

WINDMILL HARBOUR MARINA

Harbour Rules & Regulations

Slip Owners and Renters

Acknowledged Receipt: _____ Date: _____
Customer Signature

For Windmill Harbour : _____ Date: _____
Signature

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WINDMILL HARBOUR MARINA
Harbour Rules & Regulations
Revised June 2008

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The piers, locks, marina store, support buildings, certain walkways and promenade as well as the waters that they encompass, are owned by the Windmill Harbour Marina Owners Association (hereafter referred to as the MOA). Their uses are determined by the MOA and controlled by the MOA through the Harbourmaster, who is responsible to the MOA.

It is the intent of the Windmill Harbour MOA that the Windmill Harbour Marina be a safe and enjoyable place to keep our boats. Additionally, the MOA wishes to maintain and enhance the Marina owner's investment in the Marina. It is toward this end that the rules and regulations are necessary. It is in this spirit that these rules and regulations exist.

Any owner of a vessel berthed at Windmill Harbour Marina may consult the Harbourmaster or any member of his staff for assistance when needed. The Harbour staff is here to make your boating experience as safe and pleasant as possible.

1. ENTRANCE AND TRAFFIC RULES

1.1 NAVIGATION

The provisions of the UNIFIED INLAND NAVIGATION RULES (USCG M16672.2) will apply to users of Windmill Harbour lock, docks, and approaches unless specifically modified by these Rules and Regulations or the Harbourmaster.

1.2 SAFE SPEED

All Vessels transiting the Harbour basin, lock and approaches will maintain "no wake" or "idle" speed at all times.

1.3 VHF RADIO COMMUNICATION

Windmill Harbour Marina monitors VHF channels 14 and 16. Vessels desiring to enter or exit the Harbour must contact "Windmill Harbour" on either channel 14 or 16.

1.4 TIDES AND CURRENTS

Because Windmill Harbour is a closed Marina there are no tides inside the locks. However, due to the normal lock operation there will be a minimal rise and fall of the Harbour water level. Minimum depth inside the Harbour is approximately seven (7) feet at the normal lowest water level. The maximum rise and fall of the water level in a normal twenty four hour period is approximately two (2) feet under normal conditions. Owners are advised to moor their vessels securely, utilizing all available attachment points and the following lines:

1. Bow and Stern lines attached to the dock and standoff pilings.
2. Fore and aft spring lines.

Fender boards and appropriate fenders are recommended to minimize rubbing damage at the docks and in the lock.

Currents are negligible except while inside the lock. Minimum depth in the lock chamber is approximately seven (7) feet at normal low water level.

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1.5 TRAFFIC PATTERNS AND DRAWBRIDGE OPERATION

1.5.1 The traffic pattern to and through the Marina is described in EXHIBIT "A".

1.5.2 The Drawbridge Operation Sequence is described in EXHIBIT "B".

1.6 OBSTRUCTING THE LOCK CHANNELS

Operators will not allow their vessel to obstruct the channels leading into the lock at ANY time. Vessels entering or leaving the lock chamber have the right of way over vessels in the channel.

1.7 LOCK REGULATIONS AND PROCEDURES

1.7.1 Lock Sequence

Vessels transiting the lock will normally experience the following sequence of events beginning when the vessel approaches the lock after requesting to lock through on channel 14, and receiving acknowledgement to proceed from the Harbour staff:

- a) If closed, the lock entrance gate is cracked open.
- b) The water level inside the lock is equalized to the water level in the approach channel.
- c) The lock entrance gate is fully opened and the vessel is permitted to enter the lock.
- d) The lock gate is closed behind the vessel.
- e) Mooring lines from the lock are passed to crew aboard the vessel.
- f) The lock exit gate is cracked open.
- g) The water level inside the lock is equalized to the water level in the exit approach.
- h) During equalization the vessel will move up and down and forward and back. Always tend the mooring lines by hand.
- i) When the exit gate is fully opened the vessel is allowed to exit the lock.
- j) The lock gate is closed. If another vessel is waiting to enter the lock from the opposite direction the door may be left open to allow them to enter.

NOTE: At certain times when the water level inside the Harbour is the same as the water level outside the Harbour the lock gates can be "double doored" allowing vessels to pass through without stopping. Please use extreme caution because a slight current may be present.

