

AEOLIAN YACHT CLUB

BERTH RULES AND PROCEDURES

1. Application for Berth:

Application and Approval - Members must submit a written request for consideration of berth assignment. A *Berth Application form* is to be completed and given to the Port Captain who is responsible for making berth assignments. The Port Captain shall maintain a *waiting list for berths* that will be posted in the Clubhouse. The applicant must meet with the Port Captain and discuss *Berthing Rules* before their vessel will be allowed to enter the harbor.

Members Only - Berths may be rented only to members of the Aeolian Yacht Club who are in good standing. All partners or joint owners of vessels berthed on the club property shall be qualified members.

Ownership Changes - Changing the ownership of a vessel which is moored in the harbor has special requirements. A member purchasing a vessel from another member must meet the requirements that would apply to a new vessel entering the Harbor. When a non-member purchases a vessel from a club member and wishes to berth that vessel at the club, they must apply for membership and be accepted by the club and wait the required length of time so stated in the *Berthing Rules*. The vessel must meet the requirement of any new vessel requesting a berth.

Live-aboards - Six (6) live-aboards will be permitted on a month to month basis in berths designated by the Port Captain. Candidates must be members in good standing for a one (1) year period and approved by the Board. See *Live-aboard Rules*

2. Documentation

Insurance - Vessels Berthed at the Aeolian Yacht Club must be insured. A minimum insurance policy with limits acceptable by the Board of Directors covering Liability is required. If a vessel fails to meet requirements for insurance a bond must be posted with limits to be defined by the Board of Directors, to cover any damage done by a member's vessel.

Current Documentation - All prospective berth tenants must sign a *berth agreement* and submit a copy and keep on file of the vessels current *registration or documentation*, copy of *insurance declaration page*, a current photo of the vessel and emergency contact number. In addition, the vessel must arrive under its own power and be inspected by the Port Captain before occupying a berth. All vessels berthed in the Aeolian Yacht Club harbor must have current *documentation or registration* at all times, unless exempted by the *California State Code 9873*.

Annual Seaworthiness – a copy of the *registration/documentation, insurance* and written confirmation of departure from the harbor, under their own power, shall be provided to the Port Captain at every annual renewal. All berthers must have on file an emergency contact number.

Abandonment Agreement - All members who berth at Aeolian Yacht Club must sign a *Disposal of Abandoned Vessel Agreement*. This agreement will be held in the club office until the vessel(s) leave the harbor. When evidence is shown that the vessel has been removed the agreement will be returned to the owner.

3. Measurements

Length Overall and Beam - The overall length including all permanent extensions from the bow to the furthest permanent extension from the stern shall determine a vessel's length. Beam shall be measured at the point of maximum width of the vessel.

Maximum Size - Club berthing is limited to vessels of overall maximum length of fifty (50) feet and a beam of fourteen (14) feet.

Berth Length and LOA - A vessels overall length shall not exceed berth length by more than four (4) feet, and no portion of the vessel shall extend over any portion of the main dock. Extension includes any extension fore or aft of the hull.

Berth Width and Beam - A vessels width at berth shall be at least twelve (12) inches narrower than the width of the berth. (If vessel will not fit the width requirements, consider a side-tie).

Vessels Per Berth - Two vessels may occupy one berth providing both vessels are owned by one membership and do not exceed berth length.

4. Fees:

Fees Per Foot - All fees are payable quarterly in advance. Whichever is greater, the vessels overall length or the berth length, the revenue – feet, shall determine the berthing fee.

Utilities - Club members assigned to berths or side-ties shall be charged a utility fee. See *Fees and Charges*.

5. Berth Vacancies:

Priority - When a berth vacancy occurs, first consideration shall be given to relocation of existing berth owners. The next member at the top of the new berth list may accept the vacant berth if the berth is as long as or longer than the member vessel. If the berth is more than four (4) feet longer, the member must relocate to a berth more suitable to the vessels length when such a berth becomes available.

Vessel Sale - When a vessel is sold, the sale must be reported to the Port Captain in writing on the day of the sale and shall be removed from the Club property forthwith.

Side Ties - Unless the new berth tenant requests a side tie, he is not required to accept one even though a side tie berth the size of his vessel is available.

Advance Notice - Members, when permanently vacating a berth, must give thirty days advanced notice to the Port Captain in writing.

Additional Berth - Each member is entitled to one berth, but may rent another berth temporarily when berths are available. When another member without a berth requests a berth, members with more than one berth must relinquish a berth to that member. A drawing will determine member's temporary berth to be vacated.

Vacation - A berth may not be vacated for more than one hundred twenty {120} days without written approval of the Board of Directors.

Departures - If a member expects to leave his berth for a period in excess of 72 hours, it is requested that you notify the Port Captain in writing. Provide the berth number and the expected period of time you will be out of the berth. This aids the club to locate visiting yachtsmen an available berth. Place the note in the Port Captain's box on the back porch.

Change of Vessel - A berth tenant who wishes to move a different boat into the berth they rent must follow the same procedures as a prospective berth tenant, as indicated in Rule 4 of the Berthing Rules.

