

## INTRODUCTION TO HARBOR RULES (2011 Draft)

The Harbor Master shall be responsible for the general supervision of the Grosse Pointe Shores Harbor. The Harbor Master shall be responsible for interpreting these rules. All vessels in the Harbor shall be operated in accordance with these rules and the directions given by the Harbor Master. All residents and their guests shall conduct themselves accordingly.

## GENERAL INFORMATION

The Harbor opens on April 15, and closes November 15, of each year. Between May 15 and September 15 a gate attendant will be on duty 24 hours/day. At midnight, the parking lot gates to Lake Shore Road will be locked and only opened to allow cars to exit.

The Grosse Pointe Shores Harbor has been certified as a “Clean Marina Michigan” facility. The following information and rules are designed to keep our harbor certified and thus improve the water quality of the Great Lakes. All boaters and their guests are requested to support the effort to employ these best management practices to keep our harbor clean.

All boats must be registered, operable as designed, and actively used. The Harbor is not to be used as a boat storage yard. Carts are available for transporting items to and from boats. Carts are not to be left on the dock or in the picnic areas and they must be returned immediately to the designated area by the gatehouse. A powered cart will be available during high usage times to move equipment and mobility challenged people to locations near their boat wells.

Grosse Pointe Shores well occupants and guests wishing to leave their automobiles in the parking lot while on overnight boat trips must notify the gate attendant and park their vehicle(s) along the Lake Shore Road fence.

Well occupants who have live aboard facilities (i.e., an enclosed sleeping area, galley, head, etc.) are allowed overnight stays, after notifying the Harbor Master and/or Gate Attendant and completing the appropriate form. The Harbor Master or Gate Attendant must be notified if the duration of the overnight stay changes. All overnight occupants must remain onboard the boat between 12:00 am and 5:00 am. No one under the age of 18 is permitted to spend the night on a boat without the presence of a parent or guardian. Noise must be kept to a minimum at all times.

Cooking shall be confined to the galley. Exterior portable gas/charcoal grills are prohibited on board or on the docks or walk ways. No open fires are allowed.

Pets are permitted on boats. While walking from the parking lot to the boat pets must be on a tight leash, or carried to and from boats. Pet owners are responsible for any clean-up and proper disposal that may be required as a result of the pets’ walk to or from boats. Visitors are welcome to use the pet walking park across the street, next to the City Hall.

Fishing is allowed outside the seawalls (not in the Harbor), with proper licenses, and it is required that all fish waste and bait waste be properly disposed of in trash receptacles.

## VESSEL OWNERSHIP AND RESIDENCE REQUIREMENTS

Subject to the last paragraph of this section, well permits will be issued to persons who are bona fide residents of Grosse Pointe Shores. The boat well permit applicant must have his/her residence in Grosse Pointe Shores. If the holder of a well permit ceases to be a resident, the permit automatically terminates (without refund). If a boat is jointly owned, one owner must be a bona fide resident of Grosse Pointe Shores. Boat wells cannot be registered in the name of a business.

Upon application for a boat well from a resident, the Harbor Master may find that a boat titled to a corporation is in fact under the custody, control and principle use of the resident. In such case the Harbor Master can attribute ownership of the boat to the resident.

Decisions of the Harbor Master with respect to residency attribution of ownership or questions involving the effective custody, control and the principal use of the boat in question are subject to review by the City Manager and, thereafter the Harbor Committee, but shall be modified only if conclusive documentation is produced.

If wells are available, an eligible resident may apply for a second well. Such a request will only be granted if there are no residents requesting a well for their first boat.

Where wells have not been reserved by February 20<sup>th</sup> of a given year, the City Manager may issue a notice that non-resident guests sponsored by residents may apply for permits for excess wells. Guest well occupants shall pay a rental fee pursuant to a schedule to be established by the City Council. Guest wells shall be issued on a first come, first served basis. Guest well occupants shall be subject to all rules applicable to resident well occupants except as modified below.

