

WATERGATE IMPROVEMENT ASSOCIATION

PIER POLICY & REGULATIONS

(As revised, effective March 1, 2007)

Section 1 Authority

These regulations are established under the authority of Article VI Section 2(a) of the By-Laws of the Watergate Improvement Association (WIA). In order to qualify as a "Waterfront Community," the builder of Watergate was required by Anne Arundel County to provide pier facilities for a specified percentage of the lots not having their own piers. The Fishing Creek recreation area was zoned a Class MM Marina area by the County. A 260' pier was constructed having 34 slips and 2 transient berths. This pier was replaced in 2004 with 26 larger slips and 2 transient berths. Many of the slips are in relatively shallow water and are suitable only for small craft, such as outboards and centerboard sailboats. Mean water depth at the end of the pier is approximately five feet. Because of an existing bar between the pier and the U.S. Government maintained channel in Fishing Creek, a maximum draft of four feet is recommended for boats at the pier. The WIA does not have an operational boat ramp.

Section 2 General

The WIA pier facility and recreation park are the community property of the residents and are intended for the recreational use of members. Boat slips and boat racks for canoes/kayaks may be assigned, as available, for the berthing of boats owned by members or their tenants only.

Section 3 Policies

A. Eligibility

1. Use of the boat slips and ancillary services (water, power, etc) is restricted to paid-up members of the pier facility, families, and their guests.
2. All residents of the Watergate Community are authorized to use the pier, provided that they abide by all the regulations herein.

B. Safety & Prohibitions

1. The pier shall not be used for commercial activities. Chartering is not permitted.
2. No boat trailers or boats on trailers may be parked in the Watergate Recreation Area.
3. Unattended space heaters may not be used on boats at the pier.
4. No vehicles, bicycles, or skates may be ridden on the pier.
5. Boats will be boarded only with permission of the owner except in an emergency, and then boarding shall be promptly reported to the owner.
6. The conduct and safety of minors and the use of the pier and of boats in the pier area is the responsibility and liability of the parents and host member.
7. Crabbing and fishing are permitted from the pier, consistent with County, State, and Federal laws and Regulations. Those doing so shall not board boats and are required to clean up any resulting mess.

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8. Swimming and diving are not allowed from the pier.
9. Users of the pier shall not interfere with free passage on and use of the pier by others and must have due regard for boats maneuvering and boating safety, such as not fouling boats, lines, or propellers or leaving fish hooks on lines, boarding of boats, etc. Non-swimming minors must be accompanied by a swimmer.
10. Pets are not allowed on the pier unless under leash and control of a member.
11. All accidents, damage to pier, facilities, utilities, or boats or impending hazards will be immediately reported to the Pier Chair.

Section 4 Assessments and Fees

A. Initial Assessment

Any member in good standing of the WIA may become a member of the “Watergate Pier Committee” upon payment of a one-time initiation fee and payment of annual slip fees as set by the WIA Board. Said payment shall be required before a slip assignment will be made. If a member who ceased to have a boat at the pier subsequently acquires another boat and pays annual slip fees, the member does not need to pay a second initiation fee. The initiation fees will go into the Pier Replacement Reserve Account.

B. Other Annual Fees

1. The Pier Committee recommends fees to the WIA Board each year.
2. Annual slip fees are per foot of boat length.
3. Annual electric cost is a flat fee for electrical usage per slip to pay for electricity used on the pier. This is mostly for the de-icing bubbler system to protect the pier from ice damage, and for pier lighting.
4. Water and electric usage costs are included in the slip fees.
5. Annual boat rack storage fees are per boat.
6. A limited number of small boats that are too large to fit in the boat racks may be kept on the ground between the pier and the property fence line southeast (right) of the pier upon approval of the Pier Chair. Fees are per foot of boat length. Sails and accessories must be taken home.
7. Annual fees are due in January and are for the full calendar year. Refunds for partial year usage will be made when a member disposes of their boat or sells their property in Watergate. For new members, assessments will be prorated to the percentage of the year remaining. In cases of prorated refunds, the refund shall be determined on the basis of unused months for the period April 1 through October 31.
8. Annual fees will go into the Pier Operation Fund.

