

Port Wedeln Association

Rules & Regulations

June 2023

MEMBER RESPONSIBILITY

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MEMBER RESPONSIBILITY:

All members, their families, guests, and lessees must follow the Port Wedeln Association Rules and Regulations. Members are responsible for familiarizing their guests or lessees with the rules. A copy of PWA Rules and Regulations must be provided to all lessees (long and short term).

Members are responsible for the conduct of their families, guests, and lessees. Guests should be made aware that folding beach chairs, kayaks, paddle boards, etc. are the personal property of the Association members.

The owner of rented property is financially responsible for any damage to common property caused by their lessees.

WATERFRONT USE

PARKING:

Parking at the bottom of the road is limited to 15 minutes for loading and unloading. Extended parking cannot be permitted due to space limitations.

SAFETY:

Members are responsible for the safety and conduct of their children and or guests at all times. There are no lifeguards at the PWA beach. There shall be no throwing any objects (especially rocks or sand), pushing, running or excessive horseplay.

Swimmers are cautioned not to venture more than 100 feet from shore due to boat traffic. Distance swimming should be done parallel to shore.

CLEANLINESS:

There are no facilities for disposal of trash. Bottles, cans; paper cups, etc. which you bring to the waterfront should be picked up and taken when you leave. Bait containers are not to be left around the docks, on the breakwater, nor thrown into the water.

NOTE: New Hampshire law prohibits the washing of hair, body, clothing, or animals in the lake.

PETS:

Pets are not allowed in the Port Wedeln Association Waterfront Area. However, members may take their dogs on a leash down the long flight of stairs and to their boat or allow them to swim in the designated area to the left of the long flight of stairs. Dogs are allowed on the beach to access the lake while frozen only during the ice in season. This rule excludes Service Dogs.

SMOKING:

Smoking (including cigarettes, cigars, electronic and vapor cigarettes) is not allowed anywhere on the Port Wedeln Association Waterfront Area (i.e., the hill, lower parking area, docks, sandy beach area, upper grassy area and decks), except in the designated smoking area just beyond the stairs to the temporary dock at the northern end of the PWA Waterfront Area. Cigarette butts must be carried home for proper disposal.

BOATS CANOES, SAILBOATS, PADDLEBOATS, PADDLEBOARDS, ETC.:

Boats canoes, sailboats, paddleboats, paddleboards, etc. should be handled with extreme caution around the PWA waterfront. They are not to be launched or brought into the water from the sandy beach. They may not be brought on to the beach or docks, or used in the swimming and mooring area except to leave from or return to the temporary dock or an individual mooring site. However, when the temporary dock is not in place, kayaks and paddleboards may be launched from and taken out at the sandy beach area.

KNOW THE NEW HAMPSHIRE BOATING LAWS

USE OF SHED:

The shed is for PWA use only. No personal items are to be stored in the shed.

QUIET TIME:

In consideration of those who live near the waterfront, evening quiet time at the beach begins at 11:00 pm. except for Association sponsored events.

PWA DOCK AND MOORINGS

USE OF DOCKS/MOORINGS:

The use of boat slips and moorings is restricted to owners of houses in the Port Wedeln Association.

Assigned docks and moorings during the boating season are for the exclusive use of Association members and may not be transferred to or used by non- members. A member also cannot assign his dock or mooring to another member on a temporary or permanent basis. The watercraft occupying a mooring or dock must be owned by and registered to the Association member to whom the dock or mooring is assigned.

BOAT & JET SKI SIZE RESTRICTIONS:

All boats / watercraft etc., using Port Wedeln boat slips or moorings are restricted to a maximum width of 8'6" and a maximum length of 22'6."

Measurements will be taken from the widest point, side to side, and from the longest point from the front to the rear to include all optional equipment. The out-drive is excluded.

