

## Rules of the Marina and Boat Yard

The use of the facilities of the harbour and the Hartbeespoort Dam is controlled by the Department of Water and Sanitation under the direction of Rand Water. The overriding authority is The South African Maritime Safety Authority (SAMSA) Marine Notice 13 of 2007 (National Small Vessel Safety).

This regulation governs and controls all inland water ways.

The harbour at the estate is considered an access point and because it is a private access point (i.e. not open to the general public), the HOA is the responsible body that has to ensure compliance with the safety requirements laid down by the Regulations.

The term “watercraft” as used in this document means all type of water going vessels that require a Certificate of Fitness. (Vessels power driven by 15 HP motors or less, sailing vessels of less than 9 (nine) meters in length and vessels propelled by human power alone are exempt).

### **Boat Yard Access**

An automated electric gate at the vehicle entrance to the boat yard remains closed at all times. Only residents with approved access to the yard will be provided with an access cell number that will open the gate.

Only residents with boat locker contracts, boat yard rental agreements or have invited by a staff member have a right to be in the yard.

Any unauthorised person/s found in the boat yard will be removed by security and appropriate penalties will be issued.

Access to the yard is only permitted between the hours of 07:00 and 18:00 daily. It will not operate outside of the stated hours.

**The launching of Watercraft into our harbour is strictly for residents only.**

### **Marina**

#### **1. Required Launch Documentation**

- i. All craft must visibly display a valid CBC sticker. The sticker evidences the property to which the craft belongs, the crafts registration number and the period covered by the COF's validity.
- ii. No craft will be launched by our staff if the sticker is not present.
- iii. Stickers are renewed each year with the new validity period once the new COF has been handed in at the Administration reception.
- iv. All watercraft requiring COF documentation must be inspected and obtain the necessary certification.
- v. The COF is valid for 12 months only and must be renewed annually.
- vi. All skippers of such craft must also have a skippers licence.
- vii. Copies of the COF and skippers licences must be kept with the vessel at all times.

#### **2. Additional Documentation Required**

- i. All watercraft must be stored in either the boat yard or in a boat locker as the case may be. Watercraft are not permitted to be stored at the residents' property unless the vessel can be stored out of sight of the road and/or neighbour.
- ii. Consequently if storing at the residents property a declaration signed by the resident must state the storage location of the vessel and acknowledge that it is out of view as per the rules.
- iii. If the vessel is to be parked in the boat yard a rental agreement signed by the owner of the property must be completed and handed in at the office for activation of the rental charges.

## **ANNEXURE A6 19.1.2 of the St James Sports Club Constitution**

- iv. If the vessel is to be stored in a boat locker then the appropriate locker usage agreement signed by the property owner must be lodged with Administration.
- v. If a property is let and the tenant has a watercraft, the property owner can advise Administration in writing that he signs over his rights to the tenant so that the tenant may make use of this facility.
- vi. This transfer of user right from the owner to the tenant is to the total exclusion of the owner's usage right for the duration of the authority respective to the property occupied by the tenant.
- vii. The owner must also sign the rental agreement and accept the charges as the HOA only has the facility to debit the owner's levy account either directly in the case of a full title property or through the Body Corporate accounts for sectional property.
- viii. Only once all these formalities have been agreed to and signed by all parties will the HOA sticker be issue.

### **3. Administration**

- i. The Administration office is only open to issue the stickers between the hours of 07:00 and 13:00 week days. This process cannot be handled outside the abovementioned hours or over week ends and Public holidays.
- ii. The obtaining of the COF can be organised by you through our local service providers (numbers available from the office). All the other documentation can be dealt with via email or fax and the sticker can be prepared for your collection from the Pro Shop over the week end.

### **4. Launch and Retrieval**

- a. Launch and retrieval times:
  - (1) Week days 07H:00 – 16H:30
  - (2) Fri/Sat/Sun 06H:30 – 17H:30
- i. Watercraft are launched by our staff.
- ii. A tractor will transport your craft from the boat yard to the launch ramp. The craft's owner or responsible family member must accompany the craft at all times during the launch and/or retrieval process.
- iii. If the craft has to be prepared for launch or for storing in the locker after use then the following process will be used:
  - a. The tractor will draw the craft out of the locker and unhitch the trailer. The owner will then prepare his craft and when completely ready for launch then the tractor will return to move the trailer to the harbour launch ramp.
  - b. Similarly the reverse will transpire during the retrieval process.
- iv. This system is employed for maximum efficiency and to reduce time waste and delays for other users.
- v. Please note the launch and retrieval times above and make your arrangements in good time with the staff so that your request can be accommodated. It is no good to try and get your craft out of the water five minutes before shut down on a Sunday while the driver is already dealing with other requests.
- vi. Failure to make timely arrangements will result in your craft being left in the water or in the locker, as the case may be, until the next day or the next time you are on site and can be with the craft during its transportation.
- vii. The staff have strict instructions on how to perform their duties. Please do not abuse the staff entrusted with the task of providing the service as this will result in severe penalties.
- viii. You may not offer staff money to move your craft sooner or stay later to carry out your request.

