

Oyster Bay Condominium Docks Handbook



In Memory of John McHenry, 1943-2012, "The Dockmeister"

Oyster Bay Condominium Dock Committee

May 2021

The objective of the **OYSTER BAY CONDOMINIUM DOCKS HANDBOOK** is to provide a pleasurable boating environment for owners and unit tenant lessee, and their invited guests, of Oyster Bay Condominium property. In order to ensure a safe, attractive, and controlled environment, these rules are necessary.

All Owners of the Deeded Boat Slips at Oyster Bay Condominium (OBC), including any unit tenant lessees and invited guests, are required to obey the stated rules. The rules set forth herein are considered in effect, until that time they are changed by the Oyster Bay Condominium Board of Directors (OBCBOD). Any owners who feel the rules are not in the best interest of the majority are encouraged to submit their suggestions in writing to the OBCBOD. However, until the OBCBOD grants a change, the rules set forth are in effect. Persons who wish to request an exception to the rules will be asked to present their case to the OBCBOD for resolution. The formal process for pursuing changes to the rules is presented near the end of this document. The following list of rules is not all-inclusive, but addresses some of the more common issues of boat slip owners:

1. Each boat slip owner or unit tenant is responsible for their own trash and the proper removal, including trash generated by their invited guests. Trash containers are placed at the entrances to and at various places along the boardwalk. Each boat slip owner or unit tenant or their invited guests shall place their trash in these containers or remove their trash completely from the docks area and dispose of it in the appropriate dumpster. Each boat slip owner or unit tenant or their invited guests shall ensure that there is no trash sitting or stored on the promenade or any pier, dock or other portion of OBC, or overflowing out of a trash container. It is the responsibility of each boat slip owner or unit tenant or their invited guests to ensure that the trash container tops are always securely fastened against the wind and not just placed on top of an overflowing pile of trash.
2. No bait, animal carcasses, foodstuffs, or other similar elements will be left on the premises or discarded into the water. Maryland Department of the Environment (MDE) regulation prohibits discarding any fish carcasses directly in the waterways at the Marina, and there are stiff fines for doing so.
3. Fish cleaning is not allowed on the piers or docks. A fish cleaning station at the end of the promenade is provided for this purpose.
4. Crabbing and fishing on piers is for the enjoyment of Oyster Bay residents and their invited guests only. Crab pots may only be used at your own slip. Using another slip is by permission only. Do not put crab pots at the end of the piers. This facility is not open to the public.
5. Cooking, barbecuing, or food preparation is not permitted on the docks, piers, or promenade, or on the deck or cockpit of any boat within the Oyster Bay Marina (OBM). Cooking, or food preparation is permitted only inside an enclosed cabin area of each boat.
6. Each slip is to be used for one recreational vessel and its tender only. Commercial vessels of any type are prohibited. OBM boat slips shall be used only for recreational, Oyster Bay Marina-related purposes. No slips may be used for commercial purposes. A single "Jet Dock" or similar floating platform for boat storage is allowable. A "pleasure boat" is defined as a registered boat under the laws of the State of Maryland, not licensed for carrying passengers or cargo for hire, and operated by its owners on a nonprofit, noncommercial basis.
7. All boats docked at OBM must be operational and seaworthy. All boats docked at OBM must be equipped with all safety of life at sea equipment required by Coast Guard regulations, federal, state and local laws. All boats occupying OBM must be registered per Maryland Department of Natural Resources (DNR) requirements, and shall comply with all Federal, State, and Local licensing and regulation requirements.
8. An agent of the Oyster Bay Condominium Dock Committee or the OBCBOD may periodically inspect boats for seaworthiness and compliance with the requirements of this Handbook, and order removal of any boats not in compliance.