All previously registered boats / watercraft etc. assigned a Port Wedeln mooring or slip prior to the June 26, 1999 annual PW general meeting which exceed the size limits of 8'6" in width and / or 22'6" in length will be grandfathered and exempt from this size restriction.

Individuals whose boat / watercraft etc. is currently assigned a slip or mooring (whether it is grandfathered or not) who purchase a new or different boat / watercraft etc., their new boat / watercraft etc. will not be grandfathered and must conform to the size restriction.

All new applicants (boats / watercraft etc.) for a slip or mooring, who have not been assigned a mooring or slip as of June 26, 1999, must conform to the size restriction, and cannot exceed 8'6" in width or 22'6" in length.

This restriction, voted by the Port Wedeln Association general membership and effective June 26, 1999, prohibits the granting of any waivers regarding this size restriction provision.

A “Jet-Ski” is any watercraft not more than 11'2" (134 inches) in length nor more than 4'1" (49 inches) in width, which uses an inboard motor powering a water jet pump as the vessel's only motorized source of propulsion, which has the capacity to carry not more than the operator and two other persons, and which is designed to be operated and ridden by persons sitting, standing or kneeling on the vessel rather than the conventional manner of sitting or standing inside the vessel. In determining the width and length of a vessel, measurements will be taken from the widest point, side to side, and from the longest point from the bow to the stern, in each case including all optional equipment.

SENIORITY (CHOICE OF DOCK OR MOORING):

A seniority list determines the choice of dock or mooring. Position on the list is determined by the number of successive years a member has been on the seniority list. Assigned dock and mooring locations will be maintained from season to season. If a member desires to change dock or mooring location, it is the member's responsibility to request such change in writing to the Dock Master. Requests to change will be considered in order of seniority when the next dock space becomes available. During the Boating Season, member's boats must only be in the assigned spaces, unless by special arrangement with the Dock Master. Members should notify the Dock Master of their intended launch date in the spring to ensure their assigned space is available.

ELIGIBILITY:

A member must own a home in Port Wedeln to be included on the seniority list. In the case of new construction, a copy of the occupancy certificate from the Town of Wolfeboro must accompany the application to the seniority list.

Application to the Seniority list must be made to the Dock Master in writing and seniority placement at the end of the list will be based upon the date of receipt of the written application. One application and eventual assignment of a dock space or mooring will be allowed for each member. A member may request in writing to the Dock Master at any time that their name be removed from the seniority list. When a dock or mooring assignment becomes available, the Dock Master shall offer it to the next member on the seniority list. The member shall respond within two weeks with one of three options:

- a. The member accepts the assignment with intent to place a boat in the water during the current year Boating Season.
- b. The member accepts the assignment but will not place a boat in the water during the current year boating season (see, Continuance).

- c. The member declines the assignment, but maintains position on the seniority list, awaiting the next opening.

CONTINUANCE:

If an assigned dock or mooring has not been occupied for at least two weeks during the Boating Season, the member must have the boat in the dock or on the mooring by the day preceding the next Association Annual Meeting. If the member has not complied with this requirement, the member will be dropped to the bottom of the seniority list, and the Dock Master will re-assign the dock or mooring at the Annual Meeting.

JET SKI MOORING ASSIGNMENTS:

In the event there are more Jet Skis than spaces there will be a lottery held immediately following the annual meeting at the waterfront. Members who are NOT assigned boat slips or moorings shall have preference.

TERM & FEES:

Docks and Moorings are rented on an annual basis. The Boating Season is defined as the period from Memorial Day weekend through the Monday of Labor Day weekend. Fees will be established by the Board of Directors.

Annual fees effective 2024 boating season:

Dock/Slip:	\$675
Mooring	\$450
Jet Ski	\$325
Temporary Dock/Mooring	\$5.00 per day

PAYMENTS:

To remain on the seniority list, full payment for dock or mooring along with dues, fees, and fines must be received by March 31st. No application can be made for the seniority list with any account outstanding.