## WELL ASSIGNMENT AND FEES

Once an eligible resident is assigned a well, such resident retains the same well for consecutive seasons. However, the resident must reapply for the well each season and must comply with all Harbor rules.

If a current well occupant applies for a different well, such current well occupant will be given preference over a new applicant/resident. If two or more well occupants apply for an open well the well occupant that has resided in the Harbor the longest will be given preference. If two or more new applicant/residents apply for the same available well, the resident who has been a bona fide Grosse Pointe Shores resident the longest, will be given preference.

Second wells are not retained for consecutive seasons and must be reapplied for after all "first-well" applicants have been accommodated. Guest wells are likewise not retained for consecutive seasons, and may be obtained only after the City Manager issues a notice that guest wells are available.

All first well applicants, or those being retained for a consecutive season, must have applications and related documents on file and make the 1<sup>st</sup> installment payment of 50% of the well fee by February 15<sup>th</sup>. Failure to comply with the above requirements will cause the well in question to be considered available and offered to other residents. Payment in full must be received by April 15<sup>th</sup>.

Boats may be moored in the Harbor no earlier than April 15<sup>th</sup> and must be removed by November 15<sup>th</sup>. Wells must be occupied by June 1<sup>st</sup>. Request for extensions must be made in writing to the Harbor

Master prior to June 1<sup>st</sup>. Failure to occupy will be considered abandonment and the well will be reassigned. Request to occupy a well prior to April 15<sup>th</sup> or after November 15<sup>th</sup>, due to extenuating circumstances, must be made in writing to the Harbor Master and may be subject to additional fees.

For the 2011 boating season, boat well deposits, equal to 15% of the total well fee are non-refundable. Partial refunds of the well fee balance will be considered in unique situations. Only written refund requests will be considered and none after July 1<sup>st</sup>. In the event that a boat well occupant removes their boat midseason and the City is able to rent the well to another boater, the City will refund a pro-rated portion of the original well occupants fee minus a \$50 administrative processing fee.

First time well occupants assigned a well shall pay a one hundred fifty (\$150) dollar initiation fee.

Following a review by the City Manager and Harbor Committee, annual fees for wells are established and/or revised by the City Council based on the square foot area of the well space and other factors. A listing of current boat well fees is available at the Park Office and Administrative Office. A daily well fee will be charged for transient guest boat privileges.

No boat well may be occupied without a current permit and full payment of all well charges in advance. No permit shall be issued without a completed application, signed by the owner(s). Said application shall be accompanied by a copy of the current certificate of insurance showing liability and property damage insurance coverage on the craft for which the well space is requested. In addition, a copy of the current State of Michigan watercraft registration certificate or documented papers issued by the federal government must be submitted.

No boat well applicant may be under the age of eighteen (18). No applicant will be considered for re-application who is in material violation of the Harbor rules.

Applications for permits, in cases where no boat well of proper size is currently available, shall be placed on a waiting list by well size in the order in which they are received. When applications for a well contain the same date, the applicants with the longest (bona fide) residence in the City shall have precedence to the well. The waiting list is considered a public record and open to inspection during regular Park office hours.

Permits shall be issued, and boat wells assigned as they become available, to the person standing highest on the waiting list for a well of the size then available. If a permit for the coming season is offered to an applicant and the assigned well is of proper dimensions for the boat, the applicant shall be required to either accept same or be placed at the bottom of the waiting list. If the offer is made after April 1, the applicant may elect to be passed over and keep his place on the waiting list. Applicants on the waiting list may be asked at intervals to confirm their interest in a boat well. Any who fail to confirm within fourteen (14) days after the confirmation request shall be removed from the list.

Grosse Pointe Shores reserves the right to assign or re-assign boat wells as necessary for best and safe Harbor utilization. Grosse Pointe Shores does not guarantee availability of appropriate well space for boat size changes.

