

FIREFLY COVE PROPERTY OWNERS ASSOCIATION

DOCK/BOAT SLIP REGULATIONS

(Revised August 1, 2022)

The Firefly Cove dock is set aside by the Firefly Cove POA for use as a dock/boat slip area for the property owners of Firefly Cove.

The Firefly Cove POA Board shall be responsible for making recommendations for any expansion of the dock and expansion or reduction of the single-user boat slips and may consider all factors, including but not limited to usage by eligible property owners, available funds, shoreline available, zoning compliance, and Town of Lake Lure restrictions and/or approval.

The Firefly Cove dock/boat slip is managed by the Firefly Cove POA Board under authority granted pursuant to the Firefly Cove By-Laws.

The Firefly Cove POA Board has set aside 13 single-user boat slips (1,2,3,4,5,6,7,8,9,10,11,12, & 13).

DEFINITIONS

Secretary: Firefly Cove POA Board Secretary or another Board member as designated by the Board President in the absence of the Board Secretary

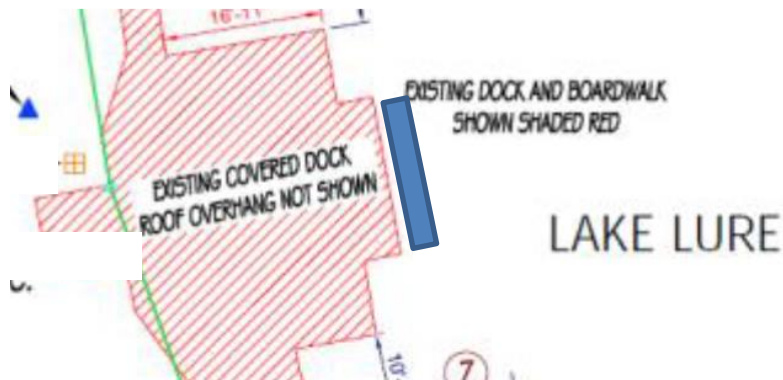
Eligible Property Owner: a property owner who is in good standing with the Firefly Cove POA (i.e. paid to date association assessments and any other fees and/or assessments)

Single-user: an eligible property owner who has sole access to boat slip #1, #2, #3, #4, #5, #6, #7, #8, #9, #10, #11, #12 or #13 for the calendar year

Boat Dock Regulations

Section 1

The following guidelines for the use of the dock and dock area will apply to all property owners and their guests. It is important that the property owners have an unobstructed view of the lake while sitting on the dock, can use the area for swimming, and use the area for fishing. The use of the POA owned day slip that is located directly in front of the covered deck that is highlighted in blue below are subject to the following regulations



Use of Day Slip

- 1.1 Renters will not be allowed to use the day slip at any time
- 1.2 Guests of property owners will not be allowed to use the day slip except loading and unloading
- 1.3 Property Owners that have the use of a boat slip may use the day slip to load and unload passengers and supplies and then move their boat to their own assigned boat slip
- 1.4 Property Owners that do not have the use of a boat slip may use the day slip for a maximum of 1 hour.
- 1.5 No boats are allowed to use the day slip after 5pm

Use of Covered Dock

- 1.6 The use of the covered boat dock is for adults only on every Friday between 5pm and 9pm
- 1.7 Property Owners that use the covered boat dock must remove all trash when they leave
- 1.8 Property Owners should place the seat cushions back into the secured containers when not in use
- 1.9 Use of parking area is limited to 1 property owner's vehicle only

Failure to comply with the above regulations may result in the use of a boat slip and/or the use of the covered dock area being revoke.

SINGLE-USER BOAT SLIP ASSIGNMENT GUIDELINES

Section 1

The following are guidelines, which the Firefly Cove POA Board will apply in allocating single-user boat slip assignments. While every situation cannot possibly be addressed, the Firefly Cove POA Board will use its best efforts to be as fair as possible in resolving any situations not specifically addressed below. In this regard, we would hope that eligible property owners would act to meet the intention of these guidelines, which are as follows:

- 1.1 Existing single-user boat slips, and any expansion or reduction thereof, is strictly limited to the provisions promulgated by the Firefly Cove POA Board from time to time.
- 1.2 In accordance with the benefits of single-user boat slips, allotment will be strictly on a seniority basis for all eligible property owners. If there are no single-user slips available, a Firefly Cove Seniority List for Single-User Boat Slips (Seniority List) will be kept for those eligible property owners who are interested in using a single-user boat slip.
- 1.3 All single-user boat slip assignments will be determined by the eligible property owner's position on the Seniority List. The seniority list contains current single-user boat slip position, available single-user boat slips (if any) and a waiting list.
- 1.4 If an eligible property owner on the Seniority List refuses a single-user boat slip offered to them by the Firefly Cove POA Board, then that eligible property owner's name will be moved to the bottom of the Seniority List.
- 1.5 If an eligible property owner on the Seniority List should pass away, that persons' Seniority List position may be transferred to the direct lineal heirs of that homeowner's property, but not to any third party purchaser from the estate of the deceased.