Sub-Leasing - Sub-leasing of berths is not allowed. A berth tenant who wishes to allow another member the temporary use of his berth for no fee from the temporary tenant must have the approval of the Port Captain in writing and shall not exceed ninety (90) days. This applies to members only.

Commercial Vessels - A commercial vessel is defined as one that is licensed rigged or utilized as a commercial enterprise.

6. Maintenance and Negligence

Negligence - Members renting Club berths will be held responsible for damage to Club property due to the owner negligence in maintenance or in the operation and securing of their boats. A fee will be charged for work necessary to repair damage due to the owner negligence.

Emergency Repair- Berthing tenants are responsible for the integrity of their vessels. They will be billed for emergency work performed on their vessels in order to maintain them safe and/or afloat. All services will be billed to the owner.

Adequate Maintenance - Vessels inadequately maintained or unseaworthy may at the discretion of the Board of Directors be subject to relocation within the harbor or expulsion from the harbor. Port Captain shall post and maintain a list of all boats that have not left the harbor for a year or more.

Use of Docks - Fingers and catwalks shall be kept neat and clean. Storing fuel, gear or other materials in these spaces are prohibited. Boarding steps are permitted and uniform dock boxes approved by the Board of Directors may be installed at some berths with locations approved by the Port Captain in writing.

Sewage Discharge Prohibition - Dumping of holding tanks is illegal and not allowed in the harbor. Doing so may subject boat owner to *Berth Agreement* being rescinded.

Flammable Materials - Gasoline or other flammable materials must not be stored on the premises.

Club Tools - The use of power tools and hand tools is an activity that is inherently dangerous. The Aeolian Yacht Club requires all users of shops their heirs, and their assistants to assume all risk of the use of the workshops by signing a *General Release Form* prior to using the equipment.

Power Cords - Vessels berthed at the Aeolian Yacht Club may be connected to electric dock power. However, all power cords must conform to AYC standards. Power cords must be marine grade. The Maringo product line or equivalent meets this requirement. Conventional extension cords and lamp cords do not meet standards. Power cords must not enter vessel through open hatch where hatch cover rests on the cord.

One Outlet - Each berth tenant is entitled to utilize one and only one electrical outlet, which that berth is provided with. If there is a question as to which outlet is provided for that berth, the Port Captain shall make the decision.

Battery Chargers - Non-marine battery chargers cause electrolysis in the waters around other vessels, which causes damage to exposed metal parts. Marine Battery Chargers are the only chargers accepted by the Aeolian Yacht Club. Automobile Battery Chargers are not allowed.

Oil and Batteries - Members are responsible for discarding used oil and batteries to the proper facilities. Engine oil can be deposited in the 55 gallon recycle drum along with old batteries in the Shop Area.

7. Berth Guests:

Definition - Berth Guests are defined as: Aeolian Yacht Club members who do not use Club berthing, or other yacht club members whose clubs share reciprocal privileges with the Aeolian Yacht Club.

Guest Berths - Guest berths may be used up to 72 hours without a fee. The Port captain can grant extensions up to fourteen (14) days at a fee of \$20 dollars per day. A minimum of (3) three days advanced payment is required. Over payments will be refunded and fees owed will be billed to vessel owner.

Guest Form - Berth Guests are required to fill out *Berth Guest Form* if planning to stay more than 72 hours. Present Berth Guest form to Port Captain for approval. This does not apply to Club Cruise-ins.

Permission - If a member cannot be present, a family member, guest, or workman must have the member's written permission to enter club property and/or visit, use or work on the member's boat. The member must give prior notice to the Port Captain of said visit.

8. Club Boats:

Club Powerboats - Powerboats owned by the club are for club use and are not intended for recreation. They are intended for services such as moving vessels within the harbor, guiding other clubs cruising into the club through the adjacent channels and providing rescue service for boating accidents that may occur in the waters near the club.

Club Sailboats – The Club maintains a fleet of small sailboats in the 8 to 10 foot range. They are intended for recreation and training club members in the art of sailing. Adults of minor children using these boats shall provide the Port Captain with a release and waiver of all liability and indemnity agreement to operate them. Copies will be kept on file in office. They shall only operate them under the supervision of an adult experienced in their use. Life vests must be worn by all at all times.

9. Storage:

Gear Storage - Small boats, bicycles, spars, engines, boat parts or other gear must not be left on floats, fingers, storage areas or surrounding club property. Items left on club property require a storage fee determined by the Port Captain. See *Parking and Fees & Charges, Motorcycle & Bicycle Dry Storage Policies*.

Small Boat Storage - Storing and/or hanging small boats on the premises are under the direct control of the Port Captain.

Fees - Fees will be charged for, motorcycles, motors and shed storage and may include small items left on club property as per direction of the Port Captain. Items must be identified with member's name. Report all items to Port Captain. Personal items shall not be stored in Club Use Only lockers.

Lockers - Permission to occupy or transfer lockers must be granted by the Port Captain.

Citation - Violations of *Berth Rules and Procedures* can be cited pursuant to *By-Laws* Article XIII Section 5.

Berth Rules and Procedures 03.13.17

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