



CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE



2760 N. Studebaker Road, Long Beach, CA 90815-1697
(562) 570-3100 • FAX (562) 570-3109
www.LBParks.org

selected
best in the nation

September 21, 2010

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt the attached Resolution amending the Long Beach Marina Rules and Regulations, pursuant to the provisions of Section 16.08.970 of the Long Beach Municipal Code. (Districts 2 and 3)

DISCUSSION

In accordance with Section 16.08.970 of the Long Beach Municipal Code, the Department of Parks, Recreation and Marine (PRM) and the Marina Rules and Regulations Committee (Committee) have been conducting meetings to review marina rules and regulations, in order to ensure that they are consistent with the City policy of preserving the health, safety, and enjoyment of Long Beach marina permittees and guests. The Committee includes City staff, boat owners, and members of the Marine Advisory Commission. During these meetings, it was determined that minor clarifications of a few provisions would improve the safety of our marinas and ensure equitable application of policies. Some of the more significant changes include:

- The inclusion of an underwater hull-cleaning provision;
- An extension provision allowing a permittee to retain his or her designated slip for a total of 120 days after transferring the title or agreeing to sell a vessel;
- Live-aboard provisions allowing the City to require valid proof of residency where there is a suspicion of illegal live-aboard activity, and the requirement that all occupants not listed as a permittee register as a live-aboard;
- A provision requiring visiting vessels to supply current registration or documentation prior to being issued a guest slip or end tie slip; and
- A provision governing the use of bottom liners.

These changes were presented and fully supported by the full Marine Advisory Commission. Therefore, PRM recommends the approval and adoption of the Long Beach Marina Rules and Regulations (Rules and Regs), as amended on the attached Resolution. A copy of the redlined version of the Rules and Regs is attached.

HONORABLE MAYOR AND CITY COUNCIL
September 21, 2010
Page 2

This matter was reviewed by Deputy City Attorney Gary J. Anderson on September 2, 2010, and Budget Management Officer Victoria Bell on August 31, 2010.

TIMING CONSIDERATIONS

City Council action is requested on September 21, 2010, in order to allow ample time for the printing and distribution of amended materials by November 1, 2010.

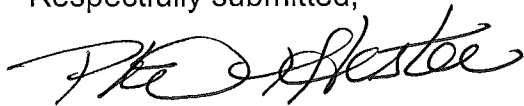
FISCAL IMPACT

There is no fiscal impact or local job impact associated with this request.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,




PHIL T. HESTER
DIRECTOR OF PARKS, RECREATION AND MARINE

PTH:MS:eh

Attachment: Resolution
Redlined Version Long Beach Marina Rules and Regulations

APPROVED:



PATRICK H. WEST
CITY MANAGER

MARINA ENVIRONMENTAL POLICIES

1. ~~All self-employed boat workers and independent contractors must be licensed with the City of Long Beach, register with and receive prior approval from the Manager of the Marine Bureau. All vendors, companies, or individuals that work for compensation in the Long Beach Marinas **MUST** have a City of Long Beach Business License and Marine Vendor Registration card in their possession. Marine Vendor Registration cards are required for each employee performing services in the marina.~~
2. Owners may undertake boat projects as needed to maintain their vessels' safety, appearance and utility, provided they are conducted in a debris and pollution free method. New or substantial exterior work encompassing more than 5 percent (5%) of the hull or superstructure's surface must be reviewed by the Marine Bureau Manager prior to the work commencing.
3. Marina Management encourages all vessel owners to adhere to the following Best Management Practices.
4. The basic rule to govern your boating activities is "Nothing from the boat goes into the water."

ENGINES AND BILGES

Use absorbent bilge pads to soak up oil and fuel.

Used oil absorbents must be disposed of as hazardous waste.

Dispose used gasoline and diesel fuel as hazardous waste.

Do not discharge bilge water if there is a sheen to it.

Do not dispose any fuel or used oil in the marina's dumpsters.

Contact management for nearest recycling locations.

Recycle used oil and lead acid batteries.

PAINTING AND VARNISHING

Limit the amount of open solvents or paints on the docks to one gallon.

Always mix paints and epoxy over a tarp.

Always use a drip pan or drop cloth.

Spray painting is not permitted within the Long Beach Marinas.

Use up remaining bits of paint by spreading on an old board.

