

PART III: RULES AND REGULATIONS GOVERNING WATERCRAFT AND DOCKING

New Applicants, A Docking Space is not "Guaranteed" with Ownership at Holiday Harbour due to space limitations. If needed, a waiting list will be formed.

Use of the common facilities by any Home Owner in arrears, or tenant of such Home Owner, is prohibited, including dock assignment, clubhouse, pool and tennis court.

1. APPLICATIONS

The primary operator of any watercraft docked at Holiday Harbour shall be the Resident Owner applicant. Applications are available at the on-site office or on the website kenrickfirst.com (property forms & applications) or hhdocking@gmail.com

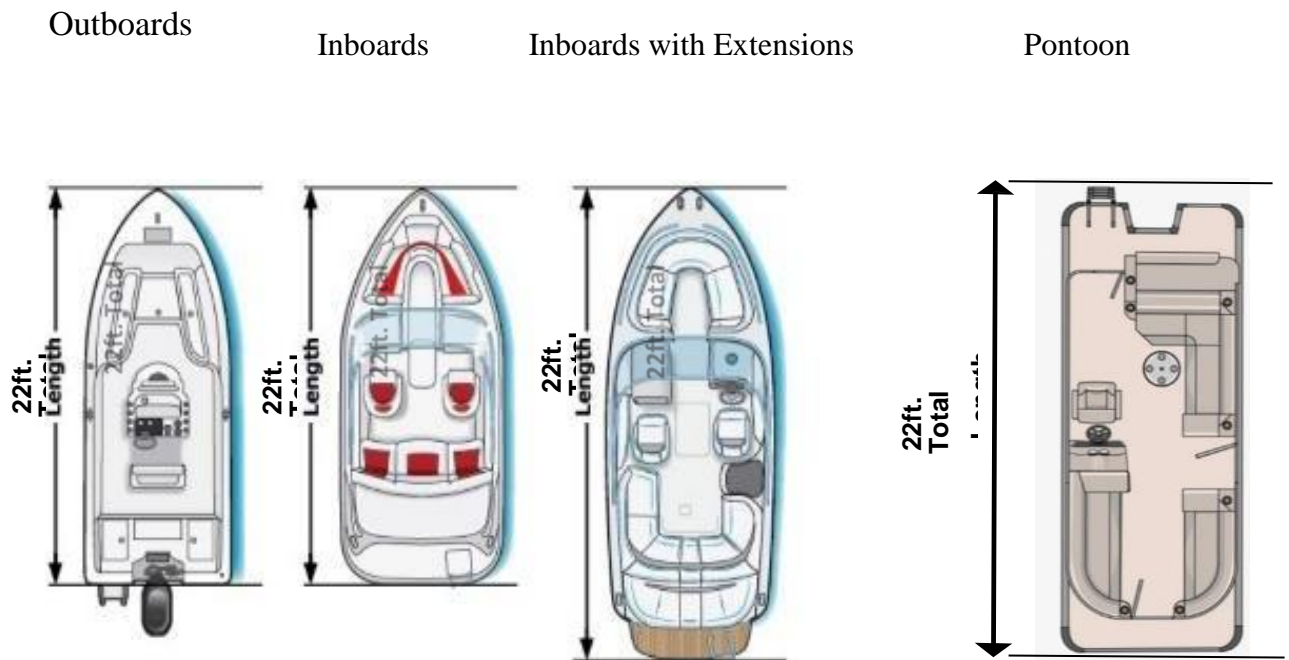
Section A

1. Applications may submit in paper form to Kenrick Corporation 60 Holiday Harbour Canandaigua, NY 14424 or electronically at hhdocking@gmail.com
2. Applications will be accepted from Owner Residents only.
3. Only 1 application will be accepted from each unit for a primary boat.
4. Resident Owners must submit application for dock space *yearly* by October 15 for Primary water crafts to be moored at docks.
5. Applications for the dock space "waiting list" must be made *yearly* by October 15.
6. Pontoon Boats docked at Holiday Harbour may not exceed 22ft. in total length, this includes swim deck, overall length of motor and transom (engine mount) and pontoon length. *See diagrams.*
7. As of October 15, 2021 all standard boats can be no more than 22ft. including extended swim platform or any other extended platform. *See diagram.*
8. Boats that have already had an assigned dock space are grandfathered in.
9. Applicants for primary watercraft are notified of dock assignment by May 1st.
10. If you have not received docking assignment confirmation by May 15, contact docking committee chair immediately.
11. No applications will be accepted from co-owners of a watercraft, unless the co- owners are both owners of the unit.
12. Any homeowner with unpaid bills/fines owed to Holiday Harbour/Kenrick Corp. on May 1st, will relinquish their assigned spot permanently. When bills are verified paid in full, a new application will need to be made. The owner understands they will be assigned a new space if available or placed on a waiting list.
13. It is the boat owner's responsibility to verify the length as shown below before docking the boat. The boat owner accepts all responsibility if the boat is out of

compliance.