A well permit applies only to the boat and boat well specified in the permit. If there is a transfer of boat ownership, the permit is automatically terminated. The former well occupant may, by application, have the permit changed to cover another boat owned by him/her, which boat may not exceed the overall

dimensions specified for the particular well in question. Providing a well is available, He/She may be re-assigned a larger or smaller boat well.

Boats sold to non-residents must be removed from the Harbor within one week of the date of sale, unless the new owner becomes a resident sponsored guest within this period, as described above.

Payment of the season's charges shall be required prior to issuance (or renewal) of a permit. If full payment is not received within one week after its request, the boater's right shall be terminated. Incomplete applications, or failure to provide copies of a current certificate of insurance and State certificate of registration shall be grounds for cancellation. Boat well fees are non-refundable after June 1<sup>st</sup>.

By making a well application, the resident represents to the Harbor Master that he/she, as well as all operators, currently possesses sufficient boating operating skills and experience to handle the vessel within the confines of the Grosse Pointe Shores and Grosse Pointe Yacht Club Harbor without endangering either persons or property. If the Harbor Master determines that said resident does not possess such capabilities, the Harbor Master may take remedial action up to and including revocation of an existing well assignment.

## WELL USE AND HARBOR ETIQUETTE

Boats shall be maintained such that they are safe, seaworthy, equipped and meet all necessary approved U.S. Coast Guard safety regulations. Boats shall be moored properly and entirely within the confines of the assigned well with no equipment or attachments protruding onto the dock walkways or into the fairway obstructing free and safe movement of other vessels. All boats shall be operated in a safe and seaman like manner at all times.

The waters of the Grosse Pointe Shores Harbor shall not be fouled in any manner. No garbage, fish waste, oil, sludge, refuse matter, sewage or waste material of any kind shall be thrown, deposited or permitted to fall in the water, or upon the piers, docks or shore areas of the Harbor. Such waste material must be placed in the appropriate receptacles provided by the City.

No scow, inflatable, float, dingy or raft other than regular equipment carried aboard a boat for which a permit is issued, shall be brought into, operated, or moored in the Harbor.

The boat for which the permit is issued shall be used strictly for private recreational purposes and not for commercial purposes. Boats shall not be rented out or chartered using the Harbor as a base of operations. Signs, (including "For Sale" signs) placards or displays are not permitted on the outside of the boat, dock boxes, or walkways.

No boat shall be operated at a faster rate than idle speed in or about the Harbor. The "No Wake" law will be strictly enforced. Extreme care must be taken in the operation all boats to prevent danger to life or property. No unmuffled exhausts or unusual noise shall be permitted

at any time. Operation of boats by persons less than sixteen (16) years of age shall be governed by the provisions of the appropriate Michigan State safety provisions and guidelines as set forth in applicable City Ordinance or State Law.

The Director of Public Safety or an authorized member of the Public Safety Department shall have authority to inspect all boats moored at the Grosse Pointe Shores Harbor. The Department may make reasonable rules and regulations to protect City property and boats moored in the Harbor.

Dock boxes are provided at each well. They are for the convenience of the user of the well permit. They may not be painted, nor have any signs, names or insignia painted or affixed to the boxes. If the dock box is kept locked by the well occupant, it must be left unlocked at the end of the season.

All boat wells have been constructed with adequate fender boards, mooring line holders and cleats. If, due to the construction details on individual boats, additional rubbing strips are necessary, standard rubber strips compatible with the installed items will be provided at the boat owners' expense. No automobile tires, carpets, rubber hoses or other substitutes will be permitted. No modifications to the structure of the boat wells may be made without the approval of the Harbor Committee following written application for the proposed modification to the Harbor Master. Such application shall include a complete description of the proposed modification.

Boat owners are responsible for all vessel maintenance including, but not limited to, the covering and bailing of boats. In the event of sinking, the owner is responsible for raising the vessel within one week and all associated costs. After one week, the Harbor Master may raise the vessel at the owner's expense.