1.7.2 Individuals Authorized to Operate the Lock

- a) The Windmill Harbour Marina lock is designed to allow 24 hour access to qualified vessel owners. The Harbour staff operates the lock daily from 8:00am-6:00pm EST, and 8:00am-7:00pm EDT. Boat owners wishing to transit the lock after hours may qualify as a "Lock Operator" by being 18 years of age, or older, and:

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- (1) Demonstrating to the Harbourmaster satisfactory knowledge of lock operations, mechanical processes involved, safety precautions and emergency procedures.
 - (2) Signing a legal release and liability form.
- b) Only qualified lock operators may operate the lock. Marina owners desiring to qualify as a lock operator should contact the Harbourmaster. A lock control card will be issued after qualifying. A refundable deposit in an amount to be determined by the Windmill Harbour MOA Board of Directors will be charged for the lock card.
- c) During normal working hours, the Harbour staff will operate the lock to control and expedite traffic flow. After normal working hours qualified vessel owners may operate the lock.

1.7.3 Unauthorized lock operation and access.

- a) Under no circumstances will a lock card holder allow any unauthorized or untrained persons access to or use of their assigned lock control card.
- b) Under no circumstances will a lock card holder allow any unauthorized persons access to Windmill Harbour Marina or adjacent Windmill Harbour properties.
- c) Violation of these rules shall subject the lock card holder to immediate suspension of their lock card privileges and such other penalties as the Harbourmaster deems appropriate in his absolute discretion to be necessary to protect the Harbour and its Marina owners, tenants, and guests.

1.7.4 Operating Instructions

NOTE: The inside door of the lock control box contains the following instructions.

- a) Observe safety rules. In case of emergency, push the RED "Emergency Stop" button. Report any abnormal conditions to the Harbourmaster.
- b) Prior to activating any buttons or switches check to be certain that all boats, golf carts and pedestrians are clear of the bridges and gates.
- c) Insert the lock card into the slot. When it is properly inserted the "Access" light will come on. The YELLOW beacons at both gates will flash as long as the card remains in the slot.
- d) The bridge gates (inside the Harbour) will not work unless both barrier arms are down. Press and release the lower black button to lower the barriers. The GREEN pilot light will illuminate.

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- e) To open a gate, push and hold its "Gate Crack" button. The YELLOW "Gate Activated" light will come on while the gates are activated. Depress the push button until the YELLOW light goes out. The gates are now fully cracked.
- f) The RED traffic signals at the gates switch to "On" when the gates are activated.
- g) The gates are interlocked. One set of gates will not open unless the others are closed.
- h) Wait for the water levels inside and outside the gates to equalize. To open the gates fully, turn its selector switch to the "Open" position and continue to hold it in the "Open" position until the gates are completely open. The gates are fully opened when the "YELLOW light goes out.
- i) To close the gates, turn the selector switch to the "Closed" position and continue to hold it in that position until the YELLOW light goes out. The gates are now completely closed.
- j) The RED "Emergency Stop" pilot light comes on if any "Emergency Stop" button is depressed. All "Emergency Stop" buttons must be reset before the lock controls will operate. "Emergency Stop" buttons are located on the lock control panel and at both sides of the bridge gates.
- k) Always close the lock gates after exiting the lock.
- l) Remove your lock card after completing all lock operations. The "Access" light will go out.
- m) In the event of lock control problems inform Windmill Harbour Security (681-6405) to notify the Harbourmaster.

1.8 USE OF CHANNEL APPROACH FLOATING DOCKS

The channel approach floating docks are intended to be used for brief periods only. Use of these docks must be approved by the Harbourmaster prior to entering the channel. Please contact the Harbourmaster on VHF channel 14 or 16 for permission. Failure to observe these procedures can create obstructions in the fairways and unsafe traffic situations.

1.9 TOWING POLICY

As an aid to Windmill Harbour Marina owners and tenants, the Harbour staff may, at its discretion provide towing assistance when safety and staffing levels permit. Towing rates are established by the Windmill Harbour MOA Board of Directors. All towing activities are subject to the following.

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- 1) Time begins when the towing vessel begins its trip to the distressed vessel and ends when the towed vessel is secured.
- 2) If the tow requires an off-duty staff member to be called in or if a Harbour staff member is required to work after hours to perform the tow there will be an additional charge paid directly to them.
- 3) Fractions of hours will be treated as whole hours, i.e. two hours and fifteen minutes will be charged as three hours.
- 4) The Harbour staff is under no obligation to provide towing assistance. Factors including but not limited to distance, sea conditions, vessel size, and availability of qualified Captains will influence the Harbourmaster's decision. The Harbour staff may refer the operator of the distressed vessel to a commercial towing service.
- 5) Safety and caution will be the towing vessel's main concern. The operator of the towing vessel will be in control of the distressed vessel.

