

AMENDED

FOR DISCUSSION PURPOSES ONLY

Section 17.01.030(J)(12) Definition of Terms shall be amended as follows:

Mooring Area or Mooring Field. The term “mooring area” or “mooring field” shall mean an area designated for a group of moorings.

Section 17.01.030(N)(6) Definition of Terms shall be added as follows:

Row. A row is defined as a line of parallel or nearly parallel moored boats separated by a fairway.

Fairway. The space between a row of moored boats within a mooring field.

Section 17.60.040(M) Extension of Length of Assigned Vessel to Mooring shall be added as follows:

Extension of Length of Assigned Vessel to Mooring

1. Request for Extension of Vessel Occupancy Length. If an mooring permittee wishes to moor a vessel other than the assigned vessel that is or will be longer than the assigned vessel, the Harbormaster may amend the existing mooring permit to extend the vessel occupancy length to accommodate a longer vessel up to a maximum of five (5) additional feet upon the terms and conditions set forth below; provided, however, that the Harbormaster may refer such applications to the Harbor Commission for consideration and final action. Applications for the extension of vessel occupancy length in excess of five (5) feet shall be submitted to the Harbor Commission for consideration and rendering of a decision. For applications requiring the approval of the Harbor Commission, the Harbormaster shall present to the Harbor Commission all relevant facts to support the findings included in subsection (M)(5) below.
2. Conditional Approval. An mooring permittee may submit an application to amend an existing mooring permit for a vessel that is known to be longer than the assigned vessel; or for a vessel that is expected to be longer than the assigned vessel if the mooring permittee does not at the time of making an application know the identification of the vessel for which an amendment to the existing mooring permit is being sought. Under either circumstance, the application shall include detailed information of such vessel including make, model, year, Length Overall (LOA), beam, dimension, vessel ID, and if the vessel identification is not known at the time of making an application, the LOA of the proposed vessel for which he or she seeks approval and shall otherwise comply with all of the other application requirements and findings. If the Harbormaster or the Harbor Commission, as applicable, approves an application for an amendment to the mooring permit under this section, such approval shall be conditional and contingent upon the following requirements:

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- (a) The mooring permittee must occupy the mooring with the new vessel within twelve (12) months following the date of approval;
- (b) The mooring permittee's rights pursuant to a valid mooring permit, as amended, shall not be sold or otherwise transferred for a period of twelve (12) months following the date of occupancy of the mooring with the new vessel. The sale or transfer of said permit shall comply with the requirements of subsections (B)(3), (E) and (F) of Section 17.60.040.

Non-compliance with either of the foregoing requirements will constitute grounds for the Harbormaster to revoke the amendment to the mooring permit in accordance with Subsection 17.60.040(K). In the event that the Harbormaster determines that there are grounds to revoke the amendment to the mooring permit issued pursuant to this chapter, the Harbormaster shall proceed in the manner described by Section 17.70.020. Upon revocation, it shall be the duty of the mooring permittee to remove the moored vessel and, upon such revocation, to return the mooring area where vessel was assigned to its original length at the mooring permittee's expense within 30-days of written notification to do so. Rather than reverting back to the City upon such revocation, the mooring permittee may thereafter continue to use the mooring in accordance with all of the terms and conditions of the original mooring permit and subject to all of the terms and provisions of Title 17 applicable to mooring permits.

- 3. Filing and Review of Request. An mooring permittee shall file a written request for an extension of the assigned vessel occupancy length with the Harbor Department on a form prescribed by the Harbormaster, together with the filing fee required by the City's fee schedule adopted by resolution.
- 4. Application Requirements. An application for an extension of the vessel occupancy length shall include the following information in addition to such other information as may be required by the Harbormaster:
 - (a) The full identification of the applicant and the vessel for which an amendment to the existing mooring permit is sought, certifying that the applicant and the assigned vessel have complied with (or in the event the vessel identification is unknown, applicant will certify that such unidentified vessel prior to occupying the mooring space will comply with) all of the appropriate United States Coast Guard license, inspection, and certification requirements, and certifying that the applicant has read and is otherwise familiar with all of the applicable rules and regulations promulgated by the City, including, but not limited to, the provisions of this Title;

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- (b) Such plans and specifications as may be required by the Harbormaster for such mooring to accommodate the proposed longer vessel; and
 - (c) Evidence in support of the findings included in subsection 5, below.
- 5. Action on Extension Request. Upon receipt of a completed application for an extension of the assigned vessel occupancy length, the Harbormaster or the Harbor Commission, as applicable, may approve or conditionally approve an amendment to the mooring permit to allow the extension of the vessel occupancy length (in the event of an application for an unidentified vessel only a conditional approval may be obtained) only after first finding the following:
 - a. There have been no changes in the conditions or circumstances of the existing mooring permit so that there would have been grounds for denial of the original mooring permit or grounds for revocation thereof at the time an application for extension of the assigned vessel occupancy length is filed.
 - b. The proposed extension of the assigned vessel occupancy length will not: (i) impede or obstruct the fairways or channels or prevent or obstruct the passage of other vessels between or adjacent to the rows, (ii) impede, obstruct or prevent other mooring permittees from safely navigating in and out of adjacent moorings or moorings in other rows connected by the same fairway to the row of the permittee's vessel (iii) extend beyond the outer boundaries of the mooring area or row, (iv) exceed the intended vessel LOA established by the Harbor Commission for the row or mooring area in which the vessel will be moored, and (v) exceed the lesser of the maximum length of other vessels in the same row or one third the sum total of the width of the mooring row plus the widths of both adjacent fairways as adopted by resolution of the Harbor Commission. In the event there is only one adjacent fairway then such proposed extension will not exceed one third the sum total of the mooring row width plus two times the one adjacent fairway width as adopted by resolution of the Harbor Commission. However, the Harbor Commission has adopted certain exceptions that are set forth in Harbor Commission Policy based upon site conditions, which will be considered for determining mooring lengths.
 - c. In the event of a mooring transfer by a Permittee, the new Permittee's vessel LOA shall not exceed one third the sum total of the width of the mooring row plus the widths of both adjacent fairways as set forth above in subsection (M)(5)(b)(v), and conform with the provisions set forth in Section 17.60.040 (E), unless an exception has otherwise been set forth in the Harbor Commission Policy referenced above in subsection (M)(5)(b)(v).
 - d. The applicant and the assigned vessel have complied with all of the appropriate United States Coast Guard license, inspection, and certification requirements for

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the assigned vessel and all of the applicable rules and regulations promulgated by the City, including, but not limited to, the provisions of this Title.

- e. The applicant agrees to cover all costs associated with modifying the length of the mooring, including, but not limited to, any costs associated with relocating mooring anchors and tackle, and any costs associated with re-sizing mooring tackle to meet applicable mooring standards (e.g. chain size).

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