Do not dispose of paint or solvents in the marina's dumpsters.

Contact Management for nearest recycling locations.

SURFACE PREPARATION

Use biodegradable and phosphate-free cleaner.

Liberal use tarps to capture all scraping, debris and drips.

Stretch tarps between side of boat and dock when working over the water.

Vacuum dust and debris every time you move the tarp or every hour.

Reverse the boat in the slip to work on the far side.

Use vacuum sanders with attached collection bags.

SEWAGE

Untreated sewage should never be discharged directly overboard.
Store sewage in holding tanks and dispose of properly at pumpout stations.
Contact management for the phone numbers of commercial pumpout services.

Do not discharge Type 1 while moored in marina

Use shore-side facilities as often as possible.

SOLID WASTE DISPOSAL

Disposal of all garbage in proper shore-side receptacles.
Let empty cans dry thoroughly before disposing in trash.
Recycle glass, newspapers, aluminum and plastics.

CHEMICAL STORAGE

Purchase only the amount of chemicals/paints you need for the project.
Review storage of paints and solvents every six months, and properly dispose of old or unnecessary products.
Do not store more than two gallons total of paint and solvents.
All dock boxes are subject to inspection by the Marine Bureau.

UNDERWATER HULL CLEANING

Use non-toxic and legal hull paints.
Wait 90 days after applying new bottom paint before underwater cleaning.
Schedule regular hull cleaning and maintenance.
Ensure that your Hull Cleaning/Maintenance Service use Underwater Hull Cleaners' Best Management Practices.

Table of Contents

Authority	1
Application & Scope	1
Marina Slip Permits	1
General Regulations	10
Laws, Ordinances, Rules & Regulations	
Enforceable by Designated Marine Bureau City Employees	15

RULES AND REGULATIONS LONG BEACH MARINAS

I. AUTHORITY

These regulations ("Marina Regulations") are adopted pursuant to the provisions of Section 16.08.970 of the Long Beach Municipal Code in order to implement, make specific, and otherwise carry out the policy of maintaining the Long Beach marinas in a sanitary, sightly, and orderly condition and of preserving the public health, safety, peace, welfare, and convenience in the use thereof.

II. APPLICATION AND SCOPE

The Marina Regulations shall apply to the berthing of vessels and other activities and operations within the Long Beach marinas which include the Long Beach Marina Area [as defined in Section 16.08.110 of the Long Beach Municipal Code], the Marina Basins [as defined in Section 16.08.130 of the Long Beach Municipal Code], the Downtown Shoreline Marina [as defined in Section 16.08.090 of the Long Beach Municipal Code] and other facilities, beaches and waterways under the jurisdiction of the City of Long Beach, excluding facilities and water areas within the Harbor District of the City of Long Beach. The Long Beach marinas are under the jurisdiction of the Marine Bureau of the Parks, Recreation and Marine Department, which shall operate and control the same.

III. MARINA SLIP PERMITS

Any permit issued by the Manager of the Marine Bureau ("Manager") for the use and occupancy of a slip within the Long Beach marinas shall include by reference the following provisions and conditions:

A. Cancellation:

1. By City: The Manager may cancel and terminate any permit upon five (5) days' written notice to the Permittee for Permittee's failure or refusal to comply with (i) provisions of the permit, including, without limitation, nonpayment of slip fees, (ii) any provision of Chapter 16.08 of the Long Beach Municipal Code, (iii) the Marina Rules and Regulations, or (iv) for Permittee's use of the Marina facilities which disturbs the peaceful use and occupancy or the public health, safety, peace, welfare and convenience of the users of Marine facilities or the

public. Notice shall be deemed served within twenty-four (24) hours of the time said notice is deposited in the United States Postal Service, if mailed by first-class mail, postage prepaid, to Permittee's address as designated on the permit. The notice shall specify the applicable provision of the permit, Municipal Code, Marina Regulations, or Marine Bureau policies with which Permittee has failed or refused to comply, the date and time on or before which Permittee is to vacate the slip, and the cancellation date. Permittee shall be liable for all slip fees accruing prior to the date of cancellation.