9. Any boats sunk in a slip shall be removed by the deeded boat slip owner promptly. If no action is taken in a reasonable amount of time, the OBCBOD or Oyster Bay Condominium Dock Committee may direct the removal of the sunken boat at the expense of the deeded boat slip owner.
10. Barges without means of self-propulsion are prohibited.
11. No boat may be used as a residence.
12. Boats equipped with sanitary holding tanks must comply with Maryland Department of the Environment (MDE) standards for disposal. Several commercial marinas in the area have pump-out sites. OBM does not have a sewage pump-out facility. Overboard discharging of waste of any type is prohibited.
13. Boat lifts attached to the docks, finger piers, or pilings are prohibited. A single "Jet Dock" or similar floating platform for boat storage is allowable.
14. Use of the floating dock facility (Kayak Dock) of OBM is limited to members and tenants or their invited guests only.
15. All personal items shall be contained on the boat or in approved dock boxes at each slip. Kayaks may be stored only in the designated racks for an annual fee of \$100. Crab pots which have been cleaned may be stored seasonally at owners slip. OBC owners and guests shall keep the dock area and surrounding premises free of boat and fishing equipment, including but not limited to, crab or bait pots, nets, tackle, bicycles and boxes.
16. Installation of dock boxes are permitted only by approval of the Oyster Bay Dock Committee or the OBCBOD. Dock box configuration, location and manner of installation require prior approval. Initial contact for approval is the Dock Committee Chairperson (Dockmaster). Dock boxes will be approved on an individual request basis only. Requests for dock box approval must include description of exact placement, model, size, and means of fastening to the dock.
17. No exterior antennas of any type, including but not limited to, satellite dishes for reception or transmission, may be erected or maintained within any area of the OBM. All vessel antennas must be situated entirely on the vessel and within the deeded boat slip area.
18. Only electrical connectors designed for marina/boating use may be connected to electrical pedestals. Activating the electrical to the pedestal must be done by a licensed electrician and must comply with current state electrical codes. For more information contact the Dockmaster.
19. Water hoses must be contained on OBCBOD approved "Hose Caddies" mounted on the pilings. See the Dockmaster for specifications. Hoses wrapped around pilings or electrical pedestals are not acceptable.
20. Deeded boat slip owners shall, at his/her expense, properly maintain all approved equipment or fixtures installed at their boat slip area.
21. Any activities, actions, or behavior which present a nuisance or disruption to any boat slip owner's enjoyment, such as but not limited to rude behavior or creating excessive noise or unpleasant odors, is prohibited. Adult and considerate behavior is part of the pleasures of the boating experience. Drunken behavior is against the law in the State of Maryland and as such will not be condoned or tolerated on the premises.
22. No signs, posters or advertisement of any kind are permitted to be placed on or within any boat, except that a temporary "For Sale" sign not exceeding four (4) square feet may be placed on a boat with regard to the sale, with the prior approval of the OBCBOD. Any such sign shall be removed promptly following the sale.

23. Hanging or spreading clothing, laundry, rugs or wash from or upon any boat, docks, piers, boardwalks, railings, or upon any OBM Limited Common Elements is prohibited.
24. No boat trailers shall be maintained or stored within the OBC property. Boat trailer parking may be temporarily allowed only with prior approval from the OBCBOD.
25. Subletting of slips is allowed only to other OBC property owners.
26. Invited guests of slip owners or OBC unit tenants may be allowed to use vacant or guest boat slips only with prior approval from the Dockmaster or the OBCBOD.
27. OBC slip owners are asked to report to the Dockmaster or the OBCBOD any defects or repairs for which OBC is responsible.
28. Children twelve (12) and under are required to wear personal floatation devices while on docks and vessels, and shall not be left unattended or unsupervised on the docks, piers, promenade, boats, or any other area near the docks including cars, parking lots, common use facilities, etc.
29. Pets shall be retained on leashes at all times. Pet owners are responsible for the conduct and actions of their pets, and the Oyster Bay Condominium Association will not be held responsible for any loss or liability. Under no circumstances will pets be left unattended. Under no circumstances will unfriendly animals be allowed on the property due to insurance restrictions and safety to OBC owners, tenants, and guests. Each pet owner shall clean up his/her pet's waste.
30. Any owner of a boat docked at OBM hiring a contractor to perform any work to his/her vessel, shall provide the OBCBOD with proof of adequate insurance coverage maintained by such contractor of any work over Five thousand dollars (\$5,000.00) as determined by the OBCBOD, prior to the commencement of work. Boat owners shall perform maintenance activities in such a manner as to not unreasonably disturb or interfere with the other OBC property owners.
31. Every boat owner of a boat docked at OBM shall file with the OBCBOD a copy of their Marine Boat Insurance for their boats. This will include hull coverage and indemnity and/or liability insurance in the minimum of Three Hundred Thousand and 00/100 Dollars (\$300,000.00) on his/her vessel throughout the time it is located within an OBM dock slip. A Certificate of Insurance, naming OBC as an indemnified holder, shall be provided to the OBCBOD. Any vessel without a current Certificate of Insurance will not be allowed to use the dock facilities.
32. Any equipment, actions or situations which will increase the rate of and/or cause the cancellation of the insurance for the boat owner and/or OBC is prohibited.
33. No industry, business, trade, occupation, or profession of any kind, commercial, religious, educational, or otherwise, designed for profit, altruism, exploration or otherwise, shall be conducted, maintained, or permitted on any part of the OBM. Except for Oyster bed farming, no other uses will be permitted by OBC unless by special request to the OBCBOD.
34. Anything which may impair the structural integrity of the existing structure or OBM Common Elements, such as but not limited to the promenade, bulkhead, docks, mooring pilings, or finger piers, is prohibited. This includes anything which would structurally change any slip or improvements located on the property or the riparian areas thereon.
35. OBC owners shall be responsible for and shall promptly reimburse (upon demand) the Association for the cost of repairing any damage to the OBM Common Elements, which is caused by the negligence or misuse of such OBC owner or their tenants or guests. Reimbursement shall be collected by OBC from the property owner obligated therefore in the same manner as set forth in Article 5 of the Bylaws for the collection of Common Expenses. Repairs and replacements shall be substantially similar to the original construction and installation.

