

JONATHAN'S LANDING CONDOMINIUM AND YACHT CLUB ASSOCIATION
RULES AND REGULATIONS

Amendment to Paragraph 8 – (October, 2019)

NOW COMES the Board of Directors, by the powers vested in them through the Bylaws at Article III(3.1.4), so as to better protect the safety of persons and property within the Marina, hereby deletes the current paragraph 8 of the Rules and Regulations to modify, amend and replace said paragraph 8 as follows:

8. BOATS/MARINA

a. Marina Rules

1. All watercraft shall be properly registered, seaworthy and under the control of a person holding a valid New Hampshire operator's license, or license issued by a state other than New Hampshire if NASBLA certified.
2. Watercraft shall not be refueled within the marina.
3. No repair of any watercraft shall be performed within the marina except routine maintenance. Routine maintenance is generally considered to be those which:
 - Do not disturb the public peace and tranquility within the bounds of the marina.
 - Do not contribute to a disorderly or unsightly appearance during the process of maintenance.
 - Are capable of accomplishment with hand tools normally carried aboard the vessel.
 - Are confined to the vessel.
 - Do not pollute or put wastes in marina waters.
4. There shall be no commercial operation within the marina.
5. The operator of a boat must operate safely and in accordance with the prevailing conditions and under no circumstances shall a watercraft be operated at greater than "headway" speed within the marina.
6. The owner of any watercraft shall be responsible for any and all damage caused by the watercraft to persons or property, whether the vessel is docked or under way.
7. A slip owner shall not allow said slip to be used and shall not rent said slip to any person that is not a Unit Owner at Jonathan's Landing Condominium with the exception of leasing units and boat slips as defined in the amended declaration section 12.3 and summarized as follows:

12.3 Leasing of Units and Boat Slips. All lease, use and occupancy agreements for Units shall be in writing. A copy of the Rules and Regulations of the Association shall be provided by the Owner to the Owner's tenant at the time of the signing of any such rental agreement, with a copy of the Declaration and Bylaws made available to the tenant by the Owner at the time the Owner's tenant takes possession of the Owner's Unit. Boat Slips shall not be leased or used in any way, except by other Unit Owners, or by the tenant leasing the Owner's Unit. Commencing with the year 2004, no Unit may be leased, used, or occupied for a minimum rental of less than three (3) consecutive weeks by any tenant during the

Summer Season of each year, with other minimum period restrictions described in Section 4.2.3.

8. The owner of any watercraft to be docked at the marina must annually provide to the Association Manager a completed Boat/Slip Form and include documentation of proper registration, licensing and insurance, providing coverage for personal injury and property damage arising out of the ownership and operation of said watercraft, and no watercraft will be permitted to enter the marina until such documentation has been provided to the Association Manager.
 9. Swimming is not permitted within the marina nor shall paddleboards, kayaks, canoes or rowboats be permitted within the marina.
 10. The Association will set a marina opening date in the spring and a marina closing date in the fall. No boats shall be in the marina when the marina is closed.
 11. In the event an owner (or a tenant of an owner) is in violation of these rules, the owner shall be subject to the following fines:
 - i. First month of violation: \$250.00
 - ii. Second month of violation: \$500.00
 - iii. Third month of violation: \$1,000.00, loss of privileges and lien on property.
- b. Restrictions as to Size and Type of Watercraft
1. The maximum length of watercraft, inclusive of attachments to the bow and stern shall be 26 feet and maximum width of 8.5 feet. However, the maximum length inclusive of attachments to the bow and stern for only the following slips: 13, 55, 56, 57, 58 and 59, shall be 30 feet and maximum width of 9 feet.
 2. Pontoon style watercraft shall not be permitted in the marina.
 3. To the extent that any watercraft owned and docked within the marina on the effective date of this amendment exceeds the specifications set forth in paragraphs b.1 and 2, said watercraft shall be grandfathered only for so long as the Unit Owner shall continue to own it.
- c. Board Approval Required
1. Effective immediately, any watercraft new to the marina shall require written approval from the Board of Directors. A Request for Approval for any watercraft new to the marina must be submitted in writing or electronically to the Association Manager for Board consideration.
 2. A Request for Approval for any watercraft new to the marina must be submitted even if the watercraft is within the limits indicated in section b.1. above.
 3. The Request for Approval shall include slip number, a description of the watercraft by make and model, dimensions, weight and include a photograph.
 4. Within 7 days of receipt of all information required, the Board shall review and adjudicate the Request for Approval, and shall respond to the requesting owner in writing or by electronic mail.
 5. The Board of Directors shall base its decision on factors including, but not limited to, size, length, height, maneuverability, safety, slip location and whether the subject watercraft is likely to have a negative impact on the use of the marina by other owners.

6. In the event that a Request for Approval is denied, the Unit Owner shall have the opportunity to ask for reconsideration from the Board and provide additional documentation in support of said Request for Reconsideration. The Unit Owner will have an opportunity to present their Request for Reconsideration at the next meeting of the Board of Directors or through virtual online discussion, but only if the Unit Owner submits a Request for Reconsideration in writing within 7 days of a denial of the Request for Approval.
7. The Board of Directors shall respond to a Request for Reconsideration within 7 days of receipt.
8. The decision of the Board of Directors following the opportunity for reconsideration, and presentation at the meeting of the Board if so requested, shall be final.

Adopted and published to the membership this ____ day of _____, 2019.