

***New Orleans Municipal Yacht Harbor
Management Corporation***

Harbor Rules & Regulations

These Harbor Rules & Regulations have been established by the New Orleans Municipal Yacht Harbor Management Corporation pursuant to the Rules and Regulations provision contained in the Boat Slip Leases and the Boathouse Leases for boat slips and boathouses located at the Municipal Yacht Harbor. They may be amended, from time to time, by the Board of Directors of MYHMC in the manner specified in the Boat Slip Leases and the Boathouse Leases. Each Boat Slip and Boathouse Lessee is obligated to comply with these Harbor Rules & Regulations.

VIOLATION OF ANY RULE OR REGULATION BY A BOAT SLIP OR BOATHOUSE LESSEE OR INVITEE SHALL BE A BREACH OF SAID BOAT SLIP OR BOATHOUSE LEASE AND SUBJECT THE LESSEE TO THE REMEDIES AVAILABLE TO MYHMC FOR BREACH OF THE LEASE.

Certain of these Harbor Rules & Regulations have been designated as involving “Hazardous Behavior.” If a Lessee or invitee of a Lessee violates any Harbor Rule & Regulation designated as one applicable to “Hazardous Behavior”, MYHMC may terminate the Boat Slip Lease of any Lessee holding such a lease, without prior notice to that Lessee or affording an opportunity to remedy or cure.

As used herein these terms shall have the following meanings:

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| MYHMC: | New Orleans Municipal Yacht Harbor Management Corporation. |
| Boat Slip Lease: | The lease between MYHMC and any Lessee with respect to a Boat Slip. |
| Lessee: | Any person or entity that leases a Boat Slip or Boathouse at Municipal Yacht Harbor from MYHMC. |
| Boathouse: | Each of the boathouses located at Municipal Yacht Harbor that is leased by MYHMC to a Lessee; more particularly the Leased Premises, as defined and described in the applicable Boathouse Lease. |
| Boat Slip: | Each of the boat mooring areas or slips leased by MYHMC in the Municipal yacht Harbor, together with the other premises described more fully in the Boat Slip Lease as the Leased Premises. |
| Harbor: | The entire marina, from its Lake Pontchartrain entrance (defined as being an imaginary line between the green channel marker mounted in front of the site of the former light house and the red |

channel marker mounted on West End Point) throughout the Municipal Yacht Harbor.

Invalidation of any one of these Harbor Rules & Regulations, or a portion thereof, by judgment of court, shall in no way affect any other provision which shall remain in force and effect.

HRR-1. No Wake Zone: The Harbor is a NO WAKE zone. No vessel is allowed to make any wake, regardless of speed.

HRR-2. One Slip Only: No person or legal entity shall be allowed to lease more than one slip at a time.

HRR-3. Multiple Boats in Slip: A slip is intended for a single vessel, unless otherwise clearly specified in a Boat Slip Lease. A Lessee may berth a single “tender” or “dinghy” to the vessel named in the Boat Slip Lease or identified to MYHMC as required in the Boathouse Lease. A “tender” or “dinghy” is a vessel of no more than 14 feet length overall which is designed to be stowed securely on the main vessel. In no case will any vessel protrude beyond the outermost piling of a Boat Slip or a Boathouse.

HRR-4. Houseboats: Houseboats are not allowed to use the Harbor. A houseboat is defined as a barge, boat or other vessel lacking self-contained (not sail, auxiliary or portable) power and steering and not capable of unassisted normal traversal of the open waters, or designed primarily for providing housing or such other dockside accommodations. All vessels using the marina must normally be capable of their own propulsion and steering.

HRR-5. Vessel Repairs & Maintenance: No owner or operator of any vessel will be allowed to make any major repairs to his vessel while berthed in the Harbor. Major repairs are those which cause a nuisance to other Lessees, such as spray painting and fiberglass grinding. Electric sanders shall be outfitted with functional and effective dust collection devices.

HRR-6. Site Maintenance: Piers, finger piers, catwalks and wharves shall at all times be kept clean and free of materials, equipment and debris.