2. By Permittee: If the Permittee wishes to cancel a permit, Permittee must deliver a written notice of cancellation to the Marine Bureau addressed to either: Long Beach Marine Bureau, 205 Marina Drive, Long Beach, California 90803; ~~or~~ Long Beach Marine Bureau, 450 East Shoreline Drive, Long Beach, California 90802; or Long Beach Marine Bureau, 200B Aquarium Way, Long Beach, California 90802.

The written notice must be received on or before the fifth day of the calendar month in which the cancellation is to be effective and any such cancellation shall be effective only upon the last day of that calendar month. A permittee's cancellation notice which is mailed with a payment of fees shall not be effective for the purpose of cancellation of a permit slip period. Such notices ~~are not~~ must be delivered to the a Marine Bureau Office.

B. Removal of Vessel upon Cancellation of Permit:

If Permittee shall fail or refuse to remove his or her vessel from a slip or end tie on or before the date of cancellation of his or her permit thereof, the Manager may order and cause the vessel to be removed and stored at the Permittee's risk and expense and retake possession of the slip. A Permittee shall reimburse the City for costs incurred in moving and storing a vessel in accordance with the ~~schedule set forth in Section IV of these Marina Regulations~~ Parks, Recreation and Marine/Marine Bureau, Fees, Rates and Charges. Neither the City nor any of its officers or employees shall be liable to and a Permittee waives all claims for damage to persons and property sustained by a Permittee resulting from the movement of his or her vessel pursuant to this provision.

C. Reassignment of Slips:

The Manager shall have the right to temporarily or permanently reassign slip spaces and to move or cause to be moved any vessel so reassigned. A Permittee, by applying for and accepting the use of a slip, a mooring, or other berthing facility shall be deemed to have consented to the reassignment and movement of his or her vessel to another slip, mooring, or other berthing facility (i) for the proper operation, maintenance, and repair of the Long Beach marinas, (ii) for the convenience of the City, (iii) for a special event, such as a boat show, (iv) in case of an emergency or (v) for the general betterment of the marina. Permittee further consents to the movement of his or her vessel by City personnel if, after notice to move his or her vessel is given by the Manager, Permittee fails to comply with any such notice. A Permittee shall reimburse the City for costs incurred in relocating and moving his or her vessel to another slip, mooring or other berthing facility in accordance with the ~~schedule set forth in Section IV of these Marina Regulations~~ Parks, Recreation and Marine/Marine Bureau, Fees, Rates and Charges. Neither the City nor any of its officers or employees shall be liable and a Permittee waives all claims for damage to persons and property sustained by a Permittee resulting from the movement of his or her vessel.

D. Effective Date of Slip Assignments and Cancellations:

Slip assignments are effective at noon on the first day of the month. Cancellations of permits are effective at noon on the last day of the month. Transfer of vessels from one slip to another shall be made at noon on the first day of the month, or other date as directed by the Marine Bureau.

E. Nontransferability of Permit:

A Permittee shall not give, sell, sublease, assign, or transfer, or attempt to give, sell, sublease, assign, or transfer, whether voluntarily or involuntarily, the use of a designated slip, mooring, or other berthing facility, the permit therefore or any interest therein. Any agreement, whether oral or in writing, between Permittee and any other person, firm, or entity made in connection (i) with the use of a designated slip, mooring, or other berthing facility by a person other than the Permittee, (ii) with the use of a designated slip, mooring, or other berthing facility by a vessel other than one owned by the Permittee, (iii) with the transfer or ownership of or an interest in a vessel, or (iv) with a transfer of an interest in a corporation or partnership (general or limited) or joint venture owning a vessel, by

which agreement Permittee attempts to give, sell, sublease, assign, or otherwise transfer the permit, an interest therein, or the right to use the designated slip shall be void and shall constitute grounds for cancellation of the permit.

In the event of the death of the Permittee, the permit may be transferred to the surviving spouse, upon transfer of title to the vessel to such person within a reasonable time after the Permittee's death.

F. Sale of Permittee's Vessel:

A Permittee may retain his or her designated slip for a period of thirty (30) days after transferring title to or agreeing to sell his or her vessel provided:

1. Permittee shall notify the Marine Bureau in writing within five (5) days of the date Permittee enters into an agreement for the sale of the vessel and his or her intent to acquire another vessel of the appropriate length for occupancy of the slip.
2. Permittee shall pay slip fees equal to the amount specified in his or her permit for the vessel sold pending the acquisition of another vessel.