14. Any question of boat measurement will be subject to the physical measurement according to the below diagrams and performed by the Docking Committee or Board of Managers. Any out of compliance boat owner will be notified to remove the boat within 5 working days. A fine will be imposed weekly after that.

MEASUREMENT WILL BE DETERMINED BY THE FOLLOWING DIAGRAMS:



Platforms, swim mounts and transom mounts must be included in the 22ft Total Length

Section B

Primary Powered watercraft applications must attach to his or her application;

- ✓ A copy of the watercraft's valid registration in resident's name.
- ✓ A copy of the watercraft's current certificate of insurance showing resident as owner of the watercraft.
- ✓ A copy of the Title for 1987 and newer watercraft. For pre-1987 watercraft, a Bill of Sale or other notarized document proving or attesting to such ownership in resident's name.

If primary watercraft does not require registration, (kayak, canoe, paddle boat or scull) the following need to be included with application.

- ✓ A copy of watercraft's certificate of insurance showing resident as owner of the watercraft.
- ✓ Proof of ownership by attaching a Bill of Sale or other notarized document proving or attesting to such ownership.

Section C

- Incomplete applications will not be processed.
- The docking committee will not approve or consider applications that lack proof of ownership.
- No applications will be accepted from co-owners of a watercraft, unless the co-owners are both residents of the unit

Section D

1. The Docking committee membership is comprised of homeowners, appointed by resolution of the Board of Managers.

2. Dock space is assigned by the Docking Committee Chair/Committee.
3. The Docking space assigned to a resident may only be used to dock the water craft described in the resident's application
4. Rotating of home owners' boats and accessory watercraft on the homeowners assigned dock space is not permitted.
5. Locate the number on your dock assignment. The boat is to be placed with dock number in the middle of the boat. You have 1 cleat designated to the left and 1 cleat designated to the right.
6. If a new boat is purchased during a boating season, the resident must submit new documentation prior to bringing in a new boat to avoid a fine. When replacing a boat, all new boats must adhere to the current size restrictions in place, not your previous size.
7. Primary watercraft is assigned as close to the applicant's unit number as possible. Only one primary assignment shall be given to a unit.
8. Docking space not occupied by July 4th shall be considered abandoned; these locations may be reassigned by the Docking Committee or Board of Managers as needed.
9. If multiple residents request an unoccupied dock space, the space is assigned to primary watercraft based on "residential seniority". Seniority is given to the resident owner applicant who has resided at Holiday Harbour the longest.
10. A dock space is relinquished once a Home Owner sells their condominium. The home owner must remove their watercraft from the assigned docking space prior to the date of closing.
11. If Home Ownership is passed to immediate family member, this is not considered new ownership and residential seniority remains in place as long as a boat was docked at the time of homeowners' death.
12. New Title and Registration, Insurance must all match ownership.
13. If a boat was not docked at the time of ownership being passed to immediate family member, seniority and docking space assignment will be reset to year 1.
14. Overnight rafting /mooring of watercraft is not permitted anywhere. Due to restrictions of maneuvering watercraft & Safety, no rafting or mooring *anytime* in the "Hammer Head Area" (Units 10-20 & Units 400-423).
15. Boat lifts are prohibited.
16. Any Boat that is 22 Feet and over must keep motor in water when docked. Owner accepts any damage incurred by other boats if motor is not in water when docked.
17. Boat owner acknowledges that they are solely responsible for avoiding all seen and unseen navigational hazards. Holiday Harbour is not liable for damages or injuries that may occur to boat owner, their vessel, guest(s), and any personal property while using dock space and

surrounding waterways.