Section 5 Pier Operations

A. Assignment of Boat Slips

Any lot owner in the Watergate Community who is in good standing with the Watergate Improvement Association may request in writing to the Pier Chair, the assignment of a slip for a personally owned boat or a boat owned by their tenant. Such requests must include the length, beam, and draft of the intended boat, date of desired occupancy, proof of ownership, liability insurance and any other pertinent details. Proof of ownership shall be Federal documentation, State registration, or title. A bill of sale will be accepted as interim proof pending receipt of one of the three acceptable final proofs listed above. Prior to being assigned a slip, the member shall provide proof of adequate liability insurance to protect Watergate, other members, and the Watergate Pier from damage caused by a member's boat. If a suitable slip is available, it shall be assigned by the Pier Chair; if not, the member's name shall be placed on the waiting list. As slips become available, they shall be assigned to members on the waiting list in accordance with the principles outlined below. The Chair will refer contested assignments to the Pier Committee for resolution.

1. Each member family or tenant (i.e. rental or lease tenant) in Watergate is eligible to be assigned a boat slip, provided that:
 - a. The family owns a boat, or is in the process of acquiring a boat as covered in Paragraphs 6 and 7 below.
 - b. In the case of a rented house, either the owner or the tenant is eligible, depending upon availability. If demand warrants, only one boat per household, either owner or renter is eligible, and the owner has their choice.
2. Slip assignments shall be made by the Pier Chair. The prime considerations governing slip assignments shall be:
 - a. The suitability of the slip for the boat, including adequate navigation room past the slip for other boats.
 - b. The desirability of minimizing changes in slip assignments.
 - c. The seniority of members concerned, as determined by the date from which the member is recorded as having continuously paid slip fees.
3. Slips shall be assigned to members and not to boats, houses, or lots. Slip assignments are not transferable by members upon sale, lease, or other disposition of their boats or property. The Pier Chair shall make assignments.
4. No member shall have a permanent right to a particular slip.
5. Once assigned a slip, a member is assured of the continued assignment of a slip, though not necessarily the same slip, so long as the member retains a boat of the same size or smaller, and provided that such boat is maintained both physically and mechanically as would be expected of a boat to be used for recreational purposes on a regular basis. If a member acquires a boat that is too large for their assigned slip, the procedures governing initial assignment of a slip shall apply. If a member acquires a much smaller boat, they may be assigned another slip more compatible with the boat. If a member does not maintain their boat in a reasonable, safe and seaworthy condition, consistent with other member's boats, as determined by the Pier

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Committee, the Pier Chair shall inform the member in writing, and the member shall have 30 days to correct the problem.

6. An eligible member who does not yet own a boat but is about to acquire one may be assigned a slip, if available, not more than three months before acquiring the boat. If a boat is not acquired within that time, the slip may be reassigned. Further, during the time the slip remains unused, the Pier Chair may temporarily assign it to another member.
7. If a member who is assigned a slip sells or disposes of his boat, but intends to acquire a replacement boat, they may retain the slip unused for a maximum of three months from the date of disposition. If a new boat is not acquired within that time, the slip may be reassigned. During the time the slip is unused, the Pier Chair may temporarily assign it to another member. A member who sells or disposes of their boat shall promptly inform the Pier Chair of that fact, and of the date of such sale or disposition. Failure to so inform the Pier Chair shall be sufficient reason for reassignment of the member's slip by the Pier Chair.
8. Each member is entitled to no more than one boat slip. However, the Pier Chair may assign an additional slip to members having more than one boat, providing such assignments are subject to change or cancellation whenever the slip is required to fulfill a request of another member.
9. Guidelines for Reassignment of Slips
 - a. Slips may be reassigned if a boat is undersized for the slip occupied and the slip is required for a larger and/or deeper draft boat.
 - b. No one will be required to move to another slip unless the new slip is adequate for the boat.
 - c. Where possible, sailboats will not be assigned to adjacent slips, to minimize potential tangling of rigging.
10. Slip assignments will be subject to cancellation under the following conditions:
 - a. Member is behind in their dues or fees to WIA and/or the Pier Committee.
 - b. Member sells their Watergate property. The new owner must apply for a slip in accordance with the provisions of these regulations.
 - c. The Pier Committee determines the boat is derelict or unsafe.
11. Appeal of any decision of the Pier Chair or Pier Committee may be made to the WIA Board.