An extension of an additional period [but not to exceed ~~sixty~~ ninety (~~60~~90) days] may be granted by the Manager upon submission by Permittee of the proof of a contract to purchase or construct another vessel. If Permittee does not acquire and accept delivery of another vessel of appropriate length for the assigned slip within the ~~thirty~~ ninety (~~30~~90) day period or any extension thereof, the permit shall be cancelled by the Manager. When the last day of the initial period or any extension thereof is on or prior to the fifth (5th) day of a month, the date of cancellation shall be effective the last day of that month. If the last day of the initial thirty (30) day period or any extension thereof falls after the fifth (5th) day of the month, the cancellation shall be deemed effective on the last day of the following month. Permittee shall remain liable to the City for all slip fees accruing prior to the date of cancellation.

Permittee shall notify the Marine Bureau in writing within five (5) days of any change of ownership in his or her vessel resulting from a gift, sale, lease, withdrawal, addition, or substitution of partners, the sale or transfer of stock in a closely held corporate owner of the vessel or a

change of officers or directors of a closely held corporation owning the vessel.

G. Partnership/Corporations:

No permit will be issued in the name of a partnership (general or limited), corporation, joint venture or other legal entity. A slip permit for a vessel which is registered, documented or owned by a partnership (general or limited), corporation, joint venture or other legal entity will be issued only to a natural person whose name appears on the marina waiting list and whose interest in the vessel (whether by virtue of an interest in the partnership, ownership of stock of a corporation or otherwise) is equal to or greater than that of each of the other partners, stockholders, members or associates. An applicant for a slip permit at a Long Beach marina for a vessel which is owned by a partnership (general or limited), a corporation, joint venture, or other legal entity shall submit for approval by the Manager, a fully executed Marine Bureau Statement of Ownership. Any gift, sale, assignment or transfer of (i) the applicant's interest in the vessel (ii) his or her interest in the partnership, corporation or other legal entity by which the named Permittee transfers or attempts to transfer the right to use the assigned slip to another person or persons, (including remaining partners and/or stockholders) or to another partnership, corporation or other legal entity shall be void and shall constitute grounds for cancellation of the permit. The only exception to this rule relates to partnerships. When a partnership applies for a permit, one partner must be designated as the Permittee for legal purposes. Upon execution of the permit, a list of partners will be incorporated with the permit. Under this exception, the permit may be transferred to any of the original partners, if requested by the existing Permittee, and with appropriate notification and permit changes through the Marine Bureau. The remaining original partner(s) may enter into new partnerships, but the seniority relating to the existing slip will only vest with the original partners. If there are no initial partners, the permit will become void. Existing partnerships will not be grandfathered, and must contact Marine Bureau to incorporate a partnership list for purposes of this exception, and rights to the slip will revert back to effective date of the adoption of this rule or the incorporation of the partnership list, whichever is later. Notwithstanding the form of ownership of the vessel, the permit to berth the same at a Long Beach marina shall not be transferable under any circumstances, except as allowed herein. If a Permittee fails or refuses to notify the Manager of a change to any of the information contained in the Marine Bureau Statement of Ownership within five (5) days from the date of any such

change, such failure or refusal shall also constitute grounds for cancellation of the permit.

H. **Vessels as Place of Abode:**

All ~~persons~~ Permittees desiring to live aboard vessels berthed or moored within the water areas of the City of Long Beach (excluding the water areas within the Harbor District) shall obtain a live aboard permit from the Manager. A Person shall be deemed to be living aboard a vessel if he or she occupies ~~or allows others to occupy~~ the vessel and engages in those usual and customary activities associated with a person's residence abode, such as sleeping, preparation of meals, etc., for any period in excess of twelve (12) days in a calendar month. The Manager may require valid proof of residency if there is a suspicion of illegal live aboard activity. The Manager may cancel any permit issued by the Marine Bureau if any person lives aboard a vessel without obtaining a permit therefore. Such permits shall be subject to the following conditions and limitations:

1. Live aboard status will only be granted if the Permittee lives aboard. All other occupants must register to live aboard.

2. Within the water areas within the limits of the City of Long Beach (excluding the Harbor District), the number of live aboard permits for each gangway shall be determined by the Manager.