18. The Docking space assigned to a resident may only be used to dock the water craft described in the resident's application
19. Rotating of home owners' boats and accessory watercraft on the homeowners assigned dock space is not permitted.
20. Locate the number on your docking assignment. The boat is to be placed with the dock number in the middle of the boat. You have one cleat designated to the left and one cleat designated to the right.
21. If a new boat is purchased during a boating season, the resident must submit new documentation prior to bringing in a new boat to avoid a fine. When replacing a boat, all new boats must adhere to the current size restrictions in place, not your previous size.
22. Primary watercraft is assigned as close to the applicant's unit number as possible. Only one primary assignment shall be given to a unit.
23. Docking space not occupied by July 4th shall be considered abandoned; these locations may be reassigned by the Docking Committee or Board of Managers as needed.
24. If multiple residents request an unoccupied dock space, the space is assigned to primary watercraft based on "residential seniority". Seniority is given to the resident owner applicant who has resided at Holiday Harbour the longest.
25. A dock space is relinquished once a Home Owner sells their condominium. The home owner must remove their watercraft from the assigned docking space prior to the date of closing.
26. If Home Ownership is passed to immediate family member, this is not considered new ownership and residential seniority remains in place as long as a boat was docked at the time of homeowners' death.
27. New Title and Registration, Insurance must all match ownership.
28. If a boat was not docked at the time of ownership being passed to immediate family member, seniority and docking space assignment will be reset to year 1.
29. Overnight rafting /mooring of watercraft is not permitted anywhere. Due to restrictions of maneuvering watercraft & Safety, no rafting or mooring *anytime* in the "Hammer Head Area" (Units 10-20 & Units 400-423).
30. Boat lifts are prohibited.

RESIDENT TENANTS (RENTERS)

After Dec. 31, 2021. No new resident tenant applications will be accepted for any docking space, Resident tenants who held a docking space for the season 2021 will be "grandfathered" in their current dock space. The assigned space is nontransferable.

APPLICATION RULES for Grandfathered Resident Tenants (RENTERS) are the same as the above (Sections A-D) but in addition to the above, the Grandfathered Resident Tenants must also follow Section E:

Section E

- ✓ Submit a copy of their lease from the homeowner showing the tenant's lease term extends for the duration of the current boating season (May 1 through Oct. 15). Tenant and Homeowner must sign the application.
- ✓ Resident tenants shall use the unit as their primary residence and shall personally occupy the unit for the full term of the lease in order to qualify for dock space. Resident tenants include immediate family members.
- ✓ Resident tenants are not eligible for secondary accessory motorized watercraft applications.
- ✓ If the owner of the Unit or the tenant is in arrears, the tenant shall not be assigned a docking space until all money is paid in full. If this does not occur before May 1, the docking space will be lost.
- ✓ When a homeowner sells their condominium, the dock space is relinquished. The resident tenant must remove their watercraft from the assigned docking space prior to the date of closing, unless the grandfathered tenant stays with the property or moves to another unit within Holiday Harbour. The dates of tenancy must be continuous and the new lease must be provided. The boat slip dock space would remain the same and is non transferable.
- ✓ No applications will be accepted from co-owners of a watercraft, unless the co-owners are both grandfathered tenants of the unit.

2. SECONDARY ACCESSORY WATERCRAFT APPLICATIONS

1. All Tenants & Resident Owners may have secondary non-motorized watercraft including: Kayaks, Canoes and paddle boards, that are to be kept on the designated racks and labeled with an HHbr identifying sticker. Applications are not required. Tenants are not allowed motorized watercraft.
2. Jet Skis, and paddle boats are considered accessory "motorized" watercraft. Applications must be from Resident Owners only and submitted by Oct 15. Dock Assignments will be assigned after the primary boating assignments are complete and as space permits.
3. A Secondary Accessory Jet ski will not be inter-mixed among primary boats and will only be permitted in the designated area for jet skis only. Only one secondary accessory motorized watercraft will be allowed per unit.
4. There are 8 jet ski spaces available in the assigned JET SKI AREA.
5. Jet ski ramps are required and purchased by the owners of the jet skis and are not the property of Holiday Harbour. A jet ski floating ramp is required to be attached perpendicular to the dock. Jet ski ramps must be removed at the end of each season.
6. The rate of \$500 per jet ski per docking season is due with application. A secondary paddle boat may be assigned a dock space, space permitting. The fee is \$50 per foot for the season.

