

SEBAGO BOATING CLUB RULES & LIABILITY WAIVER & RELEASE
(effective August 15, 2020)

The Maine State Boating Association Inc, DBA Sebago Boating Club (“SBC”) is pleased to offer you membership in SBC upon receipt of your membership dues and signed membership application. Members may anchor/moor at the portion of Rich Memorial Beach (“Beach”) designated for SBC use in compliance with these rules (“Rules”), which may be amended from time to time at SBC’s discretion. Rules currently in effect shall be posted on the SBC website. Your continued use of the Beach constitutes your acceptance of the following Rules as well as any and all amendments to the Rules as posted. You are responsible for knowing and complying with the Rules. Failure to adhere to these Rules may result in your membership being revoked and/or denied in subsequent years. In addition, failure to follow the Rules places our current and future leases of the Beach from the Town of Standish in jeopardy.

I. MEMBER ACKNOWLEDGEMENT

A. MEMBERSHP STICKER REQUIREMENT:

With the receipt of your SBC membership sticker and by your continued use of the membership benefits, you agreed to the Rules stated herein. SBC membership stickers must be affixed to a highly visible location at the starboard stern area of your vessel if you back in, or the port bow area if you drive into the Beach. SBC membership stickers not affixed to your vessel (such as on movable objects) are not valid. The SBC Beach patrol and/or Portland Water District Security monitor for SBC membership stickers at these locations on your vessel and enforce these Rules.

B. LIABILITY WAIVER & RELEASE:

Any and all use of the Beach, Beach facilities or participation in SBC activities is done at your own risk. No lifeguard on duty. **You, on behalf of yourself, your heirs and/or assigns, and on behalf of any dependents that have not yet reached the age of majority or are otherwise within your guardianship hereby release and hold harmless SBC, it’s Directors/Officers/Trustee, agents and/or the Town of Standish, Maine its officials, agents and/or employees, from any and all claims that may arise from your membership, use of Beach and Beach facilities, and/or participation in any and all SBC related activities, to the fullest extent permitted by law.**

C. INDEMFICATION:

You understand and acknowledge that you are responsible for your family members and/or guests that may participate in SBC activities. You agree to indemnify SBC, its Directors/Officers/Trustees, agents and/or the Town of Standish, Maine, its officials, agents and/or employees, from any and all

claims that may arise from your guest participation in any and all SBC related activities.

D. CHOICE OF LAW/FORUM:

- a. I understand and agree that the law of the State of Maine will apply to this contract.
- b. I also agree that any claims or lawsuits related to this contract will be subject to the state or federal courts in Cumberland County, Maine.

E. PROHIBITED ACTIONS/ACTIVITIES:

The following **are prohibited** on and/or around the Beach at all times.

1. Smoking of any substance (including vaping and marijuana) per the Town of Standish;
2. Consuming alcohol;
3. Tying up to any items on shore, such as shrubs or tree roots—please use your anchors. It is very difficult to walk along the Beach and injury can result;
4. No Glass Bottles (a cut from broken glass can ruin your day, especially a child's!);
5. FIREWORKS are strictly prohibited;
6. All dogs are prohibited from being on the Beach;
7. Feeding of any wildlife, including but not limited to waterfowl (they are extremely harmful to water quality);
8. Overnight stays on the Beach (including tenting) (overnight stays on your vessel while anchored/moored is permitted);
9. Campfires are only allowed in the designated fire pits which may not be moved. Burning trash of any sort, including but not limited to class, in the fire pits is prohibited;
10. SBC is a family club as is the Beach. Profanity and alcohol abuse are prohibited! Also, loud or unreasonable music and artificial lighting powered by a generator(s) after 10 P.M. are prohibited;

F. OTHER REQUIREMENTS FOR BEACH USE (including anchoring or mooring your vessel at or near Beach unless otherwise indicated):

1. Diapers made for swimming for any babies/children who are not potty trained. One dirty diaper in the water can result in Beach closure by Portland Water District and/or the Town of Standish;
2. The Beach has a “Carry In/Carry Out, No Trace” policy is in place;
3. SBC’s lease with the Town of Standish requires all boats, including those registered with the Town of Standish, be equipped with portable toilets;
4. There is a maximum limit of 75 boats and 200 people at/on the Beach at the same time. If you arrive at the Beach and it is at capacity, Members may be asked to leave and return later after at least one (1) boat has departed;
5. Headway speed (no wake) is required within 200 feet of the shoreline. This is Maine Boating Law and a common courtesy to your fellow boaters, swimmers and others enjoying the water--- for obvious safety reasons; Also, avoid the Town of Standish swimming area;
6. Respect the property of our neighbors, especially on the East End of the Sandbar; their property is posted. Also, the property towards the back is private, so do not walk over;
7. SBC & Standish & PWD reserves the right to reject a prospective member for any reason.

G. OTHER RULES:

See SBC website for additional Rules that are incorporated here by reference.

H. ENFORCEMENT/WAIVER:

- a. Violations of any of the above rules may result in your eviction from the Beach, and/or any other Portland Water District properties, along with suspension of your SBC membership. Membership dues are non-refundable.
- b. SBC’s failure or neglect to enforce any of its rights under this contract will not be deemed to be a waiver of that or any other of its rights.

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