~~1. Within the water areas within the limits of the City of Long Beach (excluding the Harbor District), the number of live aboard permits for each gangway shall be determined by the Manager.~~

3. 2.—The Permittee must provide his or her own source of energy for cooking, and space heating, refrigeration and lighting.

4. 3.—The overall length of the vessel for which permission to live aboard is sought must be over ~~twenty-fivethirty-~~ (2530) feet.

45. Regardless of the length of occupancy, no person living aboard a vessel shall use the toilet facilities aboard such vessel, unless the vessel has an approved holding tank. The Manager may order that Permittees granted live aboard privileges ~~post notices and to~~ seal the toilet facilities and place dye tablets in holding tanks, and/or to contract with a mobile pumpout service.

5. ~~5.~~—The Manager or his designee shall have the right to make periodic inspections of the vessel to determine compliance with these conditions and the seaworthiness and sanitary conditions of the vessel. By reserving the right to make inspections, the City does not assume, nor shall that right be construed to impose, any liability for claims for damages to persons or property resulting from a failure to make any such inspections.

6. ~~6.~~—Any Permittee granted permission to use a vessel as a place of abode, and ~~who~~ is subsequently granted leave of absence status (as defined in Paragraphs I and/or J) shall ~~lose live aboard status~~ be placed at the top of the live aboard waiting list when they request to return.

7. ~~7.~~—The prohibition against living aboard a vessel except pursuant to a permit issued by the Manager shall not apply to privately owned and operated marinas unless such marinas are situated upon granted tidal or submerged lands.

8. ~~8.~~—Persons granted live aboard status must utilize the privilege throughout the year. If not so used, the privilege may be revoked by the Manager.

9. ~~9.~~—Live aboard status will be granted only to a current Permittee. No person or animal is allowed to live aboard unless the Permittee is also living aboard the vessel under a valid live aboard permit.

10. ~~10.~~—Live aboard status is granted only for the slip assigned _____ to the Permittee at the time of the grant. Live aboard _____ status will not be transferred to another slip location _____ unless approved by the Manager.

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 six (6) 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.

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 increments thereof will be granted up to a maximum of thirty six (36) months. A Permittee may request leave of absence in six (6) month increments.~~
3. Permittee must provide current registration and valid insurance on their vessel on an annual basis.
- 3.4. 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 if the Permittee requests a slip prior to the expiration of the leave of absence period.

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.

4.5. 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, liveaboard status, if applicable, 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.

5.6. 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.

6.7. 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.):

K. Change of Slip Fee Rates/Deposits:

Within thirty (30) days after notice from the Marine Bureau of a change of slip rate fees, a Permittee shall deposit with the Marine Bureau such additional sums as may be required to maintain the amount deposited with the Marine Bureau equal to one month's slip fee.

L. Deposits:

Any sum deposited with the Marine Bureau pursuant to a permit issued by the Manager shall be deemed a security deposit for the performance by a Permittee of the provisions of the permit. The security deposit, or any portion of it, may be used to cure a default or to compensate the City of Long Beach for all damage sustained by the City resulting from a Permittee's default. Security deposit cannot be used for the last month's slip fees. Permittee shall immediately on demand pay to the Marine Bureau a sum equal to the portion of the security deposit expended or applied. The City's obligation with respect to the security deposit is those of a debtor and not a trustee. The City shall not be required to pay interest on a security deposit.

M. Commercial Use of Slips:

No slip or dock structure within the Long Beach marinas shall be used for commercial purposes unless the slip has been designated by the Manager as a commercial float. "Commercial purposes" shall include, but not be limited to, any activity involving the use of a Permittee's vessel by the Permittee or any other person, firm, or entity for which use the Permittee receives cash, credit, or any other form of valuable consideration.

N. Taxes:

In the event that the Los Angeles County Tax Assessor determines that any permit issued by the Manager for berthing or mooring of vessels creates a possessory interest subject to property taxes, the Permittee shall pay any such tax prior to delinquency. The situs, for personal property tax purposes, of any vessel under permit shall be the marina in the City of Long Beach for which a permit is issued.

O. Waiver of Claims:

Neither the City of Long Beach nor any of its officers, employees, or contractors shall be liable to a Permittee for any damage to person or property resulting from oil operations conducted on Oil Island Grissom. All vessels and property belonging to a Permittee located at a Long Beach marina shall be there at the risk of Permittee and neither the City of Long Beach nor its officers or employees shall be liable for damage thereto not theft or misappropriation thereof.

