

MARINA RULES & REGULATIONS

September 20, 2021

1. General Provisions

- a. When a boathouse or watercraft enters the Marina, it immediately comes under the jurisdiction of the PORT, or its designee, and shall be berthed or anchored only where authorized.
- b. All new boathouses and watercraft to be placed by lessees in rented spaces or slips must be approved by the Port, or its designee, before being moored.
- c. A Tenant's guest is the full responsibility of the host tenant. The host shall meet all guests at the locked gate to let them in. A tenant may not open the locked gate for another tenant's guest. **TENANTS SHALL ACCOMPANY GUESTS AT ALL TIMES.**
- d. Disorderly conduct or the violation of Oregon laws by lessee, his/her guests or invitees shall be cause for their immediate removal from the Marina and termination of their lease.
- e. As defined by City of The Dalles General Ordinance 93-1175:
 - i. Tenants shall not create or assist in creating or permit the continuance of unreasonable noise.
 - ii. Using or operating sound-amplifying devices (radio, stereo, loudspeakers, etc.) are prohibited between the hours of 11:00PM and 7:00AM.
 - iii. Construction activities are prohibited between the hours of 8:00PM and 7:00AM
- f. Sanitary facilities or any hazardous materials will not be discharged into the Marina. It is illegal to discharge gray water into Oregon waterways.
- g. Dumpsters
 - i. Household garbage and recycling generated in the Marina shall be deposited in containers supplied for that purpose.
 - ii. Boathouse clean-up and other construction debris **SHALL NOT BE PLACED** in, or alongside, the Marina garbage and recycling containers. If this occurs a fine of \$65.00/hour, plus cost of proper disposal will be assessed.
- h. Pets: All pets in the Marina are required to be always on a leash while on Port owned docks. Pet owners shall immediately cleanup and dispose of all animal waste to proper disposal containers. Placing this material in the waters of the State of Oregon is prohib-

ited. Tenants and/or their guests violating this rule will not be allowed to bring pets into the Marina for the balance of their lease term and could lose their lease.

i. Persons under the age of 12

- i. Must be always accompanied by a responsible adult, regardless of whether such persons are identified as a family member of or guest of a Tenant.
- ii. Must always wear a life jacket while in the Marina

j. Parking:

- i. Tenants shall park vehicles in the parking lot adjacent to the Marina.
- ii. No vehicle shall be in the parking lot for more than 72 hours.
- iii. Neither the Port, nor its designee, are liable for any theft or damage.

k. Any boathouse or watercraft that sinks in the Marina shall be removed by the owner at his or her expense.

l. No space lease for boathouse, boat or any other mooring space at The Dalles Marina may be subleased by tenant to any third party.

m. The Port, or its designee, and/or the management, operator and/or concessionaire of The Dalles Marina, may issue a "trespass notice" to any person in the Marina for reasons it or they deem sufficient, they would be subject to arrest for trespass, and this would be true even if a tenant desires for the person so noticed to be present in the Marina.

2. All New Marina Tenants:

a. All new Marina tenants (boathouse or open moorage) shall pass security screening criteria prior to an initial lease agreement being issued.

b. All new Marina tenants shall provide proof of the following before lease agreement being authorized:

- i. Boathouse and/or watercraft ownership: a copy of the sales contract or bill of sale and title.
- ii. Current copy of boathouse liability insurance with the minimum limit of \$500,000.00, as determined by the Port Commission and to include both Port of The Dalles and The Dalles Marina, LLC listed as additional insured.
- iii. Current copy of watercraft pollution liability insurance with the minimum limit of \$500,000.00, as determined by the Port Commission and to include both Port of The Dalles and The Dalles Marina, LLC listed as additional insured.
- iv. If Marina tenant owns a boathouse and watercraft, it is required to have both liability and pollution liability insurance, as stated above in 2.(b.)(ii.) and 2.(b.)(iii.)
- v. Copy of current watercraft registration.
- vi. Current photo of watercraft
- vii. Proof of residency

c. Only tenants that have passed a background screening shall be issued a key.

3. Annually:

- a. Leases will be issued annually.
- b. Marina tenants will provide a current copy of boathouse liability insurance with the minimum limit of \$500,000.00, as determined by the Port Commission and to include both Port of The Dalles and The Dalles Marina, LLC listed as additional insured.
- c. Marina tenants will provide a current copy of watercraft pollution liability insurance with the minimum limit of \$500,000.00, as determined by the Port Commission and to include both Port of The Dalles and The Dalles Marina, LLC listed as additional insured.
- d. If Marina tenant owns a boathouse and watercraft, it is required to have both liability and pollution liability insurance, as stated above in 2.(b).(ii.) and 2.(b).(iii.)
- e. Photo of watercraft showing current registration on it.
- f. To demonstrate seaworthiness, at least once between June-August, watercraft must be moved out of its slip and back, using its own power.