Wells must be maintained in a neat, clean, orderly and safe condition. Docks may not be obstructed by lines, hoses or any other gear. The cleaning of paint brushes on walks or docks is prohibited. Exterior or outside sanding, spraying of any paint or coating or any activity that could potentially adversely affect any other boat or the environment or would be more appropriately performed at a boat yard, is prohibited. All work on boats by outside labor, except emergency repairs, must be conducted between the hours of 8am and 4pm, Monday through Friday. All docks and walkways must be cleared of any equipment and tools by 4pm daily. Open flame tools are prohibited.

## ENTERING AND LEAVING THE HARBOR

Rules of the road provide that boats leaving the Harbor have the right of way over boats entering.

Boats underway within the Harbor must operate at idle speed producing "No Wake"! Boaters must watch for other boats pulling out or entering nearby wells or operating in the fairway.

Boaters are encouraged to use their VHF marine radio to contact the Grosse Pointe Yacht Club Harbor office to request the drawbridge be opened or to request service at the fuel dock. The GPYC Harbor office monitors channel 09. The reason for the use of the marine radio is to reduce noise.

If the boat is not equipped with a marine radio, the following horn signals are to be used. One blast when leaving the well (this is optional), two blasts for service at the GPYC fuel dock and three blasts to request opening of the bridge.

## FUELING AND PUMP OUT

No refueling of watercraft will be allowed in the Grosse Pointe Shores Harbor. This is in accordance with the National Fire Protection Association 302: "All pleasure and commercial motor craft shall be fueled at stations or other specifically designated remote locations." Only outboard gasoline containers (quick coupling connection) are allowed for outboard motors. N.F.P.A. 302 prohibits the fueling of boats equipped with inboard engines, in locations such as boat wells.

Grosse Pointe Shores well occupants are welcome to purchase gas or diesel fuel from the Grosse Pointe Yacht Club. The Grosse Pointe Yacht Club's sanitary pump-out facility is also available for use by Grosse Pointe Shores for a nominal fee. The GPYC accepts Visa, Master Card or Cash.

## PERSONAL WATERCRAFT

Personal watercraft (PWC) are permitted in Grosse Pointe Shores Harbor provided that proof of bona fide resident ownership and insurance is filed with Harbor Master. For an annual fee, PWC may be stored on floating dock pods in the area designated by the Harbor Master. Residents can apply to use one of the pods. The same rules for well assignments apply to the available pods, except that a pod is not considered a second well and can be retained for consecutive seasons. PWC owners will be responsible for all persons operating their PWC within the Harbor. PWC usage within the Harbor shall be limited to leaving and entering. Excessive travel or unsafe operation within the Harbor will result in the loss of the privilege to operate the vessel within the Harbor. It is prohibited to store PWC in the boat well unless the PWC is out of the water and sitting on the boat and not protruding beyond the well.

The Harbor Master and his staff reserve the right to reassign the location of any personal watercraft located anywhere within the Harbor for reasons related to Harbor utilization.

The owners of PWC are required to acquire a pamphlet titled Michigan Personal Watercraft Regulations published by the Michigan Department of Natural Resources (copies are available in the Park Office). It is the responsibility of each owner to make sure anyone who is operating or riding on the PWC has knowledge of the information contained in this publication and is entrusted to abide by all regulations and laws.

All Grosse Pointe Shores Harbor rules and regulations apply to PWC moored or operated in the Harbor as they do to all other vessels. The use of personal watercraft within the Harbor must be in compliance with Michigan State Law governing their operation. Owners of PWC are responsible to see that anyone operating the PWC is familiar with the operating characteristics of the watercraft before they are allowed to pilot the craft.

Aquatic Invasive species can be transported to the lake if not cleaned off prior to launching. If the PWC has been operated in other waters, cleaning off of potential invasive species is requested before launching.

