

980 FERNSIDE BLVD.  
ALAMEDA, CA 94501-0215



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## BERTH APPLICATION QUESTIONNAIRE FOR WAITING LIST

Name M \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone (     ) \_\_\_\_\_

Boat Name \_\_\_\_\_ CF number/Document No. \_\_\_\_\_

Length \_\_\_\_\_ Beam \_\_\_\_\_ Draft \_\_\_\_\_

Sail      Power      Single      Twin      OB      Other \_\_\_\_\_

Insurance \_\_\_\_\_ Policy Number \_\_\_\_\_

Commercial Vessel      Live Aboard

**Copy of the following is needed at the time this application is submitted.**

- Copy of vessels current registration
- Current Photograph of Vessel
- Copy of Insurance Policy

**Person to contact if vessel is in emergency distress**

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone (     ) \_\_\_\_\_ Fax (     ) \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant     Date

\_\_\_\_\_  
Signature of Port Captain     Date

Start Date of Rental \_\_\_\_\_ Berth No. Assigned \_\_\_\_\_

# Aeolian Yacht Club BERTH RENTAL AGREEMENT

Application is hereby made by the undersigned to berth the vessel described below at the AEOLIAN YACHT CLUB, (AYC). In consideration for the use of said space, applicant agrees to abide by all covenants and conditions here in contained and to comply with applicable rules and regulations of the AYC.

## PLEASE READ BERTHING RULES

### Applicant agrees-

1. To pay the AYC QUARTERLY, in advance, the rental fee for berthing space within the AYC marina commencing on the date noted below and thereafter by the first day of each FISCAL QUARTER and every quarter this agreement in effect.
2. That his/her right to use the berth designed by the PORT CAPTAIN shall terminate upon delinquency the AYC make take exclusive possession of the vessel described below for the purpose of storage and safekeeping at applicant's expense and risk until such time applicant pays all monies dues the AYC for berthing space, storage, transportation and other reasonable expenses.
3. That after 45-day delinquency and the AYC takes possession of the vessel, the berthing fee will increase to DOUBLE the normal rate until such time the vessel is removed from the premises.

### Notice is hereby given -

1. Acceptance and continuation of this agreement is conditional upon the seaworthiness, as determined by the PORT CAPTAIN, of the vessel hereunder described. The boat must come in under its' own power.
2. This agreement shall be revoked if it is determined that the applicant has knowingly, and with intent to deceive, made any false, misleading or fraudulent statements.

**APPLICANT IS TO INCLUDE A CURRENT (CLOSE-UP) PHOTO OF THE BOAT, COPY OF REGISTRATION OR DOCUMENTATION AND PROOF OF LIABILITY INSURANCE TO THIS AGREEMENT.**

## PLEASE PRINT

Name	Registration or Documented No.
Address	Boat Name
City	Length: _____
Zip	Draft: _____
	Beam: _____
Owner/Applicant Signature: _____	
Rental Start Date: _____	Date: _____
Berth No. Assigned: _____	
(rev. 7/95,5/04)	Port Captain: _____