2. HARBOUR BASIN RULES

2.1 GENERAL RULES

2.1.1 Slip Assignment

- a) Except for Marina slip owner's vessels in their slips, the Harbourmaster or his staff will assign berths for all vessels. No slip changes will be made without prior approval from the Harbourmaster.
- b) The overall length of a boat or boats may not exceed the length of the slip at which it is (they are) berthed. "Overall length" is determined by the Harbourmaster by measuring the vessel. The measurement includes appendages such as bowsprits, motors, dinghies, davits, swim platforms, and other projections. The "Length of the slip" is the length designated by the Windmill Harbour Company in the Deed.
- c) The number of vessels allowed in the water in a slip cannot exceed two (2). The aggregate length of the vessels cannot exceed the length of the slip in which they are berthed. Dinghies will not be included in the aggregate length determination.

2.1.2 SOUTH CAROLINA YACHT CLUB SLIPS

The use of the SCYC slips is controlled by the Club. All SCYC slips and vessels using them are subject to the Harbour Rules and Regulations.

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2.1.3 DINGHIES

Owners of vessels moored at Windmill Harbour Marina may store a dinghy for that vessel on board their boat, within the vessel's designated envelope, or in an area designated by the Harbourmaster. Determination of the additional vessel's qualification as a dinghy will be made by the Harbourmaster. Personal water craft will not be considered a dinghy.

2.1.4 INSURANCE

Owners of all vessels moored at windmill Harbour Marina must carry adequate liability insurance to cover any damages for which they are responsible. Owners are responsible for providing the Harbourmaster with proof of insurance.

2.1.5 MECHANICAL CONDITION OF VESSEL

- a) Only vessels in good physical condition, properly registered or documented, and operating under its own engine power will be admitted to Windmill Harbour Marina.
- b) All vessels must be maintained in a state of readiness in the event that an emergency necessitates the immediate relocation of the vessel. Owners of boats whose propulsion systems are inoperable and remain inoperable for more than 48 hours must notify the Harbourmaster's office immediately, and advise them of actions taken to make the vessel operable.
- c) All watercraft must be seaworthy and kept in good condition.

2.1.6 APPEARANCE OF VESSELS AND SURROUNDING AREAS

Owners must keep their vessels in such condition that they do not become unsightly, dilapidated, or reflect unfavorably on the appearance standards of the Marina. Decks of vessels docked in Windmill Harbour must be kept clear of bottles, papers, cans, trash and other debris at all times. Walkways, promenades, docks, and piers must also be kept clean and clear.

2.1.7 DOCK CARTS

Windmill Harbour Marina provides dock carts for the convenience of Harbour owners and guests. Please return the carts to the end of the dock after use.

2.1.8 TRASH REMOVAL

Garbage and trash must be bagged and placed in the trash receptacles provided. For instructions on disposal of batteries, engine oil, paint solvents, or any toxic substances or materials, contact the Harbour staff.

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2.1.9 WASTE DISCHARGE FROM VESSELS INTO THE HARBOUR

Due to the numerous State and Federal laws and permitting regulations governing harbors, Windmill Harbour Marina owners, tenants and guests MUST strictly comply with the following regulations:

2.1.9.1 DISCHARGE OF OIL, POLLUTANTS AND TOXIC SUBSTANCES PROHIBITED

The Federal Water Pollution Control Act prohibits the discharge of oil, oily waste, pollutants and other toxic substances into or upon the navigable waters of the United States, or the waters of the contiguous zone, or which may affect natural resources belonging to, or appertaining to, or under the exclusive management authority of the United States if such discharge causes a film or discoloration of the surface of the water or causes a sludge or emulsion beneath the surface of the water. Violators are subject to civil penalties and/or criminal sanctions including fines and imprisonment.

2.1.9.2 DISCHARGE FROM MARINE HEAD PROHIBITED

No discharge from marine heads is permitted in the lock or the Harbour. A pump-out station for marine holding tanks is located at the fuel dock. The Harbourmaster may conduct periodic checks of any or all vessels in the Harbour to ensure compliance with the regulations. The Windmill Harbour MOA Board of Directors reserves the right to deny use of all Harbour facilities to violators of these regulations.

