

Wailupe Peninsula Community Association

Board of Directors

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November 2008

Wailupe Neighbor

Attached please find two items:

1. The Rules of the Association for the Boat Ramp and Swimming Pier as recently amended by the Board of Directors. These rules were originally adopted when the Association was formed many years ago and have been periodically reviewed over the years.
2. A copy of an e-mail from the Association's landscaping consultant regarding the landscape plan for the entryway. Board members, together with our consultants, have spent countless hours over the last two years attempting to secure a permit from the city/state for the entryway improvements. As you can see in the e-mail from the city, there is now another set of hurdles for the Association to jump through. This e-mail summarizes the type of frustration and push back we have been receiving from the regulatory agencies during the past two years in our quest for a permit.

The Board will continue to discuss this frustrating situation but we wanted to update the members on the status of the entryway project.

On another matter, if you have not already, please forward your e-mail address to Cathy George at: cga@cgahawaii.com
Many of the Association's communications are now sent by e-mail and also via the Wailupe Association's new website.

Happy Holidays from All the Board Members!

Wailupe Peninsula Community Association

Rules and Regulations for Use of Boat Ramp and Swimming Pier at Wailupe Circle

These Rules and Regulations have been drafted by the Board of Directors of the Wailupe Community Association and approved and periodically amended by the Board of Directors with the intent of providing operating procedures that would result in the maximum convenience to ALL residents.

1. Eligible Users of the BOAT RAMP

- a. ONLY A RESIDENT PROPERTY OWNER AND/OR APPROVED DESIGNATED REPRESENTATIVE (hereinafter REPRESENTATIVE) WHO ARE BOAT OWNERS will be issued a key to the main boat ramp. If such owner disposes of his boat, he will return the key to the Association Board of Directors.
- b. A RESIDENT PROPERTY OWNER OR APPROVED REPRESENTATIVE WHO DO NOT OWN A BOAT, but who lease, rent or have legal possession of a boat for a limited period, may apply for temporary use of a key to the main Boat Ramp during the time of possession of the boat. Such property owner or tenant will promptly return the key when he/she no longer has the boat.
- c. NON-RESIDENTS will not be permitted to launch or recover boats at any time.
- d. NON-RESIDENT SWIMMERS will be permitted the use of the ramp to gain access to the swimming waters ONLY if they are guests of and accompanied by a resident or approved tenant. A resident may not give his key to a guest for use of the boat ramp or boat gate. The resident or tenant is expected to be responsible for their guests' conduct. The Boat Ramp shall be closed for use at 8:00 pm.

2. Eligible Users of the SWIMMING PIER

- a. A RESIDENT PROPERTY OWNER or approved REPRESENTATIVE will receive one (1) key to the swimming pier, which will also open the small swing gate at the boat ramp.
- b. NON-RESIDENT SWIMMERS will be permitted the use of the swimming pier to gain access to the swimming waters ONLY if they are guests of AND ACCOMPANIED by a resident or approved representative. A resident may not give his key to a guest for use of the swimming pier. The resident or representative is expected to be responsible for their guests' conduct. The swimming pier shall be closed for use at 8:00 pm.

3. ISSUANCE and CONTROL OF KEYS

- a. KEYS TO THE BOAT RAMP PADLOCK attached to the main boat double swinging gates will be issued on application only. Application shall be made to the Board of Directors of the Association. Such application shall include a current copy of the boat registration/ownership with a Wailupe Peninsula address.
- b. PROOF OF OWNERSHIP or other means of demonstrating legal possession of a boat must be presented at the time of application.
- c. IF ANY RESIDENT PROPERTY OWNER OR APPROVED REPRESENTATIVE whom a key to the main boat gates' locks has been properly issued, sells or leases his property for a period of six months or more, he/she shall relinquish possession of the key to the Association. A key will be issued to a new owner upon presentation of evidence that they are eligible for boat access.
- d. PADLOCKS INSTALLED on the main boat gate is of such design that keys cannot be duplicated without proper authority.
- e. KEYS TO THE SWIMMING pier will be issued by the Board of Directors. Periodically each key will be re-magnetized as directed by the Board of Directors. A lost key is subject to a replacement cost which the Board of Directors periodically sets.

4. General Provisions Relating to the Use of the BOAT RAMP AND SWIMMING PIER

- a. AUTOMOTIVE VEHICLES may be used to move boat trailers along the right-of-way and down the ramp subject to the provisions of rule (b) below.
- b. AUTOMOTIVE VEHICLES AND BOAT TRAILERS shall at NO time be permitted to remain in the right-of-way. After launching a boat, authorized users of the facility shall IMMEDIATELY remove vehicles and trailers from the right-of-way to their own premises or the street fronting such premises. This will avoid cluttering the street in the vicinity of the right-of-way thereby permitting the immediate property owners the use for themselves and their guests for general on-street parking.
- c. THE MAIN BOAT GATES will be relocked IMMEDIATELY after the user has entered and left the area.

- d. THE MAIN BOAT GATES will NEVER be left open by the user except when in actual use for passage of the boat and/or boat trailer.
- e. BOAT AND BOAT TRAILER STORAGE will not be permitted in the right-of-way at any time.
- f. REPAIRS AND MAINTENANCE of boats or associated equipment within the right-of-way or anywhere else in Wailupe Peninsula, except on the owners' or tenants' property, will not be permitted at any time.
- g. ALL USERS OF THE BOAT RAMP AND SWIMMING PIER area are encouraged to personally assist in keeping the right-of-way clean and free of debris, trash, litter and general clutter at ALL times. All users will CLOSE AND LOCK ALL GATES after passing through AND will not leave gates open for others.
- h. VEHICLES, BOATS, ACCESSORIES, related equipment, trash debris, or materials of any kind left in the right-of-way will be removed by the Directors of the Association at the expense of the offenders.
- i. MOORINGS OR ANCHORAGES for boats shall not be established in the channel so as to obstruct or block entrance to the boat ramp. No part of a moored boat should encroach on the area between seaward projections of the boundaries of the right-of-way twenty (20) feet makai of such projections.
- j. FISHING from either the boat launch or Swimming Pier is discouraged, as both are primary for the benefit of swimming access. In any event, fishing will only be permitted for one (1) hour, with light tackle only, in any 24-hour period.
- k. NO BAR-B-QUES OR LARGE UMBRELLAS are allowed on or near the boat ramp or swimming pier.
- l. THE HONOLULU FIRE DEPARTMENT RESCUE SQUAD has been authorized to use both the boat ramp and swimming pier in the event of an emergency at sea.
- m. IN THE EVENT THAT excessive abuses of the use of the facility are committed, to the extent that repeated residents register reasonable and justified complaints, the use of the Association's facilities shall be suspended. This suspension shall continue until offenders agree to cease and desist such offensive activities.

Signed Cathy George
(Secretary of the Board)

Date October 7, 2008