AEOLIAN YACHT CLUB  
BERTH RULES AND LEASING PROCEDURES

1. Berth assignment issued via the Port Captain. The Port Captain shall maintain a waiting list for berths that will be posted in the Clubhouse. All requests for berths must be submitted in writing to the Port Captain.
2. Berths may be rented only to members of the Aeolian Yacht Club in good standing and having been a Member for Six (6) months prior to requesting a berth. All partners or joint owners of vessels berthed on the club property shall be qualified members.
3. Vessels Berthed at the Aeolian yacht Club must be insured. A minimum insurance policy with limits acceptable by the Board of Directors covering Liability is required. If a vessel fails to meet requirements for insurance a bond must be posted with limits to be defined by the Board of Directors, to cover any damage done by a members vessel.
4. All prospective berth tenants must sign a berth agreement and submit a copy of the vessels current Registration or documentation, copy of insurance declaration page and a current photo of the vessel. In addition, the vessel must arrive under it's own power and be inspected by the Port Captain before occupying a berth. A vessels berth in the Aeolian Yacht Club must have current documentation or registration at all times, unless exempted by the California State Code 9873. A copy of the registration or documentation and insurance shall be provided to the Port Captain at every annual renewal.
5. Members renting Club berths will be held responsible for damage to Club property due to the owner negligence in maintenance or in the operation and securing of their boats. A fee will be charged for work necessary to repair damage due to the owner negligence.
6. Measurement regulations and berth accommodations.
  - a. The overall length including all permanent extensions from the bow to the furthest permanent extension from the stern shall determine a vessel's length. Beam shall be measured at the point of maximum width of the vessel.
  - b. Club berthing is limited to vessels of overall length of fifty (50) feet and a beam of fourteen (14) feet. Existing vessels excepted.
  - c. A vessels overall length shall not exceed berth length by more than four (4) feet, and no portion of the vessel shall extend beyond the "V" portions of its berth.
  - d. A vessels width at berth shall be at least twelve (12) inches narrower than the berth.
  - e. Each berth tenant is entitled to utilize one and only one electrical outlet, which that berth is provided with. If there is a question as to which outlet is provided for that berth, the Port Captain shall make the decision.
  - f. Two vessels may occupy one berth providing both vessels are owned by one membership, and do not exceed berth length.
  - g. Each member is entitled to one berth, but may rent another berth temporarily when berths are available. When another member without a berth requests a berth, members with more than one berth must relinquish a berth to that member. A drawing will determine members temporary berth to be vacated.

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7. Berth vacancies:
- a. When a berth vacancy occurs, first consideration shall be given to relocation of existing berth Owners. The next member at the top of the new berth list may accept the vacant berth if the berth is as long or longer than the member vessel. If the berth is more than four (4) feet longer, the member must relocate to a berth more suitable to the vessels length when such a berth becomes available.
  - b. Unless the new berth tenant requests a side tie, he is not required to accept one even though a side tie berth the size of his vessel is available.
  - d. Members, when permanently vacating a berth, must give thirty days advanced notice to the Port Captain in writing.
  - d. When a vessel is sold to a non-member of the club, the berth that sold vessel is berthed in will become available to any member requesting a berth if vessel is compatible to berth length and width. (Must have name on Berth Request List requesting appropriate berth)
  - e. When a non-member purchases a vessel from a club member and wishes to berth that vessel at the club, they must apply for membership and be accepted by the club and then wait the recommended length of time so stated in the Berthing Rules. Berth is not part of purchase agreement. The vessel must meet the requirements of any new vessel requesting a berth.
  - f. A member purchasing a vessel from another member must meet the requirements as would a new vessel entering the Harbor
  - g. Five (5) live-aboard will be permitted on a month to month basis in berths designated by the Port Captain. Candidates must be a member in good standing for one (1) year and approved by the Board
  - h. Whichever is greater, the vessels overall length or the berth length shall determine the berthing fee. All fees are payable quarterly in advance.
  - i. When a vessel is sold, the sale must be reported to the Port Captain in writing on the day of the sale and shall be removed from the Club property within (30) days.
  - j. A berth may not be vacated for more than one hundred twenty (120) days without written approval of the Board of Directors.
  - k. A commercial vessel is defined as one that is licensed rigged or utilized as a commercial enterprise.
  - m. Berthing tenants are responsible for the integrity of their vessels. They will be billed for emergency work performed on their vessels in order to maintain them safe and/or afloat. All services will be billed to the owner.
  - n. Vessels that have not left their berth for over one year under their own power shall at the discretion of the Board of Directors be subject to relocation within the harbor or expulsion from the harbor Vessels inadequately maintained may at the discretion of the Board of Directors be subject to relocation within the harbor or expulsion from the harbor.