36. The possession of and/or use of fireworks of any kind is not permitted on the docks, piers, or promenade or on any vessel within OBM.

The OBCBOD may, from time to time, enact reasonable Rules which govern the use and operation of the Docks, as well as the conduct and enjoyment of the Unit Owners with respect to these sections of the Condominium, provided that such Rules are adopted in accordance with the Act and the procedures set forth in Section 11-111 of Title 11 of the Maryland Condominium Act, as is amended from time to time. All Rules shall have the same force and effect as if they were incorporated in the Bylaws by direct reference and may be enforced (per Section 11-113 of Title 11 of the Maryland Condominium Act, as from time to time amended).

The OBCBOD may enact additional or dissolve existing uniform Rules which govern the use and operation of the boat slip/pier facility elements at Oyster Bay Condominium property, provided that such Rules are not in conflict with the Declaration or the Bylaws, and provided further that such Rules are adopted in accordance with State and County laws. At least thirty (30) days prior to the adoption of any proposed new Rule(s), a notice must be mailed or delivered to each deeded boat slip owner.

The notice shall include the following:

- (i) A copy of the proposed Rule(s),
- (ii) Inform the deeded boat slip owner of the right to submit written comments on the proposed Rule(s) to the OBCBOD,
- (iii) State the effective date of the proposed Rule(s), and
- (iv) Inform the deeded boat slip owner of the meeting of the OBCBOD which has been scheduled to consider and adopt the proposed Rule(s),
- (v) If a majority of the members of the OBCBOD are present at the open meeting, and vote in favor of the proposed Rule, such proposed rule shall become effective upon its effective date unless,
 - a. Within fifteen (15) days after the affirmative vote, fifteen percent (15%) or more of the deeded boat slip owners sign and file a petition with the OBCBOD requesting a special meeting,
 - b. A quorum is present at such special meeting,
 - c. At such special meeting, more than fifty percent (50%) of the deeded boat slip owners present and voting vote against the proposed Rule, and such Unit owners represent more than thirty-three percent (33%) of the total votes in the Condominium.

As stated previously, the rules are designed to protect everyone's privileges in OBC.

Liability of the Oyster Bay Dock Committee; Indemnification.

The members of the Oyster Bay Dock Committee, including the Oyster Bay Dock Committee Chairperson (Dockmaster), shall not be liable to the OBC owners for any mistake of judgment, negligence, or otherwise, except for their own individual willful misconduct or bad faith.

The OBC Association shall indemnify the Oyster Bay Dock Committee Chairperson (Dockmaster) and every member of the Oyster Bay Dock Committee against any and all expenses, including counsel fees, reasonably incurred by or imposed upon the Chairperson and any member of the Committee in connection with any action, suit or other proceeding (including the settlement of any such suit or proceeding if approved by the then Oyster Bay Dock Committee of the OBC Association) to which he may be made a party by reason of being or having been a Chairperson or member of the Oyster Bay Dock Committee of the OBC Association, whether or not such person is a Chairperson or member of the Committee at the time such expenses are incurred. The Chairperson and members of the Oyster Bay Dock Committee of the OBC Association shall have no personal liability with respect to any contract or other commitment made by them, in good faith, on behalf of the OBC Association (except in their capacity as OBC Slip or OBC Unit Owners) and the OBC Association shall indemnify and forever hold each such Chairperson and member of the Oyster Bay Dock Committee free and harmless against any and all liability to others on account of any such contract or commitment. Any right to indemnification provided herein shall not be exclusive of any other rights to which any Chairperson or member of the Oyster Bay Dock Committee or former Chairperson or member of the Oyster Bay Dock Committee may be entitled.