



## Buoy Application Form

### Owner Information

Name: \_\_\_\_\_

Unit Number: \_\_\_\_\_

### Boat Information

Make/Model: \_\_\_\_\_

Length (feet): \_\_\_\_\_

Color: \_\_\_\_\_

Registration#: \_\_\_\_\_

Boat Name: \_\_\_\_\_

### APPLICATION SCHEDULE:

The Project Manager will distribute this application to Owners on a date determined by the Project Manager or Board. The deadline for submittal will be announced by the Project Manager. The application submittal must include proof of insurance and registration as well as a check for the cost pass-through amount. The Project Manager will review and approve the applications, and assign buoy locations.

### AGREEMENT

#### ASSUMPTION OF RISK:

By submission of this application, the undersigned applicant further acknowledges and agrees that:

(a) The use of a boat in or around the Rocky Ridge pier or waterfront involves various risks and dangers (including without limitation strong currents, rough waves, and/or potential traffic with other motor boats, jet skis or other users of the pier, such as swimmers), and the Owner assumes completely all such risks. The Owner shall indemnify, protect, defend and hold harmless the Association, its board of directors, its employees, property manager, agents and other representatives, and each of the other Owners of units at Rocky Ridge (collectively, the “Released Parties”), from any loss, claim, damage, cost, obligation or liability arising out of (a) use of a buoy by the Owner or its permittees, (b) the use of any boat, equipment or other items in connection with the buoy, or (b) any other use by Owner or its permittees of the Rocky Ridge pier or waterfront. The Owner further releases and discharges the Released Parties from any and all such losses, claims, damages, costs, obligations or liabilities.

(b) The Owner agrees that the Released Parties shall not have any responsibility or liability: (i) for the safety of the buoys or any boat or other equipment stored at the boat; (ii) for maintaining the condition of, or for access to, the buoy allocated to an Owner; (iii) for monitoring or maintaining the buoys, or for monitoring or maintaining security for equipment or other items within the Owner’s boat (it being understood that



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the buoys and the boats will not be monitored, and that the Owner assumes all risk arising out of use or loss or theft of equipment); or (iv) for any inconvenience, loss or damage which an Owner or its boat may suffer in connection with the Owner's use of the buoy.

(c) The Owner shall remove its boat from the buoy by October 15, 2024. The Owner shall be liable for the greater of (a) \$100 and (b) any costs incurred by the Association (including removal or storage charges, as determined by the property manager) should the Owner fail to so remove its boat.

I HAVE CAREFULLY READ THIS AGREEMENT, THE ROCKY RIDGE RULES, AND THE ATTACHED BUOY TERMS AND CONDITIONS, AND FULLY UNDERSTAND THEM. FURTHER, I AM AWARE THAT THIS AGREEMENT CONTAINS A RELEASE OF LIABILITY, AND SIGN IT OF MY OWN FREE WILL. I HAVE READ THE ROCKY RIDGE PROPERTIES OWNERS ASSOCIATION RULES AND THIS BUOY APPLICATION AGREEMENT AND HEREBY AGREE TO ABIDE BY ALL ASSOCIATION RULES AND POLICIES.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

E-Mail: \_\_\_\_\_ Phone: \_\_\_\_\_

Please send this agreement, a copy of your boat registration, proof of insurance, and a check to the Association at the address shown below. Applications received without all required documentation will not be accepted.

*Send to:*

Rocky Ridge Properties Owners Association

P.O. Box 432

Tahoe City, CA 96145

[rrpoa@rr-tahoe.com](mailto:rrpoa@rr-tahoe.com)

To be completed by RRPOA:

Buoy Approval \_\_\_\_\_ Date \_\_\_\_\_

Buoy Assignment \_\_\_\_\_

## **Boat and Buoy Rules**

### **Permission and Rights of Use**

Buoys are a privilege; Owners are not guaranteed the use of a buoy. The buoy use privilege may be revoked by the Board if, in its sole discretion, the actions of the Owner to which the buoy has been allocated (or his family or guests) may cause harm to or are a nuisance to other users.

Boats may be moored on or after May 15th weather permitting, and must be removed for winter storage on or before October 15th of each year.

Boats must be 30 feet long or less.

All boats must have proper mooring lines as specified by the Project Manager.

### **Insurance and Liability**

Owners must carry public liability insurance in the amount of \$1,000,000.00 (or \$500,000.00 and an umbrella policy of at least \$500,000.00) and property damage insurance in the amount of \$25,000.00 for each boat allocated a buoy. Evidence of coverage must be provided with the buoy allocation application.

Owners must add Rocky Ridge Properties Owners Association as an additional insured to their liability coverage.

### ***Buoy Allocation Procedure***

**Number of Buoys.** The number of Rocky Ridge buoys available in 2023 and beyond may be limited by TRPA, CSL, and/or subsequent regulations or court decisions.

**Eligibility/Boat Requirements:** To be eligible for a buoy, applicant must be a current Rocky Ridge Owner, the boat must be registered in Owner's name, and the required insurance must also be in the Owner's name. No application will be eligible to enter the lottery for a buoy until this information is received.

**Restrictions:** Only the boat on the valid application will be allowed to use the assigned buoy unless otherwise approved by the Project Manager (which still must meet the application requirements). No Owner can be assigned more than one buoy, unless there are unused buoys.

**Priority.** Past presidents and current board members have priority for buoys.

**Expense Pass-Through.** Boat, buoy and related expenses, estimated at \$1,500 per buoy per year in 2023 (subject to change in future years), will be passed through (charged) to the Owners assigned buoys. These expenses include but are not limited to:

- The buoy/beach employee's expenses
- The marine insurance costs for the buoy/beach employee
- The buoy maintenance expenses
- The current season buoy permit fees for buoys

**Application and Payments.** An application form will be sent to Owners at a date determined by the Project Manager and/or Board each year. The deadline for submitting applications will be announced by the Project Manager. Only one application is permitted per Unit. It will require Owners to include a check of the estimated charges, as well as the required documentation. If an applicant is not awarded a buoy, the check will be returned to the applicant.

**Lottery.** The current board members and past presidents who submit valid applications will be awarded a buoy if they desire. One week after the deadline, a lottery will be held to award buoys if necessary.

**Enforcement:** The Board will use fines and the removal of buoy privileges for boats violating pier and buoy rules, boats tied to the dock violating the rules, Owners allowing boats not on their application to use their buoy and other violations of the Rocky Ridge Rules.

**Pier/Dock Usage:** The pier is to be used for loading and unloading boats only and boats may not be left unattended while tied up to the pier. Overnight tie up is forbidden except for overnight behind (closer to shore) the davits.

**Storage:** Boats, trailers, and jet skis are only permitted on the upper portion of the project for short periods to facilitate loading and unloading. The Owner should coordinate with William "Yates" Bauder if an Owner desires to store a trailer in the maintenance yard at the bottom of Rocky Ridge hill.