P. Temporary Slip Permit:

In addition to the powers vested in the Manager under Section 16.08.950 of the Long Beach Municipal Code, the Manager may issue temporary slip permits for assigned but vacant slips or end ties and for

unassigned slips or end ties upon such terms and conditions as may be required for the efficient operation of the Long Beach marinas.

Q. Ownership of Vessels:

No permit, or temporary slip permit, for a slip within the Long Beach marinas shall be issued unless the applicant therefore shall establish to the satisfaction of the Manager that the applicant is the owner of a vessel which is to be berthed at the slip. Evidence of ownership shall be in the form of a certificate issued by the California Department of Motor Vehicles showing the applicant as the legal and registered or registered owner or ship's documents issued by the U.S. Department of Transportation showing applicant's interest in the vessel. Applicant must have the exclusive right of possession and beneficial use and enjoyment of the vessel.

At the request of the Marine Bureau, an applicant shall submit such documentation as the Marine Bureau may require to determine the nature and extent of the applicant's interest in the vessel. In addition, the applicant shall declare under penalty of perjury that the facts, documents, and other information submitted to establish ownership of a vessel are true and correct and reaffirm such declarations from time to time at the request of the Marine Bureau.

R. Visiting Vessels:

Visiting vessels will be issued end tie slip or guest slip permits for a maximum period of fifteen (15) days per month. No extensions will be granted nor shall a visiting vessel be entitled to an assignment to a different slip within Long Beach marinas, unless authorized by the Manager. Visiting vessels must supply current registration or documentation prior to being issued a guest slip or end tie slip.

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. 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.

IV. GENERAL REGULATIONS

The following regulations shall apply to the use of the water areas and the facilities and improvements situated within the Long Beach marinas:

A. Storage on Docks and Fingers:

Nothing shall be stored on the docks and fingers except in locker boxes provided at each slip. Storage in each locker box shall not exceed two hundred (200) pounds.

B. Steps:

Any steps used for ingress to and egress from a vessel shall not be wider than one-half (1/2) of the width of the finger to which the vessel is moored. The steps must be of lightweight construction and not used as a storage locker.

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 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 (10') 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 it's 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. Dinghy/tender shall not be used for storage.

No dinghy or yacht tender shall be placed in such a manner so as to obstruct free passage along the finger.

D. Fenders, Dock Wheels and Telephone Lines:

No Permittee shall install fender material, dock wheels, carpet or telephone lines on fingers or gangways. Additional fenders of material as now installed, approved dock wheels or telephone line may be purchased by the Permittee provided that Parks, Recreation and Marine Bureau employees only shall install such fenders, dock wheels or telephone lines. Upon installation, title to said fender, dock wheels or telephone lines shall vest in the City of Long Beach.

E. Dogs:

Dogs must be kept on leash in all public areas in the marinas. Permittees and their guests are required to closely supervise their animals on these premises, and particularly on the ramps, docks and fingers, and pick up the waste in the interests of public safety and sanitation. All pets are prohibited in the boatowner and public rest rooms and showers.

F. Swimming:

Swimming is not permitted in any of the Long Beach marinas.

G. Fishing:

No person shall fish from the walls, docks, or fingers of the Long Beach marinas. Fishing is permitted only from fishing piers or vessels berthed at slips.

H. Vessel Maintenance:

Major repair or reconstruction work shall not be performed in or at any marina slip or in Alamitos Bay or other water areas within the limits of the City of Long Beach. Except for emergency repairs to keep a vessel afloat, no repair or other work on a vessel shall be performed before 8 a.m. nor after sunset. Permittees shall not place or permit others performing repairs or other work on a vessel to place tools or equipment in a manner so as to obstruct access to fingers or docks. Permittees may use portions of the docks or fingers for minor rigging and maintenance for short periods of time; provided, however, such space must be kept in a neat, clean, and orderly condition and a drop cloth and boat bath are used during maintenance periods. No material of any type resulting from maintenance work shall be allowed to become airborne, or enter the waters of the Long Beach marinas. (This includes but is not limited to sanding of paint and fiberglass and spray painting.)

I. Small Children on Docks:

Children under ten years are not permitted on the docks and fingers without the immediate presence of their parents or other responsible adults.