TEMPORARY DOCK AND MOORING ASSIGNMENT:

The Dock Master determines the use of and payment for a temporarily unused dock or mooring. The Dock Master can allow another member to use a dock or mooring if it is unoccupied by the assigned member for more than two days. If a dock or mooring will be unoccupied for the season, it will be assigned to the next eligible member on the seniority list for the duration of that season.

GUEST DOCKS:

Two docks are maintained at the end of the dock area for temporary docking by guests and members for the purpose of dropping off and picking up passengers and equipment. Boats may stay no longer than 15 minutes and must be always occupied by a licensed boat operator.

LIABILITY INSURANCE:

PWA Members who are using or intend to use a PWA slip/mooring for any motorized watercraft, shall submit to the Dock Master or their designee a copy of a policy or a certificate of liability insurance in a minimum amount of \$500,000, naming the Port Wedeln Association as an additional insured, along with a copy of watercraft registration valid and effective for the upcoming boating season no later than March 31st. Should said policy or certificate of insurance expire before October 31st of the year for which it was provided, the PWA Member immediately upon expiration of said policy or certificate shall provide the Dock Master or their designee with an updated, current copy of the policy or certificate of liability insurance.

If a member's proof of insurance is not submitted by June 1st, a fine of \$50.00 may be imposed at the discretion of the Board of Directors. If proof of insurance and imposed fine are not

received from the member, the member may lose their spot on the seniority list at the discretion of the Board of Directors.

ONE YEAR BOAT DOCK/MOORING WAIVER:

If a member, for any reason, is not going to be able to use their assigned dock or mooring during an upcoming boating season, the member shall submit a request to the Board prior to March 31st to have their assigned dock or mooring location held for one year in their name. The member requesting the waiver will provide an explanation for the absence and if approved will not be liable for a dock or mooring fee and will sign an agreement that they will not use that location for the entire boating season. The dock or mooring will then be assigned to the next eligible person on the seniority list (with those on the mooring seniority list having priority for a dock) with the written understanding that this is only for 1 (one) boating season, and they are obligated to pay the full mooring or dock fee, after which they will resume their normal spot on the seniority list to await the next opening. If a move from a mooring to a dock leaves an empty mooring that mooring will be offered to the next eligible person on the seniority list with the written understanding that this is for 1 (one) year only and that they are obligated to pay the mooring fee.

This waiver shall only be utilized once by a member.

BOAT REMOVAL:

All boats must be off the moorings by October 1st each year. This is to allow the marine company to remove the moorings and mooring field lights. If there are boats remaining on the moorings after that weekend, requiring the marine company to make another trip, the owners of the boats remaining on the moorings will be assessed the cost. (The mooring field light buoys cannot be removed until the last boat has been removed.)

INTENTIONAL VIOLATION OF THESE RULES WILL BE SUFFICIENT REASON FOR THE BOARD OF DIRECTORS TO REVOKE THE MEMBER'S USE OF THE DOCK OR MOORING AND REMOVE THEM FROM THE SENIORITY LIST.

OHRV AND GOLF CARTS USAGE

Any Off Highway Recreational Vehicles (OHRV) or Golf Cart (hereinafter “OHRV”) used on Association property must comply with all applicable law, including New Hampshire RSA 215-A: 15 - Off Highway Recreational Vehicle (OHRV) laws and the Ordinance passed by the Town of Wolfeboro for OHRV use in the Port Wedeln neighborhood, unless as noted below, and all owners of street legal OHRV in addition must comply with the New Hampshire Statutes Title XXI for Motor Vehicles and the Port Wedeln OHRV rules.

The registered owner of the OHRV is responsible for any violation of these rules by whoever is operating or riding upon the OHRV.

SIZE RESTRICTIONS & LABELING REQUIREMENTS:

OHRV used on Association property

- May not exceed 126” in length and 57” in width.
- Must have the name of the owner clearly legible and readable affixed to the front.
- Must display a current OHRV registration decal or, if street legal, a current license plate.