NOTE: To maintain the South Carolina regulatory permit which authorizes and regulates the existence of Windmill Harbour Marina, the water quality standard as established by the regulatory authority must be maintained. A periodic testing program checks for oils, sludge, or other refuse such as treated waste, toxic wastes, deleterious substances, colored wastes as well as dissolved oxygen, organisms of the coliform group, pH and temperature. If the Harbour or its operations do not meet the established water quality standards, or if the conditions of the permit are not in compliance, the South Carolina regulatory authority may order that the Harbour lock, intake and discharge pipes be closed and sealed, and the Harbour may not be operated until the South Carolina regulatory authority certifies that any violations of the permit have been resolved.

2.1.10 VESSEL REPAIR AND MAINTENANCE

Major repairs, outfitting, or refitting of vessels at the dock are prohibited. Minor repairs, mechanical adjustments, electrical work and touch-up painting on the boat by the owner are permitted only for vessels permanently berthed in the Harbour. No work which causes toxic or other prohibited materials to be blown or deposited into the Harbour water is permitted. No work is allowed on the walkways, docks, piers, or Harbour promenade which results in damage, scarring, or staining the surface of the walkways, docks, piers, promenade, trash receptacles or which obstructs passage of vehicular or pedestrian traffic. Contractors will not perform work on vessels in Windmill Harbour Marina without approval of the Harbourmaster.

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2.1.10 All contractors must supply proof annually of sufficient liability insurance to cover any damages caused for which they are responsible. Obtain Harbourmaster approval before commencing any repairs or work that is questionable.

2.1.11 LAUNCH RAMP PROCEDURES AND TRAILER STORAGE

Boats may be launched using the ramp located at the Harbourmaster office after notifying the Harbour staff. Ramp fees are paid directly to the Harbourmaster. Boat trailers may be parked at the Harbourmaster's discretion and direction. Parking space is very limited. In accordance with the Windmill Harbour Property Owners Association Covenants boat trailers may not be parked overnight unless garaged.

2.1.12 STAYABOARD POLICY

- a) A person may stay aboard a vessel in the Harbour overnight subject to the limits and restrictions contained in these Harbour Rules and regulations.
- b) The South Carolina regulatory authority permit states that " No person shall live on boats moored in the locked harbor unless the boats [1] are equipped with Class 3 (non-discharging) marine sanitation devices, and are hooked into the Windmill Harbour wastewater collection and treatment system, or [2] use other wastewater collection and treatment systems approved by the SC regulatory authority.
- c) Each vessel, whether occupying their privately owned slip, tenant or guest, will be limited to fourteen (14) stayaboard nights at Windmill Harbour Marina in any monthly period.
- d) Stayaboard for a period longer than (14) nights in any month will not normally be permitted except special application the the Windmill Harbour MOA board of Directors and under strictly regulated and enforced permit.
- e) Stayaboards are not permitted to make loud noise or engage in other behavior which causes a nuisance or annoyance to adjacent vessels and property owners.
- f) The Harbourmaster or his representative may inspect the marine head system and bilges of all stayaboard vessels to ensure compliance with Federal, State and local regulatory authority regulations pertaining to sanitary provisions.
- g) Violators of the "No Discharge" rules will be required to reimburse the Windmill Harbour MOA for clean-up expenses and may be denied access to the Harbour and may be subject to any other appropriate measure as deemed necessary by the Windmill Harbour MOA or any other permitting authority.
- h) Persons staying aboard their vessel will inform the Harbourmaster of before the close of business on that day.

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2.1.13 REGULATIONS FOR GUESTS

- a) Owners desiring to allow a guest vessel to moor in their slip must notify the Harbourmaster 24 hours prior to arrival providing the following information:
 - 1) Vessel Name
 - 2) Vessel Owner's Name
 - 3) Overall length of the visiting vessel
 - 4) Length of Stay
- b) SCYC members must obtain permission from the Club if they intend to arrive by boat.
- c) Guest vessels must arrive during normal Windmill Harbour Marina operating hours in order to register with the Harbourmaster and obtain passage through the lock.
- d) Eligibility of vessels to enter the Harbour will be determined by the Harbourmaster.
- e) Marina owners and tenants who expect guests to arrive by land must notify Windmill Harbour Security the visitors name, date, and approximate time of arrival. Failure to provide the required information will result in the guests being denied entry into the Plantation.