4. Watercraft

- a. Watercraft **MAY NOT** be used as principal residences as defined by ORS 09.100 and further defined by ORS 830.700. Overnight stays are limited as follows:
 - i. June 1 – August 31: No more than 45 consecutive overnight stays at any one time.
 - ii. September 1 – May 30: No more than 14 stays in a one-month period.
- b. Watercraft within the Marina must be operated at a speed so as not to create a wake.
 - i. Reported violators will be given one verbal warning to adhere to an appropriate speed; a written notice will be issued for a second reported violation; and report of a third violation will be met with legal action.
- c. Watercraft in the Marina shall be operated according to United States Coast Guard Rules and Regulations.
- d. Watercraft may not be moored to, outside of, or off, the space let to boathouse.
- e. Watercraft engine and bilge maintenance will comply with the following:
 - i. Always use absorbent bilge pads or socks to soak up oil and fuel.
 - ii. Recycle and/or dispose of petroleum products properly.
 - iii. DO NOT DISPOSE OF ANY FUELS OR USED OIL in the Marina dumpsters.
 - iv. Oil filters are to be thoroughly drained and disposed of properly.
 - v. DO NOT DISCHARGE BILGE WATER if there is a sheen to it.
- f. Watercraft moored in the Marina must, always, be operable and maintained in a seaworthy condition and not constitute a safety, fire, or health hazard, or present a risk of sinking. The Port, or its designee, may ask the Tenant to demonstrate the seaworthiness of their watercraft at any time. The watercrafts hull, keel, decking, cabin, and mast must be structurally sound and free from dry rot or other similar defects or deficiencies. If the watercraft does not comply with these conditions, the Tenant must immediately remove their watercraft from the Marina for repair. If the Port, or its designee, is of the opinion that the watercraft is hazardous to Marina property or facilities, other watercraft, or persons, it will be denied permission to remain on Marina property and be required by the Port, or its designee, to be removed from the Marina at the owner's expense upon

receipt of written request from the Port, or its designee. If a watercraft owner has been requested to remove their watercraft from the Marina but is unavailable to do so or refuses to act upon such request, the Port, or its designee, has the right to cause removal of the watercraft from the Marina at the owner's expense, and to terminate the moorage lease.

- g. Watercraft are required to store sewage in holding tanks and dispose of property at the pump-out station.
- h. Watercraft are prohibited from discharging any municipal solid waste while moored in the Marina.
- i. All watercrafts shall be moored to the Port's dock in a secure manner. This system must protect the Port's dock system and surrounding boathouses and/or watercraft.

5. Boathouses

- a. Boathouses **MAY NOT** be used as principal residences as defined by ORS 09.100 and further defined by ORS 830.700. Overnight stays are limited as follows:
 - i. June 1 – August 31: No more than 45 consecutive overnight stays at any one time.
 - ii. September 1 – May 30: No more than 14 stays in a one-month period
- b. A boathouse is a covered structure on floats used for the protected moorage of a boat. A boathouse is essentially a garage for a boat. A boathouse is not a houseboat or floating home and is not to be used as such within the Marina.
- c. Boathouses located on leased spaces within the Marina are for personal recreational use only, of approved boat owners only. No commercial use may be made of any boathouse located within the Marina.
- d. The Marina is zoned "CR", a Recreational Commercial District within the local zoning law (City of The Dalles). Dwellings are prohibited in this zone under the circumstances existing in the Marina.
- e. Tenants may not live in the boathouse on the leased space. They may not use the boathouse on the leased space as a residence.
- f. Boathouses must be of a dimension, size, design, and color satisfactory to the Port, or its designee.
- g. All boathouse number's must be posted in a visible location on the boathouse.
- h. All boathouses shall maintain a minimum of 12" of freeboard in a uniform manner to ensure there is limited stress on the docks.
- i. All boathouses shall be connected to the Port's dock in a secure manner. This system must protect the Port's dock system and surrounding boathouses and/or watercraft. Connections shall provide a minimum 6" clearance between the Port owned dock and the lessee's boathouse to allow space for maintenance work on the docks and utilities. This space can be left open or provide a hinged, removable cover that will provide the required clearance. All mooring connections and revisions to existing systems must have prior Port, or its designee, approval.
- j. Boathouses with functioning kitchen and/or bathroom facilities are required to hook-up to the Port's sewer system.