Annual registrations run May 1 through April 30. New registrations become available in late April.

LIABILITY INSURANCE:

All OHRV must have liability insurance in the amount of \$500,000, with a copy of said insurance submitted to the association clerk at pwawedeln@gmail.com each year. No OHRV is allowed on the Association property without this liability insurance. Should an owner’s policy or certificate of insurance expire, the PWA Member shall provide an updated, current copy of the policy or certificate of liability insurance.

OPERATING OHRV ON ASSOCIATION PROPERTY

On Association property:

Only licensed drivers are allowed to operate OHRV.

*All passengers on OHRV must be seated during operation and the vehicle seating capacity must not be exceeded.

OHRV’s must be parked in the designated parking area and must not infringe or interfere with the emergency vehicle parking area.

Only one OHRV per household may be parked at any given time.

No OHRV's are allowed on the grass sitting area, except in an emergency or where necessary to pick up a handicapped person.

All owners of OHRV must sign a waiver of responsibility before they are allowed to operate on Association property.

Any person operating an OHRV, shall be deemed to have waived all claims against the Association for its decision to allow the operation of such OHRVs.

MISCELLANEOUS RULES & POLICIES

BRUSH CUTTING ON ASSOCIATION PROPERTY:

The owners of the properties at #4 & #6 Lloyd Rd. have permission to trim vegetation on Port Wedeln property between their lines and the grass area on a regular basis. The vegetation must remain at a height of no less than 3-4 feet, to preserve the root systems which are vital in holding the soil and preventing erosion.

TREE CUTTING ON ASSOCIATION PROPERTY:

Anyone wishing to cut any trees on Port Wedeln Association property must submit a written request to the Board.

MEMBER PRIVACY:

No member of the Board of Directors, or its representative, may make available to the public, or any other member, the financial/dues status of individual members. Any dues two or more years in arrears may be made available to the membership upon request. An exception would be at the time of a sale of property, if necessary, to satisfy and close the account.

POSTING NOTICES:

Only Board of Directors approved material may be posted on the glass bulletin board at the waterfront. No signs may be posted on the association waterfront without Board of Directors approval.

ANIMALS:

No animal, birds, fowl, or poultry, except common household pets, may be kept at any time in Port Wedeln.

ACCESSARY STRUCTURES:

All accessory structures in Port Wedeln must comply with Town of Wolfeboro ordinances.

TRAVEL TRAILERS/TENTS:

No travel trailers or tents shall be occupied as living quarters in Port Wedeln.

ENFORCEMENT PROCEDURE & FINE SCHEDULE

When a rule or regulation is violated, the Board of Directors shall:

1. Assign a member of the board to discuss the violation/situation with the individual/family informally resolve the issue.
2. If the violation continues, issue a formal letter stating the violation, referencing the applicable Rule violation, and stating the corrective action required and the deadline for corrective action.
3. If the correction has not been made, issue a notice will be sent to the member by certified mail return receipt requested with a description of the infraction and the fine/penalty including the suspension of Association privileges (beach, docks or moorings), and the date of the enactment of the penalty.
4. If the correction has not been made, a fine may be issued on a Per Diem Basis, or in a lump sum, whichever is appropriate to the situation. The amount and type of penalty will be determined by the Board. The Board may add an administrative fee to the fine.
5. An unpaid find can lead to the Association taking legal action to obtain a lien against property and recorded at Registry of Deeds
6. The Board of Directors reserves the right to impose a fine for violations of these Rules & Regulations without complying with the provisions of paragraph 1 through 4 of this section depending on the severity of the violation.

FINE SCHEDULE:

Unless otherwise noted in these rules, fines for infractions are as follows:

First Violation \$250.00,

Second Violation \$500.00,
Third and all subsequent Violations \$750.00.