



## **RULES AND REGULATIONS**

Revised in 2016

In order to provide for congenial occupancy of the Condominium and for protection of the value of the Units, the use of the Condominium property shall be subject to the following Rules and Regulations.

These Rules and Regulations shall apply to each owner, tenant, and their families and guests.

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## SWIMMING POOL AND BATHHOUSE RULES

1. No diving at any time - entire pool is shallow.
2. No lifeguard is present – Each individual swimmer assumes individual risk.
3. Use of the pool and other recreational facilities will be regulated by posted rules and hours. Their use is limited to Harbor Landing owners, their guests and renters only. The pool is under 24-hour surveillance. Use of the recreational facilities may occasionally be limited or altered as determined by the Board.

Pool Hours are Dawn to 11:00 PM. The Board retains the right to change hours from time to time for specific occasions. Please start preparing to exit the pool a few minutes before 11:00 PM to ensure quiet by 11 PM...the residents of nearby slips deserve to have their sleep hours protected.

Bathhouse Hours are around the clock. Please respect the needs of those owners who have slips in close proximity by keeping noise levels down at all times, especially after 10 PM and before 8 AM.

4. Babies in diapers are not permitted in pool unless in totally waterproof pants or swimming diapers. Please instruct young children to use toilet facilities before and frequently during use of the pool.
5. Walk at all times - horseplay is not allowed. Wet feet, obstructions, and hard concrete pool deck surface combinations make for severe injury. No throwing of articles.
6. Children must be supervised by an adult designated by the parent/guardian at all times. This is to help ensure control of behavior that may disturb others, but more importantly to prevent injury. Please care enough about these children to ASK them if a parent or responsible older person is present with them if you suspect they are alone. If you find that a child is unsupervised, please notify management immediately. The young child will be asked to exit the water and the responsible adult will be contacted. A young child is not only in jeopardy in the pool but when running about piers and seawalls on the way to and from the pool.
7. Pool contamination beyond Health Department Regulations requiring extraordinary response shall be the financial responsibility of the parties involved regardless if guest, renter or owner.
8. Pool toy restriction – The pool is available for all to use. Please restrict the size of inflatable rafts, etc. as to not impede on the pool use of others. Floats designed for use in lakes or to be pulled behind watercraft are not allowed in the pool. Any floating device or pool toy must be removed once the person leaves the pool area.

## **SWIMMING POOL AND BATHHOUSE RULES (continued)**

9. Pets are not allowed within the pool enclosure or in the bathhouse building.
10. No pool deck furniture is to be removed or reserved.
11. Please use only sun lotions, not suntan oils. The oils cause difficult pool water and deck furniture-cleaning problems.
12. Please clean up after yourselves – stack or realign chairs, wipe off any lotions on furniture, dispose of trash appropriately and put cigarette butts into special receptacles. Do likewise within the bathhouse.
13. Please avoid loud noise. Remember that your neighbors live in close quarters here, in both land and boat slips and that sound travels well over water. Please be considerate.
14. To accommodate state health laws...  
  
No glass containers within pool enclosure. No drinks unless in unbreakable containers.  
  
No electrical appliances within pool enclosure. Battery operated radios are permitted only with headsets.  
  
Shower before entering pool. Swimmers with long hair are required to secure hair or wear caps while in pool.  
  
Anyone with infectious disease, excessive sunburn, open sores, or bandages shall not enter pool.
15. The Board, as result of repeated infraction of any of these rules, may prevent use of the pool to the offender and his guests for as long as the entire summer season.
16. The shower and washroom facilities are for the sole use of the owners, renters, and their families and guests. We ask for your cooperation in keeping them clean and orderly. These facilities are not to be used for storage.
17. No smoking or loitering is allowed in the bathhouse.
18. The Board and the Association are not responsible for injury or death.
19. Remember that the recreational facilities are for the mutual enjoyment of all slip owners, their family and guests. Slip owners are responsible for the actions of their family, other guests and renters.
20. Use of the pool area for any parties must have Board approval.

## BOAT USE RULES

1. All vessels mooring at Harbor Landing must be seaworthy and fully sound, In compliance with all State and Federal safety regulations, and capable of getting underway within one (1) hour after notice.
2. The “Rules of the Road” and navigation laws of the United States shall apply to all vessels operating in Harbor Landing.
3. Only one (1) vessel may be moored in a slip unless by written permission of the Board. If granted, the practice permitted has been a total of one boat and one dinghy or Jet Ski, with dinghy/jet ski moored crosswise to bow or stern of boat, not broadside, still with no overhang beyond end of pier and no impingement upon neighbor’s property.
4. No vessel may overhang its mooring space beyond the end of pier without written approval by the Board. Approval by the Board shall not constitute approval by any other governmental or regulatory agency. This includes swim platforms, engines, rails, anchors, swim ladders, dinghies, etc.
5. No vessel may back into (stern in) any slip along the seawalls. This is to prevent sand washout along the seawalls.
6. All vessels moored in Harbor Landing shall carry insurance coverage for liability, fire and other perils and shall provide proof of same upon request of the Board.