2.1.14 FENDERING AND OTHER ADDITIONS TO THE DOCKS AND PILINGS

The addition of permanent fendering, mooring line hooks and other individual equipment to docks and pilings is prohibited except as authorized by the Windmill Harbour MOA Board of Directors. While it is not generally believed to be necessary, some Marina owners may wish to add additional fendering for special situations. Approved wooden fendering plans and installation procedures may be obtained from the Harbourmaster. Arrangements for the installation of approved wooden fendering can be made through the Harbourmaster. If a private contractor is used the Harbourmaster will inspect the completed job for adherence to the approved plans.

Unapproved installations will be removed. The cost of removal will be charged to the slip owner or renter and treated as any other assessment.

2.1.15 DOCK BOXES

Dock boxes are not permitted on the walkways, promenades, docks, or piers except for Harbour Cove (see section 2.2) and slips F1, F2, and F3. Dock boxes must be of the type approved by the Windmill Harbour MOA board of Directors for use in the Marina.

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2.1.16 WATER HOSES AND POWER CORDS

When not in use water hoses and power cords must be coiled neatly on the hose rack or stored on board.

2.1.17 LAUNDRY AND UNSIGHTLY ITEMS

Laundry and unsightly items must not be dried or aired in public view on any vessel, dock or pier. For the convenience of Marina owners and tenants, laundry facilities are available. Contact the Harbourmaster's office for access instructions.

2.1.18 SWIMMING AND FISHING

Neither swimming nor diving for recreation is permitted. Fishing is permitted in designated areas of the Harbour. Please see the Harbourmaster for permitted areas. Fishing from vessels is prohibited in the lock or the approach channel. Fish cleaning is prohibited at any location within the Harbour, including the approach channel floating docks. A fish cleaning station is provided on the south fixed pier.

2.1.19 COURTESY

Adherence to the RULES OF THE ROAD and common courtesy will contribute to the safe and satisfying use of the Harbour, lock and approach channel.

All persons within the premises owned by the MOA shall not create a nuisance. A nuisance is any act that causes hurt, inconvenience, or damage to another and the fact that the act may otherwise be lawful does not prevent it from being a nuisance. The inconvenience of complaint shall not be fanciful, or such that it would affect only one of fastidious taste, but is such that it would affect an ordinary, reasonable person.

2.1.20 PETS

All pets must be on a leash and in full control by the owners within the confines of the Harbour. Owners must clean up after their pets. Pets are permitted as long as they do not disturb other boat and property owners.

2.1.21 COMMERCIAL OPERATIONS

The operation of a commercial enterprise is prohibited in Windmill Harbour from a home, condominium or vessel under most conditions. However, certain commercial operations may be considered beneficial to Marina owners. These activities will be allowed under strict regulation by the Windmill Harbour MOA board of Directors and Harbour staff. Requests for such activity must be made to the Board stating the nature and duration of the activity and any impact upon the Marina or Windmill Harbour property. All individuals who desire to engage in commercial activity on MOA property are required to present current proof of liability insurance.

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Neither the vessel nor the Harbour address may be used for business or mailing purposes. No advertising or soliciting is permitted from or on vessels berthed in the Harbour.

"For Sale" signs are permitted only when approved by the Harbourmaster.

2.2 ADDITIONAL RULES AND REGULATIONS FOR HARBOUR COVE

2.2.1 SLIP CAPACITY

- a) The total length of vessels moored at a dock regardless of whether moored end to end or side by side, shall not exceed the dimensions of the "Slip Envelope" (both length and width) developed for the individual lot as recorded in the Deeded plat. This should not be confused with the "Dock Dimensions" which are approximately 40ft. in length by 5 ft. in width. No portion of any vessel(s) may protrude past the dimension of the envelope, including but not limited to bowsprits, motors, dinghies, davits, swim platforms and other projections.
- b) The number of vessels or other watercraft allowed in the water in any one slip shall not exceed two (2).
- c) One dinghy less than fifteen (15) feet in length may be stored on the Harbour Cove dock.

2.2.2 FURNITURE, FIXTURES, AND EQUIPMENT

- a) No permanent furniture, fixtures, or equipment will be permitted on the docks.
- b) Furniture, fixtures and equipment ashore are subject to the Windmill Harbour Property Owner's Association Covenants, Rules and Regulations. All such furniture, fixtures and equipment used should be secured as not to endanger adjacent persons or property.