## NON-MOTORIZED WATERCRAFT

Non-Motorized watercraft are permitted in the Grosse Pointe Shores Harbor provided that proof of resident ownership and insurance are filed with the Harbor Master. For an annual fee, Non-Motorized watercraft may be stored in dry storage racks (must fit within the dimension of the storage rack) and launched from a ramp in areas designated by the Harbor Master. The same rules for well assignments apply for Non-Motorized watercraft except that a designated rack storage location is not considered a second well and can be retained for consecutive seasons. Non-Motorized watercraft owners will be responsible for all persons operating their Non-Motorized watercraft within the Harbor. Non-Motorized watercraft usage in the Harbor shall be limited to leaving and entering. Excessive travel or unsafe operation within the Harbor will result in the loss of the privilege to operate the vessel within the Harbor.

Aquatic Invasive species can be transported to the lake if not cleaned off prior to launching. If the Non-Motorized watercraft has been operated in other waters, cleaning off of potential invasive species is requested before launching.

## ELECTRICAL POWER

Electrical outlets are provided at each boat well and may be used for fees as regulated by the City Council. Boats requiring electrical power must comply with the current National Electrical Code.

All wells that can accommodate a boat forty five (45) feet or larger will have metered electrical service. Fees for power usage will be billed periodically during the season.

## GUEST OR TRANSIENT WELL

For purpose of Harbor utilization, boat owners must notify the Harbor Master if the boat will be out of the Harbor for a period of five consecutive days or more. Departure and return dates must be provided. Boaters are responsible for notifying the Harbor Master if the return date changes from that originally given. This will insure that the well is available upon arrival. If a boat owner's well is assigned to a guest boat during a period of absence, the guest will be instructed not to use or adjust permanent dock lines or power cords which remain at the well during the boat's absence.

If the boat is assigned a well which has metered electrical services, the owner may request that a Harbor attendant read the meter upon departure and return so that the boat owner is not charged for electricity while out of the Harbor.

Guest boats remaining in the Harbor for a period between four (4) and twenty four (24) hours will be considered to have spent one day in the Harbor and a guest fee will be charged. The Harbor Master can be consulted for the current daily guest fee for the assigned well.

## FAMILY, GUESTS AND WORKERS

Immediate, non-resident family members (limited to parents, children, and grandchildren) of well occupants can apply for a "Family Boater" Harbor pass. This pass can only be used by the identified family member(s) to access the resident's boat in the Harbor. General use of the Park facilities is not permitted with this pass.

If guest(s)/crew are expected on board, the well occupant must accompany the guest(s)/crew into the Park or leave the names of all guests(s)/crew with the gate attendant and their expected time of arrival. The Park's gate attendant will complete a "Boat Guest" form registering the name of each guest.

A boat well permit entitles a well occupant to have a reasonable number of guests/crew on his/her boat, but does not extend Park privileges to the guests. Residents wishing to have their boat guest(s) enjoy the general Park facilities as well, shall have the appropriate punches made on their Park passes.

Well occupants must register the names of their hired workers (crews, boat maintenance personal, contract laborers, caregivers, etc.) with the Gate Attendant at the front gate. The reason for registering the workers is to authorize their admittance to the Harbor during the boating season and to do so expeditiously while maintaining the security of the Park and Harbor.

A Hired Worker's List form is available at the front gate. If there are regularly scheduled individuals who will need access to the Harbor, the well occupant must complete and return the form to the front gate or Park office at their earliest convenience. It is the well occupant's responsibility to update, change or delete those on the register on a timely basis.

Under extenuating circumstances the names of the guests described above may be called in. The well occupant is, at all times, and held responsible for the conduct of their guests and/or employees – guests shall leave when their resident host leaves the premises.

The City expressly reserves the right to refuse, revoke or cancel any boat well permit for non-observance or violation of any of the provisions and regulations herein listed.