

RESOLUTION NO. C-

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH ADDING SECTION III.S AND
AMENDING SECTIONS III.I, III.J, AND IV.C OF THE LONG
BEACH MARINA RULES AND REGULATIONS

WHEREAS, the City of Long Beach has adopted, further to Long Beach
Municipal Code Section 16.08.970, the Long Beach Marina Rules and Regulations; and

WHEREAS, the City Council now desires to amend those Long Beach
Marina Rules and Regulations;

NOW, THEREFORE, the City Council of the City of Long Beach resolves
as follows:

Section 1. Section "III.S" of the Long Beach Marina Rules and
Regulations to be added in its entirety to read as follows:

"III.S. Recreational Vessel Insurance, Long Beach Marina - The City
of Long Beach Marine Bureau requires that vessels in the marinas
hold Liability insurance with limits of at least \$100,000.00. The
City, its officials, employees, and volunteers shall be carried as
insured under said liability insurance with respect to activities of
Permittee (boat owner), and each policy shall be endorsed to state
that coverage shall not be cancelled except after prior written notice
has been given to the City."

Sec. 2. Section "III.I" of the Long Beach Marina Rules and
Regulations is amended in its entirety to read as follows:

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“III.I. Absence from Slips for Periods of Less than Twelve (12) Months: A Permittee’s vessel may be absent from its assigned slip for a period up to twelve (12) consecutive months without having to request a leave of absence; provided, however, that the Permittee shall have used and occupied the assigned slip with the vessel under permit for the preceding twelve (12) month period. In the event of non-use of a slip for any reason for a period in excess of a total of twelve (12) months within any twenty-four (24) month period, and the Permittee fails to request and obtain leave of absence status, the Manager may cancel their permit. Any Permittee whose slip permit is so cancelled shall be required to reapply for a permit and will be placed on a slip waiting list upon payment of a marina waiting list administrative fee (as provided in Fees, Rates, and Charges, Section O.). All slip fees and live aboard fees, if applicable, shall be paid when due during any absence.”

Sec. 3. Section “III.J.” of the Long Beach Marina Rules and Regulations is amended in its entirety to read as follows:

“III.J. Absence from Slips for Periods in Excess of Twelve (12) Months: A Permittee who intends to be away from the marina in which his or her slip is located for any reason for a period in excess of twelve (12) months shall be entitled to leave of absence status on the following conditions:

1. To be eligible for leave of absence status, the Permittee must have owned the vessel under permit and used and occupied a slip space within the marina continuously for a period of twelve (12) months prior to requesting a leave of absence.
2. The maximum period of time for which leave of absence status will be granted is thirty-six (36) months. A Permittee may request leave of absence status for a shorter period but never less than twelve (12) months regardless of the actual period away from the marina. Leave of absence status for periods of twelve (12) months or

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increments thereof will be granted up to a maximum of thirty-six (36) months.

3. The Permittee shall pay to the Marine Bureau an administrative fee as provided in Fees, Rates, and Charges, Section UU, for each six (6) month period for which leave of absence status is requested and granted. The fee shall be paid in advance of the commencement date of leave of absence status for the period requested. Permittee shall be solely responsible for payment of the fee in advance in the event he or she elects to extend the leave of absence status for additional periods. No portion of the administrative fee paid shall be refundable.

Failure to pay the fee when due shall result in a termination of leave of absence status and removal of Permittee's name from the Leave of Absence list.

4. Upon request for and grant of leave of absence status, the Permittee's slip permit shall be cancelled effective as of the commencement date of the leave of absence status. Permittee's name shall be placed on the Leave of Absence list maintained by the Marine Bureau. Prior to expiration of leave of absence status or upon earlier return to the Long Beach marinas and receipt by the Marine Bureau of a written request for a slip space in the marina, the former Permittee shall be entitled to the next available slip space based on the former Permittee's original waiting list date, the size of slip requested, and the date of receipt of the written request for a slip space. The Marine Bureau shall not be required to make a slip available pending the availability and assignment of a slip in accordance with the provisions of this paragraph.

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5. Any person granted leave of absence status shall be solely responsible for notifying the Marine Bureau of his or her current mailing address and telephone number and any changes thereof. The Marine Bureau shall not be required to confirm any information so provided nor to contact the former Permittee for any reason while he or she is on leave of absence status.
6. Upon notification by the Marine Bureau of the availability of a slip of the size requested, the former Permittee on leave of absence status, to be eligible thereof, must own a vessel of the appropriate size and accept the first slip offered. If the offered slip is not accepted within seven (7) days from the date of notification of availability by execution of a permit thereof, the former Permittee's name shall be removed from the Leave of Absence list. If the former Permittee desires a slip within the Long Beach marinas, he may reapply for a slip and will be placed on a slip waiting list upon payment of a marina waiting list administrative fee (as provided in Fees, Rates, and Charges, Section O)."

Sec. 4. Section "IV.C" of the Long Beach Marina Rules and Regulations is amended in its entirety to read as follows:

"IV.C. Dinghy or Yacht Tender:

1. The marina overhang length (beyond the length of the slip finger) is 4'11". The Marine Bureau Manager or his designee may approve exceptions, such as if it is within an area or basin controlled by a yacht club.
2. A dinghy/tender is normally less than ten feet in length, and is designed to provide basic transportation for its owner, guests and supplies between vessels or to the shore, dock or other approved temporary mooring areas. The dinghy must be in good operating

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condition. There is no problem with the dinghy's length or beam as long as it is stored on board the primary vessel. If the dinghy is kept in the water, it must fit within the width of the slip and within the current slip overhang policy.

3. Vessels longer than 10 feet in length - If the dinghy/tender cannot be stored on the primary vessel or within the assigned space of the slip (width or length with overhang), it does not meet the requirements of a dinghy/tender. It then must be moored as an auxiliary vessel.
4. Floats - Only an encased (plastic or fiberglass) float will be allowed. It must meet the current environmental standards and must have prior written approval of the Marine Bureau. The only authorized use of the float is to support a dinghy/tender. The float and its dinghy/tender must fit within the assigned slip width and authorized slip length, including overhang.
5. Slips are to be used for primary vessels and its dinghy/tender only. Two or more vessels are not authorized or allowed.
6. Double Slips - Use of space between primary vessels in a double slip is not assigned as slip space. Permittees must keep this space clear of any vessels or storage.
7. Undersizing (permitting a vessel of less length than the slip) is only allowed to accommodate the beam of a vessel. Undersizing is not authorized to allow a dinghy/tender to be within the approved overhang space assigned to the slip.
8. No dinghy or yacht tender shall be placed in such a manner so as to obstruct free passage along the finger."

Sec. 5. This resolution shall take effect immediately upon its

1 adoption by the City Council, and the City Clerk shall certify to the vote adopting this
2 resolution.

3 I hereby certify that the foregoing resolution was adopted by the City
4 Council of the City of Long Beach at its meeting of _____, 2004, by the
5 following vote:

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7 Ayes: Councilmembers: _____
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9 _____
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11 Noes: Councilmembers: _____
12 _____

13 Absent: Councilmembers: _____
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16 _____
17 City Clerk

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