### **5. Using the harbour and Harties Dam**

- i. The harbour is strictly a no wake zone. (All craft may no more than idle).
- ii. The no wake zone must be strictly observed until such time as the craft has cleared the harbour mouth by 50 meters

## **ANNEXURE A6 19.1.2 of the St James Sports Club Constitution**

- iii. The towing of either a skier and/or tube type accessory with people on the tube in the harbour area is strictly forbidden. Wait until you have cleared the harbour and are in open water.
- iv. Consumption of liquor by the person/persons in control of the craft is strictly prohibited.
- v. Members using jet skis are required to wear life jackets
- vi. No craft are permitted on the dam until a half hour before sunrise or from a half hour after sunset.
- vii. Diving off of walkways or jetties and swimming in harbour is strictly prohibited.
  - a) Black and Blue Jetties:
    - 1) The Black jetties are un-reserved and are to be used on a first come first served basis. In the event that the black jetties are fully occupied no more craft will be launched.
    - 2) It is no good becoming worked up over the lack of public jetties even if there are open private jetties.
    - 3) The Blue jetties are for the exclusive use of the user right owner who must have a signed user agreement lodged with the office.
- viii. There is a moveable boom across the harbour mouth. This will remain closed overnight and only opened during daylight hours provided there is no hyacinth banked up against it. The staff will not open the boom if the conditions are not right.
- ix. Most times the wind changes and blows the hyacinth away from the boom. Once the wind changes it only takes a short while for the hyacinth to move off and the boom will be opened and you will be able to enjoy the facility.
- x. It remains the skipper's responsibility to watch the movement of the hyacinth on the dam and return to harbour as soon as it is evident that the wind has changed and the hyacinth is moving toward the harbour mouth. Failure to do so will result in the boom being closed and the craft will have to birth at one of the facilities alongside Caribbean Beach Club. In such event the boat will have to be retrieved by the owner from the facility at which it had to take refuge. The marina staff will bring the trailer to the parking lot so that the owner can collect the vessel by means of his own transport.
- xi. If you need any assistance getting in or out of the harbour, launching or retrieving your craft you may phone 012 244 3000 during pro shop hours 07H:00 to 16H:45.
- xii. Failure to follow the above process in any way will lead to a R6,000 penalty and a possible ban. This may sound harsh but if the hyacinth is blown into the harbour and clogs everything it probably will not be dealt with until the next working day and spoil the fun of the rest of the boating community for the next couple of days.
- xiii. It is important to be aware that there are cameras recording all harbour events 24 hours.

### **6. Concession Regarding Tenants**

- i. A tenant may own and store a boat or trailer or caravan in the boat yard provided the Landlord gives written permission for the tenant to store the boat in the boat yard and the landlord agrees in writing to accept the boat yard rental charges on his levy account.
- ii. A tenant shall not be allowed to launch his boat in the harbour controlled by CBCHOA unless his landlord agrees, in writing, that the tenant may enjoy the full Marina facilities to the absolute exclusion of the Landlord even if the landlord also has a watercraft. The tenant shall also sign a declaration acknowledging written permission and agree to the rules of the Marina and Estate in this regards. Such acknowledgement shall include the tenant's liability, at all times, in relation to his family, guests and employees and the Marina and Dam regulations. The Landlord shall at all times be responsible for the actions of the tenant and/or his guests as set out in the MOI and Rules.

**ANNEXURE A6 19.1.2 of the St James Sports Club Constitution**

- iii. Should the tenant be in default of any of his/her obligations, the Landlord has the right to withdraw his consent immediately and the Home Owners association shall as a consequence of such withdrawal advise the tenant that his/her vessel must be removed from the premises immediately.

**Executive Committee  
St James Sports Club  
20 December 2018**