

**FOGG COVE HOMEOWNERS ASSOCIATION, INC.
(T/A THE HOMES AT PERRY CABIN)**

**RULES AND REGULATIONS
FOR USE OF AND ACCESS TO BOAT SLIPS,
DINGHY DOCKS AND KAYAK RACKS**

Approved at 7.14.18 Meeting of FCHA Board of Directors

Fogg Cove Homeowners Association, Inc. ("Fogg Cove", t/a The Homes at Perry Cabin) hereby adopts the following Rules and Regulations governing the Piers and Slips appurtenant to the Townhouse units at Perry Cabin ("Homes at Perry Cabin"), St. Michaels, Maryland.

A. Slip Ownership

The form of ownership of the boat slips shall be in accordance with the Supplemental Declaration of Covenants, Conditions and restrictions, and Deed of Easements dated September 17, 1987, as amended, and recorded among the Land Records of Talbot County in Liber M.A.S. No. 651, page 418.

B. Access to and Usage of Slips

1. The slips shall be used solely for pleasure and recreational boating purposes. No vessels used for commercial purposes will be permitted.
2. Slips may be leased or rented provided the lessee is a resident owner or resident lessee of a Home at Perry Cabin.
3. The mooring or berthing of a boat shall take place entirely within a slip. No boat or vessel may be tied outside or berthed in such a manner as to extend beyond the limits of a slip.
4. No holder of an Easement to a slip or user of a slip may make any structural or other modification (including, but not limited to, the installation of davits, flags, dock boxes, cranes, signs, installation of holes in tops of piling caps) to the piers, walkways, slips or pilings without the prior written approval of the Fogg Cove Board of Directors, and such other public authorities as may be required from time to time. However, the owner of a slip may add the following at his own expense, and is responsible for their proper maintenance and appearance:
 - a. Piling bumpers or dock edge bumpers provided the same are white, light brown or tan in color;

- b. Mats not exceeding 2 feet x 3 feet in size and light to medium brown in color and placed on the finger piers (no carpeting is allowed anywhere);
 - c. Ladders may be installed provided they conform to the existing aluminum ladders (low or handicapped);
 - d. Cleats may be added provided they match existing cleats and installations of such cleats.;
 - e. Grab rails for safety, and
 - f. Hose hangers must be aluminum or white or beige plastic.
5. All water hoses stored on the piers shall be neatly coiled and hung on hangers when not in use.

C. Guests

Guests of homeowners or lessees of a Perry Cabin Home may use the slip appurtenant to their house, provided that such guests not stay overnight on a boat for more than seven (7) nights.

D. Utilities

1. Water Service to the slips will be provided except during winter months. Water charges will be paid by Fogg Cove and the expense thereof recovered through its annual fees and assessments to its members.
2. Each slip has electrical service available. Each slip owner is responsible for obtaining electrical service from the electric company and to pay all costs thereof directly to such electric company. To ensure public safety and otherwise protect homeowners and the general public, the Board of Directors may turn off electrical service to slips as it deems necessary.
3. No user or owner of a slip may discharge any sewage into the waters of Fogg Cove. No provision for sewage disposal will be provided by Fogg Cove at the piers and slips.

E. Maintenance and Repairs

1. To protect the piers and slips from ice damage, excessively long and deep cold spells will be monitored carefully, and, if cold weather produces thick ice around the docks, Fogg Cove will have a crew of workers break up the ice around the pilings. This would continue on a weekly basis until the danger of damage to the docks dissipates. (Homeowners are permitted to install their own ice preventers using electrical hook ups to their own electrical boxes at their respective slips.)
2. The owner of the easement in a slip is responsible for keeping his slip, and the piers adjacent thereto, free of any trash or debris and shall properly dispose of such trash.

3. The piers and slips shall be maintained by Fogg Cove from assessments levied therefore, except that any repairs necessitated by the negligence or abuse of any individual homeowner shall be repaired at the sole and exclusive expense of such owner. Plans for any such repairs that involve major reconstruction or involve electrical or plumbing alterations must be submitted to the Roads and Structures Committee and approved by that body prior to commencement of such repairs.
4. As stated in items B.4 and E.2, a holder of an Easement is responsible for the maintenance and appearance of his/her slip and any items that might have been installed in that slip.

F. Storage of Tackle, Gear, Etc.

1. No tackle, boat gear, dinghy, canoe, sailboard, motor, dock box or other item shall be stored on any pier, walkway, finger pier, or slip, or on the Common Area C to which the piers and slips are appurtenant. However, dinghies, kayaks, sailboards, and canoes may be stored on the designated floating dinghy docks and kayak racks as registered by owners of these craft. They may also be stored on floating docks within individual slips provided any rules, laws, restrictions, etc. of governmental agencies concerning such floating docks are met.
2. On Dinghy Docks -- The maximum height of craft stored on floating dinghy docks (including the combined total of the craft and any mounts and structures supporting the craft) cannot exceed fifty-two inches (52") above the deck of the floating dinghy dock. During winter months or for storage for long periods of time, dinghies and kayaks on floating docks must be stored upside down so that they do not collect with water which can add weight causing the dinghy dock to submerge. Craft stored on the floating dinghy docks must be stacked in an orderly manner.
3. On Kayak Racks -- Only one kayak or canoe can be stored at a time on each side of each level of the kayak racks. Up to two (2) paddle boards may be stored on each side of each level of the kayak racks. Kayak paddles may be stored under kayaks, but no other accessories (e.g., life jackets, etc.) may be stored on the kayak racks. Nothing can be stored on the kayak racks between December 1 and March 30 of the following year.

G. Insurance

1. Fogg Cove shall maintain at least two million dollars (\$2,000,000) in liability insurance protecting its interests in Common Area C and the piers and slips appurtenant thereto.
2. Each owner of an Easement to a slip shall be responsible for obtaining his own liability insurance to protect his interests in the slip and any watercraft using the slip.

H. Boat Registration

Fogg Cove's Manager shall maintain a list of all boats entitled to the use of the slips and each homeowner or lessee of a homeowner shall register the name and description of any boat entitled to use its slips with Fogg Cove and shall keep such registration current so that said Manager shall have a St. Michaels contact in the event of an emergency. Kayaks and dinghies stored on floating dinghy docks and kayak racks must also be registered with the Manager.

I. Miscellaneous

1. The Rules and Regulations herein may be amended or modified from time to time by the Fogg Cove Board of Governors.

J. Acceptance of these Rules and Regulations and Boarding of Boats in Slips

1. It is understood that representatives of Fogg Cove may board any vessel in your slip if such boarding is deemed necessary for the safety of that vessel or the safety or maintenance of the piers, slips or nearby boats.