- k. Boathouses are required to be regularly maintained and repaired so that the outward appearance and structural condition of all boathouses are of a first-rate, top-quality condition. The following conditions, although not meant to be totally inclusive, are illustrative of violations within the meaning of this rule:
 - i. Paint on boathouse siding, decking, windowsills, doors, roofs, etc., exhibiting a cracking or peeling condition.
 - ii. Roof on the boathouse not securely affixed to the boathouse structure.
 - iii. Absence of siding on boathouse frame including sides, front (that Portion most immediately adjacent to and secured to the Port dock system) and gables when the design of the boathouse structure would be aesthetically enhanced by the addition of siding (in this latter regard, as in all the Marina rules and regulations, e.g., rule 34 here, the Port Commission is final arbitrator over what constitutes “aesthetic enhancement”).
 - iv. Rain gutters and other designed parts of the boathouse which are not securely affixed and functioning.
 - v. Removal of vegetation from floats.
- l. Debris, materials, or accessories shall not be stored or otherwise allowed to accumulate outside, whether on or off the space let to the boathouse lessee. Supplies shall not be stored outside boathouses, whether on or off the space let to the boathouse lessee.
- m. Any modifications to a boathouse must be approved in writing by the Port, or its designee, prior to any work being done.
 - i. If an unapproved modification is constructed, and it is determined by the Port, or its designee, that the modification is negatively impacting the marina, the docks, or neighbors, the lease will be terminated.
- n. Boathouses shall be in seaworthy condition and not constitute a safety, fire or health hazard or they shall be removed from the Marina at the owner’s expense.

6. Prohibited

- a. **SWIMMING IS PROHIBITED** in all areas of the Marina.
- b. Boathouses and/or watercraft not marked or identified as required by law will not be permitted within the Marina.
- c. No alteration of slip size, boathouse space or any Port owned components will be permitted.
- d. No additional moorage cleats or tie-ups to be added to the docks in the open moorage areas. If additional cleats are needed, they shall be installed and maintained by the Port, or its designee.
- e. Tenants shall not install or construct any lockers, chests, cabinets, steps, ramps, or similar structure on Port owned facilities.
- f. Watercraft may not be moored to, outside of, or off, the space let to boathouse.
- g. Watercraft are prohibited from discharging any municipal solid waste while moored in the Marina.
- h. Wood-burning stoves, wood-burning fireplaces and all open burning is prohibited in the Marina. This includes any open flame fire pits.

- i. No fishing will be permitted in a manner endangering individuals or impeding the movement of watercraft within the Marina.
- j. Sanitary facilities or any hazardous materials will not be discharged into the Marina. It is illegal to discharge gray water into Oregon waterways.
- k. All fireworks, including sparklers, are **STRICTLY PROHIBITED** from use on Port Property.

7. Emergencies:

- a. For emergency services to aid in the case of an emergency, all boathouses are required to post their boathouse number in a visible location.
- b. The Port, or its designee, has the right to require inspection of any boathouse and/or watercraft in the Marina to ensure seaworthiness and adherence to safety, fire, and health requirements, at the owner's expense.
- c. In case of an emergency requiring immediate action and/or repairs to lessee's boathouse or watercraft, to protect Port's property or the property of other Marina lessees, the Port, or its designee, shall have the right to perform said emergency actions and/or repairs and charge all costs to lessee.
- d. The Port, or its designee, is not responsible for any loss or damage to boathouse or watercraft in the Marina. Each owner will be held responsible for damage which he/she may cause to other boathouses or watercraft in the Marina or for damage to any Port structure.

8. All Marina Rules and Regulations are enacted, reviewed, and revised from time to time by the Port of The Dalles Commission. The Marina Rules and Regulations have been expressly adopted:

- a. To provide for the orderly and safe use by the public of the Marina and the parking areas and other Port property adjacent to it.
- b. To provide for the maintenance and improvement of the visual and aesthetic appearance of the Marina and surrounding Port properties near it (including boathouses and watercraft moored in it).
- c. To provide for the protection of the Port's improvements and properties within the Marina and on Port properties nearby.
- d. To provide and protect the general use and enjoyment of the space and slip rentals within the Marina for the benefit of Port Marina tenants and/or lessees within the Marina; and
- e. To provide for the benefit of the public, regarding safety, health, and welfare within the Marina and on the Port's properties nearby.

9. In construing the meaning of any of the Marina Rules and Regulations herein, or of any clause, phrase, provision, or portion thereof, the lessee or tenants within the Marina, and the public

using same, are bound by the final determination of the Port of The Dalles Commission regarding any such construction, interpretation or meaning.

10. Whenever reasonably practicable, updates and revisions of these Marina Rules and Regulations, which may be revised from time to time by the Port Commission, shall be delivered or mailed to the tenants and/or lessees within the Marina.