Neither the Management, nor the Association shall be responsible for loss or damage to vessels in Harbor Landing. Each owner is responsible for damage to other boats and for damage to any common areas, such as decks, piers and pilings as a result of any actions of his vessel.

7. In order to maintain proper security procedures and to prevent unauthorized use of the slips, each slip owner must furnish the manager a completed “Harbor Landing Slip Registration” form each year.

If you wish to authorize the use of your slip to someone else temporarily, this same information about the visiting vessel must also be provided to management, plus information about the time period this visiting vessel is authorized to use your slip. Any unauthorized vessel may be refused access to the slip.

8. All vessels shall be secured in a seaman-like manner or shall be removed from Harbor Landing or as an alternative, following notification to the owner; the Manager may correctly moor the vessel and charge a fee.
9. All vessel exteriors shall be kept in a clean and orderly appearance.

## **BOAT USE RULES (continued)**

10. No laundering or drying of laundry is permitted on deck or rigging or any vessel.
11. Routine maintenance may be done at mooring spaces, but major work such as shaft pulling, engine removal, or any action that might induce irreversible flooding, or any major topside conversion work is not permitted within Harbor Landing boundaries.
12. Any vessel in danger of sinking is to be immediately removed from Harbor Landing. Any vessel that sinks in Harbor Landing shall be immediately removed by the owner. If the owner is not immediately available, the vessel shall be removed at the owner's expense.
13. No unit in the condominium may be used for anything other than recreational boating purposes. The Harbor Landing property shall be used only for purposes consistent with such use.
14. The dock between slips is for the use of the vessels occupants on each side, therefore placement of private attachments should be governed accordingly. In no case may an attachment block or restrict access to another vessel.
15. Lifts, hoists, ladders, and floating platforms are permitted, but there are restrictions on their placement and construction. Lift or canopies that extend or protrude above existing piers are not allowed. Prior approval by the Board of Directors is required for these items. Contact the management company for details. Wooden floating platforms are not permitted.
16. Open fires or charcoal grills are not to be used on any vessel or pier or on any wooden surface within Harbor Landing. Gas/propane grills only are permitted.
17. Only the slip owners and those he has authorized in writing to the Manager may use the electricity, water and telephone services in the limited common area of his own slip.
18. All shore power connectors and cords for any vessel shall be properly sized to be equal to or in excess of the required need for the vessel and are at the owner's expense. Additionally, power cords or water hoses shall not cross any walkways.
19. No refuse is to be thrown overboard. All garbage is to be securely wrapped and disposed of at designated Harbor Landing dumpster areas.

## **BOAT USE RULES (continued)**

20. No pollutants – oil, spirits, paints, inflammables and the like are not to be discharged into Harbor Landing waters. If you should see an unusual amount of oil or gas leaking from any boat, please report it immediately to the boat owner if available or to the Association manager.
21. No cleaning of fish is allowed on any limited common element (as slip deck or pier) or upon any general common element (as sidewalks). Please help keep our harbor water clean and fresh smelling.
22. No fishing is permitted from any pier, dock or any common element within Harbor Landing.
23. No swimming is permitted within the harbor or anywhere up river within City limits (about  $\frac{3}{4}$  mile). This is per City Ordinance and subject to fine.
24. The no wake speed limit requirement is per City Ordinance, therefore subject to ticket and fine, is 5 MPH. This must be observed at all times and placed within the harbor from City limit up river (about  $\frac{3}{4}$  mile) throughout entire harbor and until beyond breakwater buoys. This is for the safety of all and to prevent damage to boats, piers and shore banks.
25. No advertising or soliciting (e.g. For Rent or For Charter) is permitted on any vessel, pier or dock within Harbor Landing property. Manufactured signs no larger than 17 "x 11" are allowed as "For Sale" to be hung on or displayed on a vessel only - not permissible on a pier or dock.
26. A phone call, fax or email needs to be received at the management office prior to an unaccompanied guest (not renter) is occupying a Slip. The owner must state who will be staying in the Slip in their absence. Prior to occupancy, the slip owner shall furnish the management company with the name of the vessel, overall length of the vessel, name of the owner, and the authorized period that another vessel is permitted to occupy the owner's slip. Any vessel to which the management company has not been furnished such information may be refused access to the slip, or be granted moorage at current transient rates, either in the owner's slip or elsewhere as the management company may determine.
27. All persons shall regulate noise levels so that occupants of nearby slips will not be disturbed. This includes the ceasing of all onboard generators between the hours of 10 PM and 8 AM. Unnecessary noise shall be avoided at all times. Anyone who has been around the water knows that even a whisper will carry loudly across water.
28. All new owners, renters, and other occupants moving into or out of the property are required to notify the management company.

