

## **ATTACHMENT C**

### **PROPOSED AMENDMENTS TO TITLE 17 FOR RAFT-UPS**

#### **17.01.030 Definition of Terms.**

##### **N. Definitions: R.**

1. Raft-up. The term “raft-up” shall mean the securing of five (5) or more vessels together, which are in turn anchored to the seabed by one or more anchors. Dinghies and tenders of fourteen (14) feet LOA or less are excluded from the vessel count.
2. Residential. The term “residential” shall mean those properties that are identified in Title 20 as a district that allows residential uses or areas designated and used for residential purposes.
3. Rhine Wharf. The term “Rhine Wharf” shall mean the area at the terminus of the Rhine Channel where vessels may load and unload supplies directly to and from the wharf while tied directly to the wharf.
4. Rhine Wharf Public Pier. The term “Rhine Wharf public pier” shall mean the pier and long float parallel to the Rhine Wharf, and which is used for public recreational purposes provided by the City.
5. Riprap. The term “riprap” shall mean a protective layer or facing of rock, concrete blocks or quarry stone, placed to prevent erosion, scour, or sloughing of an embankment or bluff.
6. Risk Manager. The term “Risk Manager” shall mean the Risk Manager of the City or his or her designee.

#### **17.25.020 Anchorage, Berthing and Mooring Regulations.**

##### **N. Raft-ups.**

1. Raft-ups are prohibited without a permit and outside designated public anchorage areas.
2. The sponsor or organizer of a raft-up which will break up before sunset on any given day shall apply for a permit from the Harbormaster in accordance with Section 17.60.015 on or before the day of the proposed event. Up to twenty (20) vessels may be included in a permit.
3. The sponsor or organizer of a raft-up which will remain in place beyond sunset on any given day shall apply for a permit from the Harbormaster in accordance with Section 17.60.015 at least thirty (30) days in

advance of the proposed event. Up to twelve (12) vessels may be included in a permit. No more than four permits for raft-ups remaining in place beyond sunset will be issued on any given date.

4. The Harbormaster may issue a permit if he or she determines the raft-up will not interfere with the natural flow of traffic, or negatively impact surrounding property owners. The Harbormaster may impose conditions on the permit to protect persons and property and to assure that the raft-up will not create a nuisance or interfere with the reasonable use of Newport Harbor by other vessels or persons. At a minimum, the permit shall include as conditions that the permittee: (a) indemnify, defend and hold harmless the City, County of Orange, and the State of California for all liability, injury or damage that relates in any way to or arises from permittee's event/activity; and (b) otherwise comply with this Code, the California Harbors and Navigation Code, and the Federal Inland Navigation Rules.

5. No person shall join, participate in, or interfere with a raft-up without the consent or over the objection of the permittee.

6. Raft-up permits are nontransferable and shall be in addition to any license, permit or fee required under this Code or any other provision of law.

7. The Harbormaster may immediately revoke a raft-up permit if: (a) the permittee fails to comply with the conditions of the permit; (b) an individual participating in the raft-up fails to comply with the lawful instructions of the Harbormaster, or any other person authorized by the City to enforce rules and regulations within Newport Harbor; or (c) the permittee has made a material misrepresentation in any part of the permit. The permittee shall immediately break up the raft-up upon revocation of the permit. The decision of the Harbormaster shall be final and non-appealable.