Association shall make every effort to provide appropriate and reasonable notice to

the boat/watercraft Owner of its intent to move a boat/watercraft. If the boat/watercraft is not moved by the end of the notice period, the Association may have the boat/watercraft removed, and the costs associated with such a removal and subsequent storage shall be at the offending Owner's sole expense. Boat/watercraft owners shall hold the Association, its members and Directors safe and harmless from any and all liability, injury, loss or damage caused by relocation.

Restoring docks and/or slips to their original condition: This includes removing lifts and/or support pilings and/or realigning slip pilings moved off center to accommodate a wider beamed boat. Electrical feeds will be disconnected and any pre- existing junctions insulated (water proofed) in accordance with current codes in effect at that time.

Safety: It is the responsibility of each owner to ensure unsafe conditions on docks and boardwalk are corrected as soon as possible. Unsafe areas will be marked off to restrict usage until repairs can be completed. Any unsafe condition on either dock or boardwalk should be reported immediately to the Board of Directors and Dock Master.

Severe Weather: To the fullest extent possible, it shall be the responsibility of each Owner to ensure that their boat/watercraft is not moored at the dock when severe weather threatens the area. Boat/watercraft owners will be held responsible for any damage caused by their boat/watercraft.

Signage: No alteration or removal of any signage (e.g., no mooring signs, no trespassing signs). Both docks are posted "PRIVATE DOCK -KEEP OFF" and "NO MOORING". It is incumbent on each owner to enforce this rule and prevent the unauthorized use of docks. Owners should not hesitate to call authorities if challenged by unauthorized dock users. It will be helpful to authorities to record an unauthorized boat's identification number.

Slip Assignment/Usage: Each unit owner is assigned one slip. Each slip is granted in a "right to use capacity". Dock assignments will be made on a first come basis. Boats of greater length which may require more depth will normally be assigned the northern most slips which have a greater water depth, provided there is a vacant slip.

Slip Modifications: Owners may submit requests to the Board of Directors. Requests shall be accompanied with a detailed drawing showing the desired modification, all measurements and specifications to include electrical power requirements and specifications. All requests for lifts must be submitted on the standard BPOA architectural change request form that can be found on the BPOA website and must be accompanied with the proper documentation. Each request will be considered on an individual basis.

Smoking: No smoking is allowed anywhere on the docks.

Sovereign Submerged Land Lease Compliance Special Lease Conditions:

- Any vessel moored in a slip in either a temporary or permanent basis, shall be wholly located within it designated wet slip in accordance with the specifications of the SSLL and no portion of the vessel shall extend beyond the leased premises. Vessel length shall be measured as overall length including all parts and accessories such as outboard motors, bow pulpits and swim platforms
- All vessels that moor, dock, or otherwise use the leased premises shall be maintained in a fully operational condition

- Mooring is prohibited on a temporary or permanent basis along the sides of the landward faces of the closest finger piers, along the sides of the access piers, and along the sides of the waterward faces of the "T" docks as stipulated by the signage.
- Vessels that either do not possess a current vessel registration and title as required by Chapters 327 and 328 of Florida Statutes or do not have a current vessel registration and title as required in another state or country are prohibited within the leased premises

Swimming: The designated swim areas are permitted for swimming and launch of non-motorized items such as paddleboards, floats and kayaks only. No trampolines or other items are to be secured in the swim areas. Any flotation devices must be present only when in use by an owner or guest. No attaching to, altering or moving any buoys, lines, or signage in the designated swim area. Motorized vessels must not enter the swim area.

Transfer of lift upon sale of unit: A condition for having a modification to a dock or slip approved by the Bayou Pines Owners' Association is that the requesting owner sign an agreement to restore the dock or slip to its original condition before their unit is turned over to a new owner. If the buyer is going to assume responsibility for the lift upon purchase of the unit, a signed acceptance of responsibility of the new owner to maintain the lift must be provided upon closing. The statement must be dated and signed and include the statement "The buyer will assume full responsibility for the dock/slip modification and will remove modification prior to their departure" and "The buyers will maintain at their expense the modified portion of dock/slip to ensure safety to dock users and the aesthetics of dock area". Otherwise, the owner is responsible for removing the lift and the slip will be made available to the general ownership.

Vessel Length: Vessel length is not to exceed more than 10' beyond the end of the dock finger.

Vessel Ownership: All owners and/or renters (authorized on lease) must demonstrate ownership of a vessel moored at our dock and must provide (copy of) insurance policy, to include liability. The Board of Directors may determine that additional insurance is required by a boat owner because the Associations General Policy is inadequate. If additional insurance is required beyond that which is carried by the Association for dock areas due to individual dock/slip modifications/additions, this expense shall be borne by the individual owner.

Wake: Boat/watercraft owners and operators must minimize speed and wake while entering and exiting the dock areas so as to do no harm to the docks or other boats/watercrafts.