B. Use of the Pier

1. The Pier facilities are for the use of the members and their guests, for their private recreation, but not for commercial ventures. Chartering is not permitted.
2. With the approval of the Pier Chair, guests of members may berth their boats in unused slips for short periods, provided that no member is deprived or inconvenienced thereby, and provided that such slips shall be vacated immediately when required. Transients are required to comply with all provisions of the Pier Policy & Regulations. Members may not sub-rent their slips.
3. With the approval of the Pier Chair, members may make improvements to their assigned slips at their own expense (i.e. finger piers, de-icer systems, etc.) exclusive of enclosures of a permanent nature, or boat lifts, provided such improvements in no way obstruct the piers or slips. Such

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improvements shall not establish any permanent claim on the slip for the member; however, and upon vacating the slip, the Pier Chair may require such improvements be removed by the member.

4. Members of the Pier Committee have traditionally looked after each others boats while at the pier. Such action, while not required, is encouraged by the Pier Committee and WIA. The action may range from notifying the member or the Pier Chair of an existing or potential problem, to taking on-the-spot action to eliminate or mitigate the problem. When such action is taken, it is considered to be taken at the Pier Committee's and on the Pier Committee's behalf. The member taking such action shall promptly notify the boat's owner.

5. Members are responsible for the proper securing of their boats within the assigned slip. Mooring lines of sufficient size and strength, properly tied and protected by chafing gear, shall be used at all times to preclude breakaways and subsequent damage to the pier and other boats.

6. Any boat which is abandoned, or sunk in the pier area shall be removed by the boat owner within 14 days, or the Pier Chair may contract to have the boat salvaged, re-floated, and/or removed at the owner's expense and risk.

7. In all cases where the Pier Chair is unavailable, the vice-Chair may take similar action, except assignment of regular pier slips.

C. Maintenance

1. The Pier Chair will decide whether any required maintenance will be done by members or by contract.

2. Fifty percent (50%) of Pier Operation funds remaining at the end of the year will be transferred into the Pier Replacement Reserve Account.

ATTACHMENT 1

2007 Fees: Initiation Fees are \$400.00. Annual slip fees are \$15.00 per foot. Annual Electric costs are \$15.00 per slip. Annual boat rack storage fees are \$10.00 per boat. Small boat fees are \$2.00 per foot.

Pier Slip Assignments as of January 2007

#2 15' x 40' Collison	#1 14' x 40' Bauman
#4 14' x 40' O'Brien	#3 14' x 40' Thomas
#6 14' x 40' Vacant	#5 14' x 40' Adams/O'Brien
#8 14' x 40' O'Dea	#7 14' x 40' Vacant
#10 12' x 40' Vacant	#9 12' x 40' Lincoln
#12 12' x 40' Vacant	#11 12' x 40' Egan
#14 10' x 30' Vacant	#13 10' x 30' Vacant
#16 10' x 30' Griffin	#15 10' x 30' Vacant
#18 10' x 30' Cerniglia	#17 10' x 30' Vacant
#20 10' x 30' Murphy	#19 10' x 30' Vacant
	#21 10' x 30' Vacant
	#23 10' x 30' Vacant
	#25 10' x 30' Vacant
	#27 10' x 30' Vacant
	#29 10' x 30' Vacant
	#31 10' x 30' Vacant

The slips on the west side where numbers 22, 24, 26, 28, and 30 would be have no pilings further out in the water to tie off. This is due to shallow depth and proximity to the beach. These are directly across from the odd number slips on the east side, with deeper water.