Firefly Cove Property Owners Association

Boat Slip Regulations

(Revised October 30, 2026)

Definitions

- 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, POA Covenants, 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 Third Amendment to the Firefly Cove Covenants (Article V Section 5) was approved by the Firefly Cove Property Owners and established 13 single-user boat slips. The Firefly Cove POA Board has set aside 12 single-user boat slips (1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12) and 1 single-user boat slip (#13) to be used as a day slip. This establishes 2 day slips for the use of any Firefly Cove POA Property Owner that does not have access to a single-user boat slip.

- 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) and in compliance with the Firefly Cove Property Owners Association Dock/Boat Regulations

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

Single-User Boat Slip
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 The user of a single-user boat slip shall follow the Firefly Cove Property Owners Association Boat Slip Regulations.

1.5 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.

1.6 If a property owner on the Seniority List should pass away, that person's Seniority List position may be transferred to the direct lineal heirs of that Property Owner's property, but not to any third-party purchaser from the estate of the deceased.

Single-User Boat Slip Renewal
Section 2

Each year, the eligible property owners who were granted a single-user boat slip the previous calendar year will be notified by the Secretary of the opportunity to renew their single-user boat slip.

The following guidelines will be used for single-user boat slip assignment renewal of each calendar year.

2.1 **A non-refundable annual renewal assessment** as determined by the Board in Section 5.1 is due January 1, if the property owner wants to retain the right to use a single-owner boat slip. Failure to remit the non-refundable annual assessment to the POA by February 15 shall result in the 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.

2.2 The property owner must provide a copy of the Lake Lure boat permit for the current year to the Secretary by May 1. Failure to remit a copy of the Lake Lure boat permit to the POA by May 1 may 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
Section 3

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

3.1 In order to be considered for a single user boat slip a property owner must be on the Firefly Cove Boat Slip User Seniority List

3.2 A property owner may add their name to the Seniority List at any time by writing, calling, or e-mailing the Secretary. A property owner's seniority on the Seniority 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 Seniority List, the seniority will be established by which 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. A property owner is not required to own a boat to be placed on the Seniority List. It is the property owner's responsibility to ensure their contact information with Secretary is correct.

3.3 Upon availability of an open single-user boat slip, as set forth in the Firefly Cove Boat Slip Layout, a property owner who was not previously assigned a single-user boat slip will be notified by the Secretary of the assigned open single-user boat slip according to their seniority on the Seniority List maintained by the Secretary.

3.4 When an opening on the Seniority List for a single-user boat slip occurs on or before September 9 the following procedure will be followed:

a. **A non-refundable Transfer Fee of four (4) times the annual boat Dock Assessment** as determined by the Board in Section 5.1 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 Transfer 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.

b. **A non-refundable Annual Assessment**, as determined by the Board in Section 5.1, shall be paid to the POA by the property owner within thirty (30) days after notice of assignment of a single-user boat slip by the Secretary. Failure to remit the non-refundable Annual Assessment 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.

c. If the non-refundable Annual Assessment was paid by the previous boat slip user, then the Board may waive Section 3.4(b)

d. If selected for a boat slip, the property owner must provide a copy of their Lake Lure boat permit within 60 days of the notification from the Secretary. Failure to submit a copy of their Lake Lure boat permit to the Secretary within sixty (60) 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.

3.5 When an opening for a single-user boat slip occurs on or after September 10, the following procedures will be followed:

a. **A non-refundable Transfer Fee of four (4) times the annual boat Dock Assessment** as determined by the Board in Section 5.1 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 Transfer 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.

b. When 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 is subject to Section 3.4(b), 3.4(c) and 3.4(d)

Option 2

If the property owner does not wish to use the assigned single-user boat slip for the remainder of the year, then the property owners must notify the Secretary that he/she does not wish to use the assigned single-user boat slip for the remainder of the year, and a copy of the Lake Lure boat permit as required in Section 3.4(d) may be waived for the current calendar year. For the next calendar year, the property owner must comply with the Regulations as set forth in Section 2.

3.6 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.

Example: A boat slip becomes available on March 2, and the previous boat slip user did not pay the Annual Assessment then the new boat slip user would comply with Section 3.4(a), 3.4(b), and 3.4(d)

Example: A boat slip becomes available on July 15, and the previous boat slip user did pay the Annual Assessment then the new boat slip user would comply with Section 3.4(a), 3.4(c) and 3.4(d)

Example: A boat slip becomes available on September 30, and the previous boat slip user did pay the Annual Assessment then the new boat slip user could choose Option 1 and would comply with Section 3.4(a) and 3.4(d) or choose Option 2 and would comply with Section 3.4(a).

General Regulations
Section 4

4.1 No property owner may be assigned more than one single-user boat slip.

4.2 A property owner of a Firefly Cove lakefront lot will not be allowed to have a POA single-user boat slip.

4.3 All single-user boat owners and operators should be familiar with and practice the watercraft rules of the State of North Carolina.

4.4 The Firefly Cove POA Board reserves the right to revoke a 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

4.5 The Firefly Cove POA Board reserves the right to revoke a 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.

4.6 The Firefly Cove POA single-user boat slips are assigned to Firefly Cove Property Owners Only. The boat of the property owner that has been assigned to a single-user boat slip must have been registered with the Secretary of the Association as outlined in Section 2.2 or Section 3.4(d) of the Firefly Cove POA Dock/Boat Slip Regulations.

4.7 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.

4.8 A Firefly Cove Property Owner that has the use of a single-user boat slip may not rent or loan their single-user boat slip to anyone at any time. The single-user boat slip that is assigned to a Firefly Cove Property Owner may not be used by any other property owner, friends, family, renters or anyone else at any time. 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 The Property Owner of a single-user boat slip that determines they want to permanently relinquish their single-user boat slip should notify the Secretary. The property owner will be removed from the Seniority List.

4.10 The property owner that has the use of a single-user boat slip may not assign, sublet, or allow the use of their single-user boat slip in connection with the sale of their boat or in connection with the sale/rental of their property located in Firefly Cove.

4.11 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.

4.12 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 or COA and has an assigned single-user 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 Seniority list.

Single-User Boat Slip Assessment
Section 5

5.1 The Firefly Cove POA Board has established that the Annual Assessment for the Use of a Firefly Cove POA Boat Slip will be equal to the Town of Lake Lure Annual Boat Slip Fee for the use of a Town Marina Boat Slip Rental plus the Town of Lake Lure Cluster Mooring Fee.

5.2 Use of the Firefly Cove POA Boat Slip Assessment will be allocated as follows:

- 25% to a Restricted Reserve Fund for the sole purpose of maintaining or refurbishment of the boat slips, the boardwalk, the day slips, and the kayak launch
- 25% to the Unrestricted Reserve Fund
- 50% to the Operating Account

5.3 Use of the non-refundable Transfer Fee will be allocated to the Restricted Reserve Fund for the sole purpose of maintaining or refurbishment of the boat slips, the boardwalk, the day slips, and the kayak launch