## **BOAT USE RULES (continued)**

29. No fueling/refueling is allowed on any moored vessel in Harbor Landing. If an owner is caught fueling/refueling the penalties are as follows: 1st offense written warning, 2nd offense \$250.00 fine and 3rd offense \$500.00 fine.
30. In case of fire, call 911.

## **PET RULES**

1. Domesticated household pets properly licensed by law are permitted.
2. To have more than two pets per slip, apply in writing to the Board.
3. Pets are not to be allowed to run free upon Harbor Landing property at any time. When not on owner's vessel, all pets must be on a leash and under control at all times. This is per City Ordinance and subject to fine.
4. Please attempt to control animal noise so as not to become a nuisance to your neighbors.
5. Please potty animals only at designated areas. Each owner is responsible to immediately remove and clean up any mess created by their pet in any portion of the limited or general common elements.
6. The Board reserves the right to approve all pets. The Board of Directors also has the right to deny certain dangerous dog breeds as listed by the Association insurance policy carrier.
7. Pets are not allowed in pool area or bathhouse.
8. Pet owners should also see the additional restrictions listed in Article VI of the Condominium by-laws.

## **SATELLITE/CABLE/ TELEVISION RULES**

1. No external antennas of any kind may be applied to any slip. This includes satellite dishes.

## **KEYCARD/FOB RULES**

1. Keycards/fobs: Each slip owner was originally issued (3) three keycard/fobs or a combination thereof, at no cost to the owner when the new IEI reader system was placed in service in 2013. Owner keycards/fobs do not expire annually and remain active indefinitely. Keycard/fob will be de-activated if an owner's account becomes delinquent.
2. Replacement keycards/fobs for owners are \$75.00 per card (price subject to change).
3. Slip owners may purchase up to two (2) additional proxy cards/fobs for a convenience fee of \$75.00 each (price subject to change).
4. Keycards only (no fobs) will also be available to vendors for a convenience fee of \$100.00 per keycard (price subject to change). A total of two keycards are allowed per vendor. Keycards are good for one year only. Vendors must have a current vendor registration form and proof of insurance on file before a keycard may be purchased.
5. Non-routine vendors may obtain a "day pass" from the management office to obtain access to the property. Proof of insurance is required to obtain this pass. A "day pass" is available to vendors performing work on a one-time basis for an owner. If non-routine vendor secures additional work necessitating more than one visit to Harbor Landing throughout the year, vendor is required to purchase an annual vendor card at a cost of \$100.00 per card. (Maximum of two cards)

## **GUESTS and RENTAL RULES**

1. All guests and renters using Harbor Landing property are expected to comply with these same Rules and Regulations. It is the responsibility of the slip owner to so educate them of the same.
2. Before any tenant shall be allowed to occupy a leased slip, a completed "Harbor Landing Registration Form" must be furnished to the management company and all fees must be current.
3. Each owner is responsible for any damages or costs to the Association resulting from negligent damage or misuse of any of the common elements (including pool and bathhouse) caused by his guests or renters.
4. The Board reserves the right to refuse occupancy or use of any facility by guest or renter of a slip if repeated violations of the Rules and Regulations or Condominium Bylaws occurs. This may also occur if the owner is behind in payment of his Association assessment dues.
5. Please report any suspicious individuals immediately to the manager.
6. No "For Rent" signs may be displayed anywhere on Harbor Landing property.

## **COMMON ELEMENT USE RULES**

Sidewalks, landscaped areas, driveways, and parking areas shall not be obstructed in any way, nor used for purposes other than that which they are reasonably and obviously intended. No bicycles, vehicles, chairs or benches may be left unattended on or about the common elements.

1. The common elements, general and limited (that adjoining our Slips) shall not be used for storage of supplies, materials, personal property, or refuse of any kind, except as provided by these Rules and Regulations.
2. Parking on the common area sidewalk or affixing/securing bicycles or motorized scooters to the light fixtures in Harbor Landing is not allowed. Please park these vehicles in the bike rack provided.
3. All paint and any flammable substances are to be properly stored in your dock box.
4. All dock boxes are to be white, of uniform construction and size, and placed as determined by the Board of Directors. Additionally, a white color shall be used when repainting dock boxes. Umbrellas and umbrella covers are to reflect the same continuity and are to be yellow in color.
5. All persons shall reduce noise levels so that occupants of slips not be disturbed and shall cease all maintenance and use of onboard generators between the hours of midnight and 8:00 A.M. local time. Excessive noise levels shall be avoided at all times.
6. All persons shall conduct themselves so as not to constitute a public nuisance.
7. Children are to be controlled and supervised by their parents or guardian at all times. It is highly recommended that all children under the age of 12 wear a PFD (Personal Flotation Device) for their own safety while on Harbor Landing property.
8. All areas of Harbor Landing are to be kept clean and unobstructed at all times. All loose gear, accessories, supplies, materials, and other personal property must be stored in either a dock box or on a vessel. Flowerpots and barbecue grills may be left outside only in their designated areas. Bicycles, scooters, and the like are to use the rack provided.
9. No sign, advertisement, or notice shall be exhibited, painted, or displayed anywhere in Harbor Landing except as permitted in Rule # 24 "Boat Use Rules"
10. Fishing is not permitted from the docks, pier, or seawalls; fishing is only permitted from a vessel. Cleaning of fish is not permitted in any area of Harbor Landing.
11. Swimming or recreational scuba diving is not permitted in any area of Harbor Landing or throughout the New Buffalo harbor.

