

**Rules and Regulation for the Use and Operation of the Common Property
Including Rules and Selection Process for Use of the Moorings and Docks
of the Colonel Tufton Borough Estates Association**

Amended: May 27, 2023

These rules and regulations are written, approved, and enforced by the Colonel Tufton Borough Estates Association (“CTBEA”) Board of Directors, as authorized by the By-Laws of CTBEA, Article III Section 5, and Article IV Section 6(e).

Common Property Rules and Regulations

“Common Property” means all land of CTBEA, excluding lot interests (as defined in the By-Laws).

A) Roadways - The speed limit on all roadways is 15 MPH. It is advised that all members keep clear and maintain their roadway drainage areas.

B) Recreational Common Area.

(a) **Parking** - There shall be no vehicles permitted past the designated parking area for normal use of this area.

(b) **Beach** - No motorized boat is allowed in the designated roped swim area, whether under power or not.

(c) **Sheds** - The sheds are for personal items to be used in this area. All personal items shall be removed by November 15th.

(d) **Dogs** - All dogs shall be leashed in this area, and not permitted beyond the upper railing except to board a boat.

Rules and Selection Process for Use of the Moorings and Docks

I. METHOD OF SELECTION

- A) Three separate lotteries for the use of moorings and docks shall be conducted each year during the Spring Annual Association meeting for the summer season of the following calendar year. In order to enter one of the three lotteries for a dock space or mooring, members must be up to date with their Association dues, will be required to provide a deposit of one half the annual season charge for their selected mooring or dock space, and meet certain boat size requirements.
- B) Members may not enter more than one lottery per lot. There is only one boat per member allowed per mooring, front dock, or rear dock. If a member submits multiple entries in a lottery because they own more than one lot, once they are selected in the lottery their remaining lottery entry will be removed from the lottery.
- C) If any member is not successful in their chosen lottery, they will automatically be assigned a mooring or dock space in the following year. In the case that a member is not successful in their chosen lottery and at a later date they are then offered a dock space or mooring because another member decided to not utilize their assigned dock space or mooring, they will not lose their guarantee for the second summer if they decline the offer.
- D) Any member who loses out in one of the three lotteries may, immediately following the three lotteries, secure a spot only if there is a non-assigned vacancy in any of the other two lotteries and the member's boat meets size requirements.
- E) Any unassigned dock or mooring space which is left available in any calendar year may be assigned to a member on request, regardless of whether the member has already secured a dock or mooring space. Such requests must be submitted to the Association by April 1st. Members who have not secured a dock or mooring space through one of the drawings will be given first preference over those who already have secured a space. Any situations where such requests exceed the number of available non-assigned dock or mooring spaces, will be resolved by the Board conducting a drawing on April 15th. Any such requests after April 15th will be handled on a first come-first serve basis.

II. SEASONAL CHARGES AND SIZE RESTRICTIONS FOR MOORINGS AND DOCK USAGE

- A) For one of the eight front dock spaces, the seasonal charge is \$600. Boats exceeding measurements of either a 96-inch beam or 22 ½ foot registration length may not be entered in this lottery.
- B) For one of the three rear dock spaces, the seasonal charge is \$245. Boats exceeding either a 72-inch beam or 15-foot registration length may not be entered in this lottery.
- C) For one of the eight moorings, the seasonal charge is \$300. Boats exceeding 24', or 26' including swim platform foot length may not be entered in this lottery. Boats that are more than

24 feet but less than 26 feet, because of a swim platform, must use an outer mooring and use a mandatory tag line. **Note:** Prospective purchasers of boats should verify that the measurements do not exceed the foregoing size restrictions. Also, a mooring user may keep a dinghy, not longer than 9 feet in length, in the designated area behind the dock.

D) In keeping with past practice, funds collected from mooring and dock usage shall be used to maintain, improve, and replace the moorings and docks. Fifty percent (50%) of the funds collected each year are put in the General Fund for operating expenses that year. The other 50% is put in the Dock & Mooring Savings Account for major repairs, upgrades and replacement of docks and moorings. If annual operating expenses are greater than the annual fees collected and put in the General Fund, then the Dock & Mooring Savings Account will be used to cover those expenses.

III. ELIGIBILITY REQUIREMENTS FOR PARTICIPATING IN LOTTERIES

A member who is suspended from using the Recreational Common Area, as per CTBEA By-Laws Article III Section 1 and 3(b), may not participate in any of the annual boat lotteries.

IV. RULES GOVERNING THE LOTTERY AND THE USES OF THE MOORINGS AND DOCKS

A) Members will not be permitted to use their mooring or dock until proof of insurance, copy of current registration and fees have been received by April 1st.

B) Docks and moorings are for the exclusive use by the member. No other use allowed.

C) All dock space users shall tie lines to the dock cleats provided by the Association and not the dock posts. All mooring users shall prevent their boats from swinging into other boats on moorings, and shall keep all lines short so as not to create a navigational hazard to other boats.

D) The west end of the docks is to be used by members exclusively for the picking up and returning of passengers and boat gear, and for no other activity. Tie up time for these purposes shall not exceed 20 minutes.

E) Visitors, who are not Association members, that arrive by boat, can use a non-assigned mooring during daylight hours, but may not tie up anywhere on the dock. Such visitor boats may not be left on a non-assigned mooring overnight or at the dock for any period of time.

F) The Board will maintain and administer the docks and moorings as common property as called for by the Association's By-laws.

G) Members who are continuously successful in a lottery from year to year will generally be assigned the same mooring or dock space each season, but the Board reserves the right to require users to change their dock or mooring assignment in order to accommodate needs or requirements of another user or boat.

H) Any member, who transfers the title to their residence to a new owner, may assign their current right to use a dock space or mooring to the new owner of record provided all requirements are met. Assignments as a result of losing an annual lottery are not transferable.

I) It is expected that all boat owners will have their boats in the water no later than June 15th of each boating year. Any exceptions must be approved by the Board and will not be unreasonably denied. In the best interest of Association members who are on the waiting list for a dock or mooring, the Board may reassign a dock or mooring if it is deemed unused.

(Previously amended May 2003, September 2007, March 2009, May 2012, March 2021, March 2022)