- HRR-7.** **Strict Observance of Marpol Treaty:** It is forbidden and illegal to dump plastic, paper, rags, glass, food, garbage, metal, crockery or dunnage in the water.
- HRR-8.** **Strict Observance of Federal Water Pollution Control Act:** It is forbidden and illegal to discharge oil or oily wastes into the water if such a discharge causes a film or sheen or discoloration upon the surface of the water, or causes a sludge or emulsion below the surface of the water.
- HRR-9.** **Fuel Transfer:** No fuel shall be transferred to or from any vessel, dock or catwalk except in approved steel or plastic containers specifically built for the storage of fuel. This is a “Hazardous Behavior” provision.
- HRR-10.** **Permanent Anchor:** It is prohibited to place a permanent anchor or mooring in the Harbor.
- HRR-11.** **Vessel Operations:** No one shall operate a vessel in the Harbor in a reckless or dangerous manner or in a way which is likely to endanger the lives or the property of others. No person shall operate a vessel in the Harbor while under the influence of intoxicants or drugs. This is a “Hazardous Behavior” provision.
- HRR-12.** **Fishing:** Fishing, including crabbing, is prohibited in the Boat Slips and Harbor insofar as such activity interferes in any way with navigation or with other tenants (slip or boathouse) enjoyment of their leased premises.
- HRR-13.** **Commercial Purposes:** No tug boat, freight boat, commercial fishing vessel, or any vessel used for commercial purposes shall be permitted to tie up in the Harbor for commercial purposes or for the purpose of receiving or discharging freight. No vessel may engage in commercial activities in the Harbor except towing vessels temporarily assisting disabled vessels.

- HRR-14.** **Parking of Trailers and Motor Homes:** Parking of trailers and motor homes on the public street area, including N. Roadway and Breakwater Drive, is discouraged. Harbor policy is to inform City authorities of improperly parked trailers and motor homes.
- HRR-15.** **Pets:** In all areas of the Harbor pets are to be kept on a leash and owners are required to clean up after their pets. Damages caused by pets are the responsibility of the owner. Pets must have verifiable proof of vaccination.
- HRR-16.** **Signs:** Except for “Boat for Sale” signs, no advertisements are permitted.
- HRR-17.** **Nuisance:** No activity shall be permitted in the Harbor which will constitute a nuisance or may disturb the quiet enjoyment of any other tenant in the Harbor.
- HRR-18.** **Fires and Open Flames:** Fires and open flames of any nature on boats (except for barbeque grills on boats when used in a prudent and ordinary fashion), docks, parking spaces, the boat slip areas under the Boathouses or in the Harbor are prohibited, excepted in areas designated for that purpose, if any, by MYHMC and clearly marked as such by permanent signage. This is a “Hazardous Behavior” provision.
- HRR-19.** **Fireworks:** No fireworks of any type are permitted in the Harbor, the Boathouses, open areas on the Leased Premises of the Boathouses or in areas adjacent thereto or in any other area under the management of MYHMC. This is a “Hazardous Behavior” provision.
- HRR-20.** **Proper Mooring and Securing of Vessels:** Lessees shall be responsible for proper mooring and securing of their vessels, including any tenders, with proper sized marine grade lines in good condition, including appropriate chafe protection. During times of high winds and/or high water, including without limitation times when the Harbor is subject to threat of a tropical storm or hurricane, Lessees shall take extra and appropriate precautions to insure that the vessels and any tenders are

properly secured for the circumstances that might be anticipated. In circumstances when there is a threat of a tropical storm or hurricane, Lessees with sailing vessels shall remove and stow the sails and deck equipment that can reasonably be removed and stowed and tie down with additional lines sails that cannot reasonably be removed. Failure to properly moor and secure a vessel (in the fashion described herein) in advance of a tropical storm or hurricane shall be a “Hazardous Behavior.”

HRR-21.

All children who would be required by U.S. Coast Guard regulations to wear personal flotation devices while on a vessel in operation should wear those same types of personal flotation devices while on any pier, finger pier or vessel in the Harbor.