2.2.3 FENDERING, DOCK BOXES, LADDERS, STEPS, DAVITS

- a) No additional fendering or structure may be added to the cap, bulkhead or individual docks, except as provided in Section 2.1.14.
- b) Dock boxes and steps of a type approved by the Harbourmaster may only be added in the location approved by the Harbourmaster. Unattached steps, when not in use, must be stored out of sight and inaccessible to unauthorized persons. Dock boxes must be of the type specified and approved by the Harbourmaster.
- c) No davits are allowed on the docks, piers, or bulkheads.

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- d) Requests for additional docking cleats on the bulkhead, dock or pier should be made in writing to the Harbourmaster. The Harbourmaster maintains a stock of approved cleats for sale and will make available approved construction drawings for installation by the Marina owner or his contractor. Following installation the Harbourmaster will inspect the installation for strict compliance as to location and installation quality.

3. SECURITY, SAFETY AND RELATED MATTERS

3.1 SECURITY AND EMERGENCY PHONE NUMBERS

Windmill Harbour Security (843) 681-6405

Harbourmaster Office (843) 681-9235
Fax (843) 681-9394

Police, Sheriff, Fire and rescue Squad 911

Vessel owners are responsible at all times for the security of their vessels. Neither the Windmill Harbour Association, Windmill Harbour MOA nor its employees are responsible for any loss or damages caused by vandalism or theft. After normal working hours, Windmill Harbour Security personnel will include the Harbour in their rounds.

Upon accepting his berth, each vessel owner must register with the Harbourmaster and leave either a key or combination to the vessel to be kept in a secure place by the Harbourmaster. The Harbourmaster must have access to every vessel for emergency purposes.

3.2 BILGE PUMPS

All vessels except dinghies must have permanently installed and operating automatic electric or mechanical bilge pumps. Bilge must be maintained in a constant state of readiness. Switches or handles should be labeled and installed in a readily accessible location in case of emergency.

3.3 COLLISIONS, ACCIDENTS AND SINKING

Neither the Windmill Harbour MOA nor the Windmill Harbour Marina Horizontal Property Regime is responsible or liable for damages or injuries to person(s) or property in connection with collisions, accidents, or sinkings within the Harbour, lock or approach channel. Federal and State laws govern the reporting of boating accidents. Owners must provide their own insurance to cover these incidents. Vessel owners are responsible for damage to property belonging to Windmill Harbour MOA or others as a result of negligence, misuse, or vandalism. The Harbour staff will endeavor to assist any boater involved in an emergency situation.

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3.4 FIRE FIGHTING EQUIPMENT

Fire extinguishers are located in plainly marked locations on each dock. Windmill Harbour Marina also has a "Fast Attack" fire fighting cart that can be deployed throughout the Harbour to extinguish boat fires. This equipment will respond to the placement of a 911 call to the Fire Department, notifying the Harbourmaster, or by notifying Security. Our staff will stage the equipment, the local Fire Department will operate it. The use of charcoal burners, gas welders, or any open flame producing equipment, except permanently installed equipment within the vessel (i.e) cook stoves, lamps, or lanterns) is strictly prohibited except in authorized areas. Authorized areas can be obtained from the Harbourmaster.

3.5 EMERGENCY LADDERS

An emergency access ladder is located near each boat slip for use by persons falling into the Harbour, as access from dinghies, or service personnel.

3.6 FIRST AID

A first aid kit is available at the Harbourmaster office.

3.7 OIL SPILLS

Accidental spills of oil, fuel, or bilge waste must be reported to the Harbourmaster immediately.

3.8 COLD WEATHER

In the event of freezing temperatures the Harbour staff will take step to protect the dock water systems. Owners are responsible for protecting their vessels from the cold.

3.9 HURRICANES

3.9.1 Emergency Preparedness Policy

Windmill Harbour is subject to the Beaufort County Emergency Operations Plan for hurricanes, which includes:

- a) Boats should be moved to areas less susceptible to hurricane damage
- b) A hurricane watch is issued 48 hours before expected landfall.
- c) A hurricane warning is issued 24 hours before expected landfall,
- d) An evacuation order is issued 12 hours prior to expected landfall of gale force winds (34-40 knts) preceding the hurricane. All persons are required to evacuate.