J. Visitors:

Visitors, unless accompanied by a Permittee shall not be permitted on the docks after sunset.

K. Signs:

No person shall place, erect, or maintain any sign, display, or notice on any property (including water areas), structure, or improvement within the Long Beach marinas owned, operated, or controlled by the City without the prior written consent of the Manager. Any such sign, display, or notice may be removed or caused to be removed by the Manager at the expense of the person placing, erecting, or maintaining the same. A Permittee may place one (1) sign on the exterior of a vessel/vehicle under permit advertising the sale or offering for sale of said vessel/vehicle; provided, however, the size of any such sign shall not exceed nine-twenty-four inches (924") by twelve-eighteen inches (1218") and the lettering thereon shall not exceed four-eight inches (48") in height; provided, further that the sign shall be professionally made, and be properly maintained.~~displayed only from sunrise on Saturday through sunset on the following Sunday [two (2) days].~~ The

Manager may direct the removal of any nonconforming or unauthorized sign, display, or notice. In the event the Permittee refuses to remove the sign, display, or notice as directed, such refusal shall constitute grounds for cancellation of the slip permit.

L. Bicycles and Motorcycles:

No person shall roller skate, skateboard, ride bicycles or motorcycles on the docks and gangways within the Long Beach marinas, with the exception of City of Long Beach employees in the normal course of their duties.

M. Parking Lots:

1. No person shall discharge waste material from, store or sleep or cook in a house trailer, boat trailer, camper, or other vehicle while such vehicle is in a parking space within the parking lots or facilities adjacent to the Long Beach marinas.
2. No vehicle or apparatus capable of being registered as a vehicle or trailer shall block the parking lanes in the Long Beach marinas.
3. No vehicle in excess of twenty-one (2021) feet in overall length may occupy any parking space within the parking lots adjacent to the ~~Downtown~~ Shoreline Marina or in the parking lot adjacent to Basin 4 in the Alamitos Bay Marina without the permission of the Manager or his designee. No vehicle in excess of twenty-four (24) feet in overall length may occupy any parking space within the parking lots adjacent to Alamitos Bay Marina, with the exception of Basin 4 described ~~herein~~. Vehicles must be parked in a manner not to protrude past the parking stall lines, or to impede the flow of traffic.
4. No person shall remain, stay, or loiter in any marina parking lot between the hours of sunset and 5 a.m.
5. To facilitate the sweeping and cleaning of the marina parking lots, certain sections may be posted with restricted parking times. Failure to observe the posted restrictions will result in the issuance of parking citations.
6. Permittees may not construct or reconstruct or cause to be constructed or reconstructed, repair or cause to be repaired, to grease or cause to be greased, or perform any type of maintenance, on any vehicle or vessel or any part thereof within

the parking lots of the marinas. However, temporary minor repairs in case of emergency may be made within the parking lots to enable the vehicle to be moved to a proper place for mechanical work.

7. The parking of Recreational Vehicles (R.V.s) and vehicles of extended length will be limited to designated areas within the Alamitos Bay Marina. Vehicles will be required to obtain a parking permit from the Manager. All recreational vehicles in the designated area must be moved the first and third Thursday of each month for street sweeping.
8. The washing of any vehicle, vessel, trailer or apparatus capable of being registered as a vehicle or trailer is prohibited in the parking lots of the Long Beach marinas. This includes commercial vehicle detailing.
9. ~~Waste Underground~~ Oil Tanks- No person shall place any substance in ~~underground~~ waste oil tanks other than waste motor oil.
10. Trailers, dilapidated vehicles, and inoperable vehicles are not allowed in the marina parking lots. A vehicle must have current registration. Failure to remove a trailer or ~~inoperable~~ prohibited vehicle will result in the impound of the trailer or ~~inoperable~~ vehicle at a cost to the owner.

N. Movement of Vessels:

Movement of vessels within the Long Beach marinas shall be for the purpose of entering or leaving a slip only.

O. Unseaworthy Vessels:

Permittees shall, upon request, demonstrate or allow inspection by Marine Bureau employees of vessels under permit for seaworthiness. Seaworthiness will be determined by, but not limited to the following:

- Vessel shall operate under its own power.
- Vessel shall have an operable electrical system.
- Vessel shall not be in a state of deterioration.
- Vessel shall be water tight (minimal amount of water in bilge.)
- Vessel shall be navigable.