SINGLE-USER BOAT SLIP RENEWAL GUIDELINES

Section 2

Each year, eligible property owners who were granted a single-user boat slip the previous calendar year will be notified of the opportunity to renew their single-user boat slip. A deadline for renewal of January 1 of each calendar year is hereby established, and by such deadline, the Secretary must have received a written renewal (electronic correspondence, facsimile correspondence, or confirmation that the non-refundable Firefly Cove POA Annual Renewal Fee has been paid will be treated the same as an original). The following guidelines will be used for single-user boat slip assignment renewal of each calendar year:

- 2.1 Eligible property owners who were assigned a single-user boat slip the previous year will be able to assure themselves of that assignment for the forthcoming year by notifying the Secretary their intent to renew by January 1.
- 2.2 The property owner must provide to the Secretary;
 - a. a copy of the title to their boat and evidence of insurance or
 - b. a copy of the Lake Lure boat permit for the current year.
- 2.3 The non-refundable annual renewal fee as determined by the Board is due January 1 and must be paid each year by February 1 if the property owner wants to retain the right to use a single-owner boat slip. Failure to remit the non-refundable annual fee to the POA by February 1 shall result in suspension of the property owner's right to use the assigned single-user boat slip, and failure to remit the non-refundable annual fee to the POA by February 15 shall result in termination of the property owner's right to use the assigned single-user boat slip and being dropped to the bottom of the Seniority List.

SINGLE-USER BOAT SLIP ASSIGNMENT GUIDELINES

SECTION 3

The following guidelines will be used for new single-user boat slip assignments:

- 3.1 Upon availability, eligible property owners who were not previously assigned a single-user boat slip will be assigned according to their seniority on the Seniority List maintained by the Secretary.
- 3.2 An eligible property owner's seniority on the list is established by the date that they contact the Secretary. If more than one property owner contacts the Secretary on the same date to be placed on the eligible property owner's seniority list, the seniority will be established by which eligible property owner has owned their property in Firefly Cove longer as determined by the closing date of the purchase of their property in Firefly Cove. Additions to the Seniority List can be made at any time by writing, calling, or e-mailing the Secretary. An eligible property owner is not required to own a boat in order to be placed on the Seniority List. It is the eligible property owner's responsibility to ensure their contact information is correct and on the list.
- 3.3 When an opening on the Seniority List for a single-user boat slip occurs prior to July 15 the following procedure will be followed:
 - a. Open single-user slips as set forth in the Firefly Cove Boat Slip Layout will be assigned based on the eligible property owner's seniority on the Seniority List.
 - b. If selected for a boat slip the eligible property owner must provide a copy of the title to their boat and evidence of insurance or a copy of their Lake Lure boat permit within 45 days of notification from the Secretary or they will lose the right to the boat slip and their seniority position on the Seniority List. They will be dropped to the bottom of the list.
 - c. A non-refundable annual fee as determined by the Board in Section 2.3 shall be paid to the POA by the property owner within thirty (30) days after notice of assignment of a single-user boat slip from the Secretary. Failure to remit the non-refundable annual fee to the POA within thirty (30) days shall result in suspension of the property owner's right to use the assigned single-user boat slip, and failure to remit the non-refundable annual fee to the POA within forty five (45) days shall result in termination of the property owner's right to use the assigned single-user boat slip and being dropped to the bottom of the Seniority List.
 - d. Eligible property owners who turn down the offer of a single-user boat slip will not retain their seniority position on the Seniority List. They will be dropped to the bottom of the list.

- 3.4 When an opening on the Seniority List for a single-user boat slip occurs on or after July 15 the following procedure will be followed:
- a. Open single-user slips as set forth in the Firefly Cove Boat Slip Layout will be assigned based on the eligible property owner's seniority on the Seniority List.
 - b. If selected for a boat slip the eligible property owner has two (2) options:

Option 1

If the property owner wishes to use the assigned single-user boat slip for the remainder of the year, then the property owner must provide a copy of the title to their boat and evidence of insurance or a copy of their Lake Lure boat permit and pay a non-refundable fee equal to one-half of the amount determined by the Board in Section 2.3 to the Firefly Cove POA within 45 days of notification from the Secretary. The non-refundable full annual renewal fee as determined by the Board in Section 2.3 will be due by January 1 of the following year.