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- o. A berth tenant who wishes to move a different boat into the berth they rent must follow the same procedures as a prospective berth tenant, as indicated in Rule 4 of the Berthing Rules.
  - p. Fingers and catwalks shall be kept neat and clean. Storing fuel, gear or other materials in these spaces are prohibited. Boarding steps are permitted and uniform dock boxes approved by the Board of Directors, may be installed at some berths with locations approved by the Port Captain in writing.
  - q. Club members assigned to berths or side-ties shall be charged a utility fee. See Fees and Charges.
  - r. Dumping of holding tanks is illegal and not allowed in the harbor. Doing so may subject boat owner to Berth Agreement being rescinded.
8. Berth Guests:
- a. Berth Guests are defined as Aeolians Yacht Club members who do not use Club berthing, or other yacht club members whose clubs share reciprocal privileges with the Aeolian Yacht Club.
  - b. Guest berths may be used up to 72 hours without a fee. The Port captain can grant extensions up to (14) fourteen days at a fee of \$10 dollars per day. A minimum of (3) three days advanced payment is required. Over payments will be refunded and fees owed will be billed to vessel owner.
  - c. Berth Guests are required to fill our Berth Guest Form if planning to stay more than 72 hours. Present Berth Guest Form to Port Captain for approval. (Does not apply to scheduled club cruises)
  - d. If a member cannot be present, a family member, guest, or workman must have the members written permission to enter club property and/or visit, use or work on the members boat. The member must give prior notice to the Port Captain of said visit.
9. Subleasing of berths is not allowed. A berth tenant who wished to allow another member the temporary use of his berth for no fee from the temporary tenant must have the approval of the Port Captain in writing.
10. Powerboats owned by the club are for club use and are not intended for recreation. They are intended for services such as moving vessels within the harbor, guiding other clubs cruising into the club through the adjacent channels and providing rescue service for boating accidents that may occur in the waters near the club.
11. AYC maintains a fleet of small sailboats in the 8 to 10 foot ranges. They are intended for recreation and training club members in the art of sailing. Minor children using these boats shall provide the Port Captain with written consent from their parents or guardian to operate them. They shall only operate them under the supervision of an adult experienced in their use. Life vests must be worn.

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12. Vessels berth at Aeolian Yacht Club may be connected to electric dock power. However, all Power cords must conform to AYC standards. Power cords must be marine grade. The MARINCO product line or equivalent meets this requirement. Conventional extension cords and lamp cords do not meet standards. Power cords must not enter the vessel through an open hatch where the hatch covers rests on the cord.
13. BATTERY CHARGERS – non-marine battery chargers cause electrolysis in the waters around other vessels, which causes damage to exposed metal parts. Marine Battery Chargers are the only chargers accepted by the Aeolian Yacht Club. Automobile battery chargers will not be allowed
14. Members are responsible for discarding used oil and batteries to the proper facilities. (Do not leave Your drained engine oil or old batteries on club property.)
15. Small boats, spars, engines, boat parts or other gear must not be left on floats, fingers, or surrounding Club property without permission of the Port captain.
16. Storing and/or hanging small boats on the premises are under the direct control of the Port Captain.
17. Gasoline or other flammable materials must not be stored on the premises.
18. Fees will be charged for berths, small boat storage, trailers, lockers, shed storage and dry-dock, includes any items left on club property, as posted.
19. Permission to occupy or transfer lockers must be granted by the Port Captain.
20. Violations of Berth rules and Berth Leasing Procedures can be cited pursuant to By-Laws Article XIII Section 5.
21. When a member notifies the club that they would like to acquire berthing by turning in Berth Application Form and before being assigned a berth that member will meet with the Port Captain and discuss Berthing Rules before vessel will be allowed to enter harbor.
22. The use of power tools and hand tools is an activity that is inherently dangerous. The Aeolian Yacht Club requires all users of shops their heirs, and their assistants to assume all risk of the use of the workshops by signing a General Release Form prior to using the equipment.

BERTHING VACANCY ADVISORY

If a member expects to leave his berth for a period in excess of 72 hours, it is requested that you provide the Port captain, in writing, the berth number and expected period to be out of the berth. This aids the club to locate visiting yachtsmen in an available berth. Place the note in the Port Captains box on the back porch.

Revised: (12/27/94, 5/95, 3/20/98,7/17/98, 12/98.10/22/99,6/20/01,10/17/01,7/22/02,11/1/02,11/14/02,12/17/03,4/20/04,6/15/04)

~ 8/05 (7j) added