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- e) No one is permitted to return to the island until an all clear is given by the Beaufort County Emergency Preparedness.

Windmill Harbour Marina endorses the Beaufort County Emergency Preparedness policy that whenever possible boats should be moved to areas less susceptible to hurricane damage. Each boat owner should select such an area in advance and practice moving his boat to that area. Criteria for selection should include ease of access, inland distance from the ocean or sounds, adequate depth, adequate holding for anchorage, proximity to roads and communications, lack of congestion and the low probability of windblown debris.

3.9.2 BOATS LEFT AT WINDMILL HARBOUR

Windmill Harbour realizes that it is not always feasible for owners to move their boats. Those boats remaining in the marina during severe weather conditions are subject to the following conditions:

- a) Owners are responsible for any damage done by their vessel to other boats, property or persons.
- b) Owners will hold harmless Windmill Harbour MOA and its employees for any damage to their boat or equipment.
- c) Windmill Harbour employees, at the discretion of the Harbourmaster, may, but are not required or expected to, board or move vessels in order to perform any duties they feel necessary to increase safety or lessen damage.
- d) Windmill Harbour employees may find it necessary to add items of marine equipment to unattended vessels in the Harbour. This equipment could include, but is not limited to, additional fendering, dock/anchor lines, anchors and bilge pumps. The owner accepts full financial responsibility for both the equipment and installation costs.

Items c and d above in no way absolve the owner of the necessity of preparing his vessel for severe storm conditions (See Below)

3.9.3 Responsibilities

The following are boat owner responsibilities:

- a) Fill water and fuel tanks
- b) Check that all batteries are fully charged
- c) Remove loose equipment, sails, and other gear from decks.
- d) Ensure that adequate dock lines, fenders, anchors and anchor lines are onboard and in good condition.
- e) Ensure that all bilge pumps are working

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4. HARBOURMASTER SERVICE

- A) The following services are provided by the Harbour Staff during normal business hours:

- Lock Operations
- Fueling
- Pumpout service
- Marina Store
- Pollution Control
- Emergency boat pumping
- Battery Charging
- Towing
- Ice Sales
- Emergency Telephone
- Heavy Weather Assistance and Planning

Any owner of a vessel berthed in Windmill Harbour Marina is encouraged to consult the Harbourmaster, or his staff, for advice when needed. The staff is here to make your experience at Windmill Harbour as pleasant and safe as possible.

- B) The Harbour staff, store, and fuel dock are available seven (7) days each week from 8:00am-6:00pm, unless otherwise posted.

Vessel owners not possessing a lock card and desiring to lock through at times other than normal business hours must make prior arrangements with the Harbourmaster. This includes vessels which have not returned by normal closing hours.

5. PARKING

- A) Parking is permitted only in designated areas.
- B) No vehicles are allowed on the promenade or golf cart paths.
- C) Vessel owners and their guests intending to leave vehicles over 24 hours must check with the Harbour staff AND Windmill Harbour Security for the location and availability of long term parking.
- D) The Windmill Harbour MOA accepts no liability or responsibility for parked vehicles.

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6. ENFORCEMENT

6.1 FOR SLIP OWNERS

The Master Deed as well as Bylaws and other rules provide for enforcement of these Harbour Rules and Regulations. ARTICLE V, Section 4; USE RESTRICTIONS, Common Elements; of the Master Deed is provided here for your convenience:

All occupants of units and their respective guests shall have a non-exclusive right to use and enjoy the Common Elements for the purposes for which they are intended (including, without limitation, the right of pedestrian access, and where permitted by the Association, Vehicular access, ingress and egress to and from his unit over those portions of the Common Elements from time to time designated for such purposes); subject, however, to the following provisions: (a) no such use shall enter or encroach upon the lawful rights of any other persons; (b) the right of the Association to restrict the use and govern the operation of the Common Elements by promulgating reasonable rules and regulations with respect thereto, including the right to charge reasonable admission and other fees for any facility or improvement located thereon and to impose reasonable limitations on the number of guests who may use such facilities and the hours of operation' (c) the right, hereby reserved by the Association, to suspend a unit Marina owner's rights to use the Common Elements during the period that an assessment of the Association remains unpaid or for any other infraction of this Master Deed, or of the Articles of Incorporation, Bylaws, and Rules and Regulations of the Association, or of the Covenants.

