

Laguna Pointe Condominium Owners Association

Kayak Rack Rules

Appendix #1

Rules and Regulations

The owner of condo 301 has granted permission for the construction of a kayak rack in their limited common area under building one. The Laguna Pointe Condo Owners Association has agreed to construct and manage the kayak rack. The permissions granted may be withdrawn at anytime by either party for any reason. Should permission be withdrawn, notification will be given to users with a time frame in which watercraft must be removed. Watercraft not removed will be disposed of.

This document describes the rules and regulations under which the use of the rack will operate. They may be updated from time to time as needed. Notification of updates will be sent out and all users will need to adhere to the new regulations or remove their craft.

1. For the purpose of this document, watercraft is defined as kayaks and sail boards of 15 feet or less in length. They are non-motorized, and are self or wind propelled. They fit within the confines of the assigned rack area. They cannot extend beyond the defined area nor block access to the brick sidewalk on the east side.
2. The kayak rack is for the limited use of owners. In order to be assigned a slot, an owner must sign a liability waiver and a Laguna Pointe Condominium Owners Association Kayak Rack Usage Agreement. An owner may allow a tenant to use their slot. The tenant must also sign the waiver and agreement. The owner remains liable and responsible for all actions of the tenant in regard to use of the rack.
3. All watercraft must be registered with the LPCOA designated representative. Prior to registration the applicant(s) must have signed a liability waiver and a Laguna Pointe Condo Owners Association Kayak Rack Usage Agreement. At registration a slot number will be assigned. The assigned slot number must be securely and visibly attached by the owner to the front of the watercraft prior to being placed in the rack. Stickers will be supplied at cost by the LPCOA.
4. Owners are entitled to one slot in the kayak rack until all available slots have been assigned. If there are open slots after each requesting owner has been assigned one slot, empty slots may be assigned on a lottery basis until all slots have been assigned or all user requests met. Should an owner that does not currently have a slot request one, they shall be assigned an empty slot. If an empty slot is not available, then a slot from a unit that was assigned multiple slots will be reassigned on a lottery basis. The reassignment will begin with those units that have the most slots assigned and will continue through those units that have multiple slots until all requests have been met. When a slot is reassigned, the current slot assignee must vacate that slot within 3 days. If there are no units with multiple slots and there are additional requests, then requests will be placed on a wait list. When a unit is sold the assigned slot(s) if any will be released. The released slot will be assigned to the first person on the wait list.

5. Residents that desire to use the kayak rack do so at their own risk and liability. Neither the LPCOA nor the Board of Directors or the owner of unit 301 assume any risk and are not responsible for loss, theft, damage to or damage caused by the watercraft or use of the kayak rack. Users must sign a liability waiver and use agreement holding the LPCOA, the board, and the unit 301 owner harmless as well as acknowledging and accepting the Rules and Regulations.
6. Users must provide a system to secure their watercraft to the rack at both ends of the rack securing the watercraft in the event of high winds. Users may include their own security system if they desire (cables, padlocks, etc.) provided they do not obstruct other users or make any modifications to the kayak rack. Owners with security systems understand that if they do not remove their kayaks for a named storm, necessary maintenance, or other requirements, the cable may be cut by the LPCOA Board and the water craft disposed of.
7. Watercraft must be serviceable and in good repair and have the slot number attached as described. Watercraft that appear abandoned, or in disrepair are subject to removal. We will attempt to contact the owner to either bring the watercraft into compliance or be removed. In the event the owner cannot be identified or contacted, the watercraft is subject to disposal.
8. Storage of watercraft is only permitted in a numbered slot of the kayak rack, no watercraft are to be stored in the parking area or the brick walking area. Additional watercraft equipment such as and not limited to paddles, seats, vests, gear, and anything detachable from the watercraft may not be stored in the rack, with the watercraft, in the stairwell, or in the parking area. No carts, wagons, etc.... are permitted to be left in the kayak area or parking space. When space is available, residents may park their wagons and carts under the east stairwell in building 4050 or south stairwell in building 4060 during watercraft use. If there is not available room, the wagon/cart must be returned to their unit.
9. At the direction of LPCOA, all watercraft must be removed from the kayak racks for necessary occurrences such as but not limited to named or severe storms affecting the Pensacola area, repairs to the rack, or maintenance. Notices for watercraft removal will be given with as much lead time as possible by LPCOA. If a named storm will affect the Pensacola area the kayak racks will be removed to a safe area. Any watercraft left in the racks at that time are subject to disposal.
10. The LPCOA Board has the final approval on any and all watercraft stored in the kayak racks.
11. If any of the rules are not adhered to, the owner is subject to fines according to the LPCOA Rules and Regulations, #31 and/or revocation of the use of these kayak racks.
12. The LPCOA Board reserves all rights to amend the Kayak Rules and Regulations as needed and will be responsible for records, assignments, and notifications.