



## **SPC CANAL DOCKS AND BOAT LAUNCHING AREA RULES**

### **REV B EFFECTIVE OCTOBER 19, 2013**

PREAMBLE – The following Rules, along with separate, supporting policies for Administration, Operations, and Vessel Removal, govern how Sandpiper Cove (SPC) manages our canal dock area. They are intended to provide (1) fair and equitable sharing of this Common Area Property, (2) broad guidelines for considerate behavior by users, and (3) a mechanism for enforcement by the SPC association staff. Our facility is designed for transient boaters associated with SPC condominium units. As such, it requires these operating rules to enhance the community's use and enjoyment while preserving reasonable, powered watercraft access to all condominium owners and their guests.

1.0 PERMITTING – A Dock Permit is required for any vessel that docks in the canal. Permits are available through the SPC office or by applying for a slip through the reservation system available on the SPC web site. A Dock Permit decal identifying the vessel, the designated slip number and the applicable starting and ending dates will be provided for display on each vessel meeting the permitting requirements.

1.1. The permit calendar is divided into Peak and Off Peak Seasons which align to the SPC summer and winter rental seasons. Permit types and associated fees vary between these seasons.

1.2. Three types of permits are available:

1.2.1. Short Term – 14 nights or less in any season

1.2.2. Long Term – 120 nights or less in Off Peak Season

1.2.3. Annual Term – 120 nights or less in Off Peak Season, 14 nights or less in Peak Season, and limited Short Notice nights subject to availability throughout the year.

2.0 PERMITTING REQUIREMENTS - To obtain a permit, the following conditions must be met.

2.1 The vessel owner (Owner) must be an SPC condominium owner or their guest or a registered renter of a unit at SPC Condominiums for the permit time period requested.

2.2 The vessel must be less than 30 feet in total length and less than 10 feet in total width.

2.3 The vessel must be mechanically seaworthy and maintained in good condition while utilizing a slip as detailed in the Operations Policy. It must have an engine for maneuvering and a

working, automatic bilge pump if the hull has a bilge area that can collect water within the vessel's hull.

- 2.4 The vessel must have an engine exhaust system that is ported underwater. Open air or switchable exhaust systems are not permitted unless the vessel is specifically exempted by SPC management per the Operations Policy guidelines.
- 2.5 The Owner must provide a current state or USCG vessel registration document, proof of a \$100,000 boater's liability insurance policy, and either proof of condominium ownership or a condominium use or rental contract for the period of the permit request.

### 3.0 PERMITTING FEES AND RESERVATIONS

- 3.1 There is no fee or permit required for bringing a motorized vessel onto SPC property or using the boat launching area. However, the Owner needs to possess and present to SPC Security, the registration, proof of \$100,000 liability insurance, and condominium occupancy documents as stipulated in Rule 2.5 or SPC Security will deny property access for the vessel.
- 3.2 There is no fee or permit required for non-motorized vehicles such as kayaks, row boats, or boat trailers. The Owner will be provided with a registration decal by SPC Security for display on the vehicle.
- 3.3 To qualify for a Docking Permit, the Owner must have a **confirmed** reservation from SPC or obtain an on-spot reservation upon arrival, space permitting, and fees paid as described in the Administration Policy.
- 3.4 The Short Term Permit fee is \$150 during Peak Season and \$100 during Off Peak Season. It is valid for up to a 7 night stay. A minimum stay of 3 nights is required.
  - 3.4.1 An 8<sup>th</sup> and 9<sup>th</sup> night may be reserved for an additional fee based on space availability. This fee is \$25 per night during Peak Season and \$20 per night during Off Peak Season.
  - 3.4.2 A second week can also be reserved for the applicable seasonal rate if space is available. A total of 14 nights is the maximum allowed for any single Short Term Permit.
- 3.5 The Long Term Permit fee is \$250 and is issued for 120 cumulative nights in the Off Peak Season within a single calendar year.
- 3.6 The Annual Term Permit fee is \$500 and allows for both Peak and Off Peak Season reservation time. Up to 14 Peak Season nights and 120 Off Peak Season nights are allowed with this permit but its availability is restricted to condominium owners or, in certain circumstances described in the Administration Policy, renters or guests with yearly use agreements between them and the condominium owner whose unit they are using.
  - 3.6.1 Short Notice Reservations are available to Annual Term Permit holders as described in the Administration Policy. They provide additional reservation time at no additional cost with some access restrictions.