7. All Applicants of secondary accessory motorized watercraft may be asked to remove their watercraft if the space is needed for an Owner Resident Primary Boat assignment during the season. This must be done within 5 business days of notification or a \$100 per day fine will begin on the 6th day. A full refund will be given, if all rules are followed. Removals of secondary watercraft will be done by residential seniority.
8. Rafting/mooring of secondary accessory watercraft is not permitted overnight. Due to restrictions of maneuvering room for adjacent watercraft and safety, the “Hammer Head Area” (Units 10-20 & Units 400-423) and in the Towne Harbor channel/HHbr Finger Docks (Units 128-142), rafting/mooring is not permitted at any time.

What is needed:

- ✓ Footage of secondary accessory watercraft.
- ✓ A copy of the watercraft’s current registration.
- ✓ A copy of the watercraft's certificate of insurance showing applicant as owner of watercraft.
- ✓ A copy of the Title for 1987 and newer watercraft. For pre-1987 watercraft, a Bill of Sale or other notarized document proving or attesting to such ownership.
- ✓ If watercraft does not require registration the following need to be included with application.
- ✓ Proof of ownership by attaching a Bill of Sale or other notarized document proving or attesting to such ownership.
- ✓ Applicants for secondary accessory watercraft will be notified if space is not available for the season or what their dock assignment may be for the season.

3. GUEST WATERCRAFT DOCKING DAY TIME ONLY

- Guest watercraft docking during the day light hours can be accommodated via rafting/ mooring to resident’s watercraft in designated areas.
- Guest watercraft is not allowed to raft/moor at Holiday Harbour docks unless the guest is in company of a resident.
- Designated Area: Daytime mooring is allowed at most resident's docks, but not permitted in the Towne Harbor channel/ HHbr Finger Docks (Units 128-142) or Holiday Harbour's Hammer Head (Units 400-423 & Units 10-20)
- Guests must abide by the Holiday Harbour Rules for watercraft and docking. Damage incurred by guest watercraft shall be the responsibility of the resident they are visiting.
- Rafting /mooring overnight is not permitted due to restrictions of maneuvering room for adjacent watercraft and safety.
- No provisions will be made for Overnight Docking.

4. Only approved marina fenders may be affixed to the dock; (e.g., no tires, carpet or plastic jugs.) Any other hull protective device will require a variance. Fenders must be affixed with temporary mountings (e.g., no bolts in dock) and removed at the end of the season.
5. Any Boat that is 22 Feet and over must keep motor in water when docked. Owner accepts any damage occurred by other boats if motor is not in water when docked.
6. Home owners and tenants are not permitted to drill/screw anything into the docks. If a cleat, ladder or bumper support cannot be tied on, put in a work order to the maintenance department.
7. Watercraft wakes must be kept to a minimum to prevent erosion of canals and damage to other watercraft and docks. The "NO WAKE" rule (5 miles per hour or less) should always be observed in the canals.
8. Watercraft operators are cautioned to restrict noise and activity on the dock and in watercraft so as not to cause a disturbance to other residents.
9. Sailboat halyards must be secured against noise.
10. Swimming is prohibited in the canals.
11. Unattended fishing is prohibited after April 1st.
12. Disputes about docking assignments or rules shall be referred to the Docking Committee.
13. When the docking committee is unable to bring about a satisfactory resolution, the docking committee shall refer the dispute to the Board of Managers.
13. The Docking Committee shall be notified in writing if the docking assignments are changed by mutual written agreement.
14. Gasoline must be stored in OSHA approved metal safety containers or non-metallic petroleum product containers classified by Underwriters Laboratories (UL) in accordance with the standard specification for plastic containers (Jerry Cans) relating to petroleum products meeting ANSI- ASTM D343580.570V. All gasoline storage containers must be stored near the wing walls of the common area and not against the rear or front wall of the building. Gasoline containers, full or empty, shall not be stored in the window wells of any basement or crawl space areas. In addition, they shall not be stored anywhere within any building or in any common areas of Holiday Harbour.
15. Trailers with or without watercraft may be parked on Condominium property in the wash bay parking lot. Trailers only have 14 cumulative days for the entire boating season. Violators will be reported to City Police and the home owner will be fined a minimum \$25 per day.
16. Winter storage of motorized watercraft is prohibited on any area of the common property. Winter storage of non-motorized small watercraft is permitted on restricted common property (i.e. patio) only if such storage does not block the unit door, exceed the height of the wing walls, or extend off the patio.

- 17.** Watercraft stored for winter, on restricted common property, shall be removed no later than May 1. Racks are available for boating season storage of kayak, paddleboards, and canoes; lock use is suggested.