

**CITY OF OSHKOSH
MENOMINEE PARK MILLER'S BAY
MOORING AND STORAGE PROGRAM REGULATIONS**

- 1) Miller's Bay boat facilities (to include on-land storage, catamaran docks and mooring buoys) have been designed and constructed for sailboats only; powerboats are not eligible for participation in the program. Kayaks and canoes are to be stored in the assigned dinghy rack only.
- 2) The term facility or facilities includes mooring plugs and associated units, catamaran docks, on-land storage area, dinghy racks, dinghy/kayak/canoe launch area, sailboat launch area and dock, and parking spaces.
- 3) The City of Oshkosh reserves the right to enter upon the facilities at reasonable hours for the purpose of examining the same or making such repairs, or alterations, as may be necessary for the safety or preservation thereof.
- 4) The City of Oshkosh shall be held harmless from any and all liability for any damage to any occupant of said facilities, or to any other person during said term occasioned by, or resulting from any carelessness, negligence, or improper conduct on the part of the permit holder or his/her/their agents, or in or about the said facilities; and the City of Oshkosh shall not be held liable for any damage, loss or injury to the person, property, or effects of the permit holder or any other person suffered on, in, or about the same by reason of any present, future, latent, or other defects in the form, character, or condition of said facilities, or any part or portion thereof, and the said rent shall not be diminished by reason of any such loss or damage.
- 5) This permit is nonassignable and the permit holder agrees not to assign or sublet the said facilities without first obtaining the written consent of the City of Oshkosh.
- 6) If said facilities shall be destroyed by fire or are otherwise rendered untenable, then a proportionate part of the rent according to the extent of the damage incurred, shall be suspended until the facilities have been reinstated by the City of Oshkosh and rendered fit for use and such proportionate part of the rent shall be refunded to leasee.
- 7) Permits for assignment shall be valid only for one navigation season. At the expiration of the term of this permit, the applicant will peacefully surrender possession of said facilities to the City of Oshkosh in as good order and condition as the facilities now are; reasonable wear and use thereof accepted. All materials, including locks and cables, must be removed from the site.
- 8) All permit holders must cooperate in keeping the facilities clean (City ordinance requires that all refuse be "carried out" from park properties by park users). Permit holders are expected to comply with the marine code and Oshkosh Municipal Code, Section 19. No carpeting or similar covering may be placed on the facilities. Facilities are to be maintained in an organized manner as deemed by the City of Oshkosh Parks Department.

- 9) The sale of a boat does not transfer occupancy of permit location to the new owner. Policies of application shall take priority and be in effect. Sail-boaters on current waiting list shall have priority over any open mooring slots.
- 10) The permit shall be placed as assigned on boat, trailer, dinghy or kayak/canoe immediately and remain all season. Boat permits shall be affixed to the starboard side of the stern (PERFERABLE UNDER THE HULL IDENTIFICATION NUMBER). Trailer permits shall be affixed on the driver's side of the trailer. Dinghy/Kayak/Canoe permits shall be affixed on the starboard side of the vessel.
- 11) Moorings are typically installed during the month of April (weather dependent). Official occupancy for on-water moorings begins no later than May 1st, or earlier if installation work is completed. Other rental options (on-land and catamaran docks) can be used when water use is available and boating is desired. All watercraft and trailers shall be removed from Miller's Bay facilities no later than October 15, or as established by the City. All boats/trailers left on the site after the close of the season are subject to removal by the City and appropriate storage fees and moving expenses will be levied against the boat owner. If unpaid, the City will take appropriate action to recover its costs.
- 12) The primary purpose of the launching dock is for launching boats and loading passengers and equipment. The intent is that once a boat is ready to go, it should be moved from the dock.
- 13) There is a City ordinance regulating tie-up or parking times at the Miller's Bay transient docks. All Miller's Bay program participants must adhere to the forty-eight (48) hour maximum parking limit.
- 14) Typical use of the north launch area and dock is for sailboats only. The exception for powerboat use is during large fishing tournaments where there is a need for extra ramp loading and unloading.
- 15) All participants that rent Miller's Bay facilities shall physically have a boat, catamaran, dinghy/kayak/canoe, and/or trailer attached to, placed on, or at each facility. Each participant is given first priority to re-use their spot the following year. If not confirmed by established date each year, then the spot will become available on a first come, first serve basis.
- 16) Further rules and regulations by the City of Oshkosh may be enacted from time to time.