## **COMMON ELEMENT USE RULES (continued)**

12. Charcoal grills are not permitted in any area of Harbor Landing. Open fires are not permitted in any area of Harbor Landing. Gas/propane grills are permitted.
13. The use of fireworks, flares, sparklers, or any other pyrotechnic device is not permitted in Harbor Landing.
14. Firearms are restricted to licensed persons. Air rifles, B-B guns, pellet guns, bows and arrows, or other similar dangerous weapons and projectiles are not permitted on Harbor Landing property.
15. Bicycling, motor biking, rollerblading, skateboarding, etc. is not permitted on sidewalks or piers.
16. Trash receptacles located within the swimming pool enclosure are provided for pool use only and are not intended as a "closer" dumping point for garbage that belongs in the dumpster.
17. All persons in Harbor Landing shall observe the posted speed limits (5 mph), no parking, and other designated signs. When operating any vehicle in the parking lot caution must be exercised.
18. Parking is permitted in striped spaces only. No parking spaces can be reserved.
19. Prior to Memorial Day and after Labor Day, utility trailers and PWC (Personal Water Craft) trailers are allowed in the parking lot for the purposes of seasonal loading and unloading.
20. Motor homes, campers, travel trailers, and other "live aboard" vehicles are not allowed in the parking lot at any time.
21. By the end of the boating season (November 15<sup>th</sup>), all dock lines, water hoses, portable grills and flower pots not secured must be removed from Harbor Landing. The chaining of grills, bicycles, motorized scooters, or any other such items to the lamp posts is not allowed. All ladders and PVC dock extenders are to be raised well above current water levels to prevent ice damage. Cost of ice damage repair due to owner not complying with this rule shall be the responsibility of the owner.
22. Weather permitting, Harbor Landing officially opens April 15<sup>th</sup> and closes for the winter November 15<sup>th</sup>. All vessels are to be removed from the harbor by the closing date of November 15<sup>th</sup>.
23. Loitering or inappropriate behavior by an owner, guest or renter in or around the bathhouse will not be tolerated.

## **COMMON ELEMENT USE RULES (continued)**

24. All guests and renters are expected to conduct themselves so as not to be annoying to neighbors. Please see that offensive, improper, and unlawful behavior is avoided. As a good host and friend, consider monitoring out of control alcoholic consumption upon your property. Also, please be aware of noise levels of sound systems, voices, etc. as sound carries very well over water and seems louder than usual.

## **GOAL OF THE RULES AND REGULATIONS**

These Rules and Regulations are supplemental to the Master Deed, and the Association By-Laws, particularly the restrictions contained in the Condominium By-Laws, Article VI, and are subject to change by the Board of Director's.

The Board has established the following enforcements:

- 1<sup>st</sup> offense - Verbal/Written Warning
- 2<sup>nd</sup> offense - \$25.00
- 3<sup>rd</sup> offense - \$50.00
- Each subsequent offense - \$100.00

The purpose of the Rules and Regulations is for the protection of our individual and mutual financial and emotional investment in Harbor Landing property. This includes our safety and security and enjoyment needs.

The conduct of all persons using Harbor Landing...whether owner, guest, or renter must be in conformance with the conditions set forth in the condominium documents given to you at closing on your slip – the Master Deed and Condominium Bylaws. The conduct of all persons using Harbor Landing property must also conform to the conditions set forth in these Rules and Regulations. The direction given by your governing elected body – the Harbor Landing Board of Directors. These are established to help ensure the fullest enjoyment of Harbor Landing and are not meant to restrict or infringe upon the rights of anyone.

These Rules and Regulations are not intended to override or suspend the legal documents that are recorded, i.e. Master Deed, Bylaws, Disclosure Statement and the like. The Harbor Landing Rules and Regulations are intended to aid the owners in generally understanding the extent of their ownership and responsibility.

The management company as well as the Board of Director's will enforce these Rules and Regulations.