

BAY ARISTOCRAT VILLAGE
BOAT, BOAT TRAILER AND BOAT STORAGE
POLICY

Adopted: Oct. 12, 2016

1.1 - INTRODUCTION

Bay Aristocrat Village (BAV) promotes itself as a boating community, this along with many other amenities that are offered within the facility.

The general intention of the BAV Board of Directors (herein after called the Board) is that Residents who wish to store and maintain watercraft at BAV shall be able to do so. However, Residents must understand that in addressing the various needs and expectations of the Residents, boat and trailer storage areas may be limited.

1.2 - OVERVIEW

Residents of BAV are allowed to store one (1) boat, one (1) boat trailer and other watercraft (herein collectively and individually as watercraft) in designated areas, subject to the conditions listed in subsequent sections of this document.

Storage is available on a first come first served basis, depending on the size of the boat/trailer. BAV Management will assign spaces in conjunction with a Board Member.

Watercraft may be stored behind a Resident's waterfront home on an approved lift. Watercraft are not allowed to berth in the water alongside the seawalls. Trailer storage is allowed only in BAV approved areas.

There is a loading/unloading ramp located on the north side of the park, along with a boat washing area.

1.3 - DEFINITIONS

- (a) All watercraft are allowed provided the length does not exceed Class 1 (26 feet).
- (b) For BAV purposes Watercraft storage means:
 - (1) Dry berth – Watercraft stored in designated areas
 - (2) Wet berth – Not allow on BAV premises.
- (c) The BAV Manager refers to the Board or any other person designated by the Board to address their function.

1.4 - GENERAL

- (a) Watercraft must be in working order, or being actively readied for use.
- (b). Watercraft not in working order must be removed from B.A.V at the residents expense, upon receiving written notice from the Manager.
- (c) Residents are required to keep their watercraft in neat condition as well as the area surrounding their watercraft. Failure to do so will result in forfeiture of the assigned storage space.
- (d) In order to prevent damage to asphalt surfaces in the storage areas, a suitable support plate or devise must be placed under the trailer hitch with a crank up mechanism.
- (e) Trailers which do not accompany the approved watercraft are not allowed in any of the storage areas.
- (f) Boaters are encouraged to not purchase a boat trailer if permanently docking their watercraft at the Resident owned lift.
- (g) Watercraft stored at BAV are at the entire risk of the Resident. The boat owner is entirely responsible for any claim, injury, damage or penalty arising from the storage of watercraft at BAV.
- (h) Should a Resident possess a watercraft storage allocation and should the Resident wish to accommodate a "Renter", said Renter can only utilize the allocation if the Resident vacates the storage allocation. The Resident is responsible to formulate the arrangement and specify such information to the Manager.

1.5 APPLICATION - Manager PRIOR to using B.A.V. storage.

- (a) Residents must apply for watercraft storage through the B.A.V. Manager.
- (b) Watercraft must be owned by the B.A.V. resident.
- (c) Ownership documentation reflecting the length of the watercraft must be delivered to the B.A.V. prior to bringing the watercraft onto the BAV property.

1.6 - BOAT SECURITY

- (a) Watercraft storage is entirely the responsibility of the B.A.V. resident and the resident **will be required** to indemnify B.A.V. of any responsibility. Resident shall indemnify and hold harmless B.A.V. and all its agents, contractors, representatives, employees, and residents from and against all claims, damages, losses and expenses, including attorney's fees, arising out of or resulting from any performance or obligation under this Boat, Boat Trailer and Boat Storage Policy, or the

use of any boat on B.A.V. property, within the B.A.V. community, or surrounding waters.

In any and all claims against B.A.V., or any of the agents, contractors, representatives, employees, or residents of B.A.V., anyone directly or indirectly employed by B.A.V. or anyone for whose acts it may be liable, the indemnification obligation under this paragraph shall not be limited in any way by any limitation on the amount or type of damages, compensation, or benefits payable by or for the B.A.V. under workmen's compensation act, disability benefit acts, other employee benefit acts, or any other law. To the extent any such indemnity involves fault of B.A.V. or its agents, contractors, representatives, employees, and residents, the limit of such indemnity is \$5,000,000.00.

(b) All trailers must be clearly marked with the lot number of the resident. Boats in dry- berth must display a B.A.V. decal.

(c) If the trailer hitch is locked a duplicate key to the lock must be delivered to the BAV office, within twenty-four (24) hours of placing the trailer in the storage area.

1.7 DAVITS

(a) Davits are permitted only on seawalls in areas where the seawall was rebuilt in early 1995.

(b) Davits attached to the seawall **will no longer be allowed**, except in (a) above

(c) Seawalls were not built to accommodate attachments of any kind including davits, docks and lifts.

(d) Davits may be installed only on approved docks provided 1.8(b) herein is not violated.

1.8 PRIVATE DOCKS & PILINGS

(a) Residents may install docks or pilings provided they receive approval from the Manager to apply to the City of Clearwater for permission to build in the waterway.

(b) A dock, lift, davits and any piling must not extend laterally beyond the width of the residence, and more then $\frac{1}{4}$ (one quarter) of the width of the channel at that point into the waterway.

(c) The dock must be centered on the property and at an angle extending into the channel.

(d) No docks parallel to the seawall will be approved.

(e) The entire structure, dock and lift including the length and width of the watercraft may not exceed the length of the property. Under no circumstances shall a watercraft extend onto the property of another resident.

(f) Safety and maintenance of private docs, davits and pilings, are the responsibility of the resident.

1.9 SUMMARY

The Board of Directors have adopted these polices which relate to BAV requirements for the boating facilities within our community. They are reasonable and necessary, not only for the boaters in our community, but for the well being of all residents. All Residents should be prepared to accommodate their various interests and to work together to make BAV the place we want it to be.

President: *Fred S. Seagrave*

Vice Pres: *Peter M. Halley*

Secretary: *Ganet Alston*

Treasurer: *Thomas S. Russell*

Director: *Dwayne Scott*

Date Approved: *10.12.16*