- 3.7 A deposit fee of \$50 is required to establish a Short Term or Long Term reservation. It will be refunded at Check-Out less any unpaid fees for damages or violations. Deposits are not required for Annual Term Permit holders.

#### 4.0 GENERAL OPERATIONS

- 4.1 Docking in areas other than the designated slips is prohibited. Improperly docked vessels or vessels without a Dock Permit are subject to removal from the property at the Owner's expense.
- 4.2 Check-in occurs between 1:00PM and 5:00PM. Check-out time is 11:00AM or earlier. Consult the SPC Administrative Policy for additional information.
- 4.3 Vessels that sink in the canal must be raised within 48 hours or SPC will do so at the Owner's expense. SPC has the right to subsequently have a raised vessel relocated to a confinement yard at the Owner's expense if not removed or repaired by the Owner within 5 days.
- 4.4 At SPC's discretion, any observed hazardous or unsafe boat handling or offensive personal behavior shall be just cause for immediate revocation of the vessel's Dock Permit and eviction from the area.
- 4.5 In the event of an emergency or other situation requiring the relocation or boarding of a vessel, SPC Management shall have the right, but not the obligation, to board or move the vessel or take such other reasonable and necessary action to prevent damage to property or personal injury. SPC shall incur no liability for their actions unless resulting damages are caused by the willful misconduct of the Association.
- 4.6 The canal docks and walkways are for pedestrian traffic only. No vehicles of any type, whether motorized or not, are allowed to be operated on them.
- 4.7 All operations are subject to additional regulation as specified in the canal dock policies as amended from time to time and available through the SPC Office and web site.

#### 5.0 PENALTIES AND ENFORCEMENT

- 5.1 A penalty fine of at least \$25 but no more than \$100 per day may be assessed against an Owner for violating individual canal rules and policies. Fines in compliance with Florida State Statute Chapter 718 will be levied by SPC Management and based on the severity of the violations and the circumstances presented.
- 5.2 SPC reserves the right to bill the responsible permit holder or SPC unit owner for any costs incurred in the enforcement of the rules and policies.
- 5.3 Any vessel not in compliance with the rules and policies is subject to relocation or removal at the permit holder or condominium owner's expense. Docking privileges may be revoked for up to one year from the resolution date of the infraction.
- 5.4 Vessels will not be issued or allowed to retain SPC Canal Permits if the permit holder or condominium owner has any unpaid SPC penalties, fees, fines, or assessments.
- 5.5 The SPC General Manager or the Manager's designee shall enforce these rules and policies as adopted by the SPC Board of Trustees.

#### 6.0 AMMENDMENTS, CHANGES, AND AVAILABILITY OF RULES AND POLICIES

- 6.1 The Canal Committee, as appointed by the SPC Board of Trustees, will review the Canal Rules and Canal Policies periodically and make recommendations for action to the Board.
- 6.2 Any changes for the Rules will be incorporated only by a majority vote of the SPC Board of Trustees. Changes for the Policies will be incorporated at the discretion of the SPC General Manager with knowledge of the SPC Board of Trustees.
- 6.3 Copies of Rules revisions will be provided to SPC unit owners by the SPC Manager's office as soon as practical after approval.
- 6.4 All active Rules and Policies may be viewed at any time on the SPC web site under the Docking Reservations tab on the homepage They are also available at the SPC Office.