

RESOLUTION M-07

BULKHEAD AND WATERWAY MAINTENANCE

1. **Purpose.** This Resolution establishes Ocean Pines Association (Association) policies regarding the maintenance of bulkheads and waterways.
2. **Authority.**
 - a. The Declarations of Restrictions for the Sections of the Association specify Association responsibilities for waterways, bulkheads, and waterfront improvements. These responsibilities are not uniform among the Sections of the Subdivision. The Declaration of Restrictions for a Section must be consulted to determine the maintenance responsibilities of the Association within that Section.
 - b. The Declarations of Restrictions for the Sections of the Association reserve for the Association easements for the preservation of the navigation and recreational use of waterways and, where applicable, bulkhead and waterfront improvement maintenance by the Association.
 - c. The Articles of Restatement of the Charter of the Association include providing for the maintenance of bulkheads and waterways as a purpose of the Association.
3. **Association Responsibility.** In accordance with the provisions in the various Declarations of Restrictions and the Charter, the Association is responsible for maintaining bulkheads and waterways in a manner that preserves navigation and recreational use of the waterways. This responsibility shall be performed in accordance with applicable local, state, and federal laws and regulations.
4. **Canal Depth.**
 - a. The Association shall be responsible for maintaining the following minimum canal depths for canals owned by or under the control of the Association. Depth is measured when the tide is at mean low water level.
 - (1) Canal channels (typically near canal centers) of 48 inches; and
 - (2) 36 inches at ten feet out from the bulkheads.
 - b. Owners of lots with an existing dock and/or boat lift and those owners making application for construction of a dock/boat lift are responsible for determining that there is sufficient depth to allow for launching or retrieval of a boat.
5. **Lot Owner Responsibilities.** Lot owners have the following responsibilities when the Association performs maintenance and preservation of waterways, bulkheads, and waterway improvements.