6.1.1 FAILURE TO PAY ASSOCIATION ASSESSMENT

Failure to pay the Association semi-annual assessment within 30 days after it is due will result in the addition of a one and one-half percent (1.5%) of the outstanding amount interest charge per month for each month that the assessment is outstanding. Additionally, any and all legal action may be taken against the Marina owner, including denial of access to the Common Elements. At the end of a 30 day period the vessel may be removed from the Harbour and placed outside at anchor.

6.1.2 FAILURE TO REMOVE A VIOLATION

An owner's failure to remove a violation of the Master Deed, Bylaws, etc., or to abate a continuing violation of the Rules of conduct, within 15 days after notice by the Windmill Harbour MOA Board of Directors, may result in denial of access to the Common Elements. At the end of a 30 day period the vessel may be removed from the Harbour and placed outside at anchor

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6.1.3 FAILURE TO CORRECT AN UNSIGHTLY CONDITON OF VESSEL

An owners failure to correct or remove an unsightly condition of a vessel as determined by the Windmill Harbour MOA Board of Directors will result in denial of access to the common elements following a 15 day grace period. At the end of a 30 day period the vessel may be removed from the Harbour and placed outside at anchor.

6.1.4 FAILURE TO CORRECT A DANGEROUS CONDITON OF VESSEL

An owner's failure to promptly remove or correct a dangerous condition of a vessel as determined by the Harbourmaster will result in denial of access to the Common Elements. Failure to act promptly will result in the immediate removal of the vessel from the Harbour and placement outside at anchor

6.2 FOR SLIP RENTERS

6.2.1 FAILURE TO PAY SLIP RENT

Renter shall pay a monthly rent specified by the rate sheet approved by the Windmill Harbour MOA Board of Directors. Rent shall be based on a thirty (30) day month, shall be due and payable on the first day of each month, and shall be delinquent if not paid in full on or before the fifth day of each month. Delinquent rent shall bear interest on a daily basis from the date due at one and one-half percent (1.5%). The Marina may terminate the Boat Slip Rental Agreement with 30 day notice for delinquent rent. At the end of the 30 day period the vessel may be removed from the Harbour and placed outside at anchor.

6.2.2 FAILURE TO REMOVE A VIOLATION

A renter's failure to remove a violation of the Master Deed, Bylaws, etc., or to abate a continuing violation of the Rules of conduct, within 30 days after notice by the Windmill Harbour MOA Board of Directors, may result in the immediate termination of the Boat Slip Rental Agreement.. At the end of a 30 day period the vessel may be removed from the Harbour and placed outside at anchor.

6.2.3 FAILURE TO CORRECT AN UNSIGHTLY CONDITON OF VESSEL

A renters failure to correct or remove an unsightly condition of a vessel as determined by the Windmill Harbour MOA Board of Directors will result in denial of access to the common elements following a 15 day grace period. At the end of a 30 day period the Boat Slip Rental Agreement may cancelled and the vessel may be removed from the Harbour and placed outside at anchor.

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6.2.4 FAILURE TO CORRECT A DANGEROUS CONDITON OF VESSEL

A renter's failure to promptly remove or correct a dangerous condition of a vessel as determined by the Harbourmaster will result in termination of the Boat Slip Rental Agreement. Failure to act promptly will result in the immediate removal of the vessel from the Harbour and placement outside at anchor.

7. VARIANCES

All variances must be applied for in writing to the Windmill Harbour MOA Board of Directors. The application should state the nature and degree of the variance requested. Such statement should be as precise as possible. A drawing depicting the variance requested and its location, color, type and size should accompany the written variance requested. Certain variances in Harbour Cove may also be required to be submitted to the Windmill Harbour Property Owner's Association for approval.

8. FACILITIES

8.1 SHOWERS AND RESTROOMS

Men's and Women's showers and restrooms are located in three locations around the Harbour. They are located at the Harbourmaster building, on the promenade below the Yacht Club Pool at the corner of "A" dock and on the "G" dock promenade. The Marina staff services the restrooms daily. Please report any conditions requiring attention to the Harbourmaster.

8.2 SOUTH CAROLINA YACHT CLUB RECREATIONAL FACILITIES

The swimming pool and tennis courts located near "A" dock are for use by SCYC members only. As a customer of Windmill Harbour Marina we will supply you with a *letter of introduction* for the Yacht Club. You are encouraged to meet the staff at the South Carolina Yacht Club and discover all that they have to offer.