Option 2

The property owner must notify the Secretary in writing that he/she does not wish to use the assigned single-user boat slip for the remainder of the year, but wishes to use the single-user boat slip the following year. A non-refundable fee of \$200.00 to reserve the single-user slip must be remitted to the Firefly Cove POA within 45 days of notification from the Secretary. In such case, the single-user slip will act as a temporary single-user boat slip for the remainder of the calendar year, and shall be subject to the provisions of Firefly Cove Property Owners Association Dock/Boat Slip Regulations. Thereafter, the property owner must comply with the regulations set forth in Sections 2 above. The non-refundable full annual fee as determined by the Board in Section 2.3 will be due by January 1 of the following year.

- c. Eligible property owners who turn down the offer of a single-user boat slip will not retain their seniority position on the Seniority List. They will be dropped to the bottom of the list.

**SINGLE-USER BOAT SLIP REGULATIONS
SECTION 4**

- 4.1 No eligible property owner may assign or sublet a single-user boat slip, nor offer his/her allotted boat slip for lease, whether separately, or in connection with the sale of his/her boat or in connection with the sale/rental of his/her property located in Firefly Cove.
- 4.2 If an eligible property owner determines they want to relinquish their single-user boat slip, they will be removed from the Seniority List.
- 4.3 No eligible property owner may be assigned more than one single-user boat slip.
- 4.4 A property owner of a Firefly Cove lakefront lot will not be allowed to have a POA single-user boat slip.
- 4.5 All single-user boat owners and operators should be familiar with, and practice the watercraft rules of, the State of North Carolina.
- 4.6 The Firefly Cove POA Board reserves the right to revoke an eligible property owner's assignment of single-user boat slip if the boat assigned to that slip is, as determined by the Firefly Cove POA Board, considered an eyesore or nuisance to the community is subject to fines as determined by the Board
- 4.7 The Firefly Cove POA Board reserves the right to revoke an eligible property owner's assignment of a single-use boat slip if the boat assigned to that slip is, at any time, operated in an unsafe manner or violates the laws of the State of North Carolina or any specific rules established by the Firefly Cove POA Board.
- 4.8 The Secretary will, from time to time, verify that the boats occupying the single-user slips are titled/registered to the individual assigned a space. The Firefly Cove POA Board reserves the right to revoke the assigned single-user slip if it determines that this provision has been violated.
- 4.9 Eligible property owners that have the use of a single-user boat slip may, at their option, make their single-user boat slip available as a temporary single-user boat slip to other property owners by contacting the Secretary with the weeks of availability. Those property owners that use the temporary single-user boat slip shall be governed by the Firefly Cove Property Owners Association Dock/Boat Slip Regulations.
- 4.10 Use of the single-user dock/boat slip is reserved for all property owners in good standing, (i.e. paid to date association assessments and any other fees and/or assessments). If a property owner in Firefly Cove is not in good standing with the Firefly Cove POA and has an assigned boat slip or is on the Seniority List, the Firefly

Cove POA Board may revoke the use of the boat slip and remove this property owner from the Seniority list. The Firefly Cove POA Board will not add this property owner back to the Seniority List until the property owner is again in good standing. The Firefly Cove POA Board will then add this property owner back to the bottom of the waiting list.

- 4.11 Any user of a single-user boat slip whose watercraft causes damage to the Firefly Cove dock/boat slip is responsible for the costs for the repairs. The Firefly Cove POA Board will select the repair company and coordinate the repairs. Once the repairs have been made a letter and a copy of the repair bill will be sent to the property owner and the property owner will have 30 Days to reimburse the Firefly Cove POA. If the bill is not paid within 30 Days, the property owner will be considered not in good standing and the Firefly Cove POA Board will revoke their single-user boat slip. At this time the Firefly Cove POA Board will also assess the cost of the repairs to the offending property owner's lot for the reimbursement amount. This property owner will not be eligible for a single-user boat slip again for 1 full calendar year after the repair bill is paid. The offending property owner will also go to the bottom of the Seniority List and lose all seniority associated with the Seniority List.
- 4.12 A Firefly Cove single-user boat slip is not deeded property and cannot be transferred upon the sale of a property owner's lot, condo or improved property. Upon the sale of a lot, condo or improved property to a purchaser, the seller will be removed from the Seniority List unless the seller retains ownership of at least one non-lakefront lot or condominium within Firefly Cove after the sale.
- 4.14 A copy of the Seniority List is available from the Secretary upon request.
- 4.15 The Firefly Cove POA Board has sole authority for any and all decisions regarding the use of the Firefly Cove dock/boat slips. The Firefly Cove POA Board reserves the right to suspend or revoke any property owner's use of the Firefly Cove boat dock/slip area for failure to follow the Firefly Cove Property Owners Association Dock/Boat Slip Regulations or the rules and regulations outlined in the Declaration of Covenants, Restrictions, Easements, Reservations, Terms and Conditions Governing Firefly Cove and the By-Laws of the Firefly Cove Property Owners Association.