Any vessel determined to be unseaworthy shall be posted with a notice to repair or remove from the slip space. A copy of said notice shall be mailed to the slip Permittee. If the Permittee fails or refuses to repair or remove the vessel within 30 days of the posting and mailing of notice to the Permittee, the Manager may cancel the slip permit and move or cause to be removed and impounded such vessel at the Permittee's expense.

P. Leaving and Entering Marina:

Vessels entering and leaving the marina will abide by all rules of navigation and posted speed limits.

Q. No Sailing or Cruising within Downtown Shoreline Marina:

The Downtown Shoreline Marina shall be entered only for the purpose of berthing vessels and for embarking and disembarking passengers from commercial floats marina slips.

R. Length of Vessels:

For the purpose of determining the ~~applicable fee payable~~ appropriate slip size under these regulations, the overall length of vessels (LOA) shall mean the length of the vessel rounded upward to the next whole foot including all permanent and functional overhangs ~~but excluding outboard engines and out drives~~. Modifications to vessels affecting the LOA of a vessel shall be reported to the Marine Bureau in writing within five (5) days of making the modification. Any modification which results in an increase or decrease of the LOA of a vessel in excess of or less than permitted size of vessel for slip will be grounds for cancellation of the slip permit.

S. Modification of Dock Structures:

No Permittee shall install in or upon, nail to, modify or make any additions or changes to the City dock structures in the Long Beach Marinas. Any materials or structures attached to or located on the dock will be removed and repairs made all at the permittees sole cost and expense.

T. Use of Hydro Hoists:

The use of Hydro hoists supported/stabilized by attachment to the gangway or finger, or any apparatus supported/stabilized by attachment to the gangway or the finger capable of lifting a vessel

from the water within the slips of the marinas is prohibited. Other non-stabilized/supported lifting apparatus must have prior approval from the Manager.

U. Cooking / Barbecuing:

Cooking or barbecuing on the dock is prohibited unless the cooking unit is propane or gas powered and elevated a minimum of nine (9) inches from any dock structure or surface (dock boxes included). The use of a charcoal BBQ is restricted to the vessel only.

V. Address / Contact Information Changes:

Permittees will notify the Marine Bureau office in writing of any change of address or telephone number. The Bureau will not be responsible for lost or misdirected mail due to incorrect information.

W. Automatic Water Shut off Nozzles:

Permittees shall obtain an automatic shut off type nozzle for the dock side water supply.

X. Use of Boatowner Restrooms and Showers:

Only boatowners, their guests and authorized personnel are allowed in the boatowner restrooms and showers.

Y. Use of On Board Toilet Facilities:

No person aboard a vessel in the Long Beach marina shall use the toilet facilities aboard such vessel, unless the vessel has an approved holding tank. The Manager may order that Permittees post notices and seal the toilet facilities and place dye tablets in holding tanks, or to supply proof as to how holding tank is expelled.

Z. Fueling:

Fueling in the marina must be accomplished using a container manufactured for fueling purposes, which is no larger than six (6) gallons.

AA. Use of Bottom Liners:

Permittees using bottom liners must maintain the bottom liner properly, ensuring that the inside and underside are kept clean, and

must be used in compliance with all state and federal regulations. Failure to do so will be grounds for cancellation of the permit.

V. LAWS, ORDINANCES, RULES AND REGULATIONS ENFORCEABLE BY DESIGNATED MARINE BUREAU CITY EMPLOYEES

A. It shall be the duty of those Marine Bureau City employees listed in Section 16.08.340A of the Long Beach Municipal Code to enforce the following laws, ordinances, rules, and regulations.

1. California Harbors and Navigation Code Sections 300, 301, 305, 307, 308, 505.5, 522, 654.05(a), 654.05(b), 654.05(c), 654.05(d), 654.06(a), 654.06(b), 654.06(c), 655.2, 658(a), 658(b), 658(d), 658(e), 658.7, 674, 708(a), 761, 773.3, and 780.
2. California Code of Regulation Title 13, Section 300.08(c), Title 14, Sections 700, 6550.5(d), 6555, 6565.5(a), 6565.5(b), 6565.5(c), 6565.7 6565.7(a), 6565.7(b), 6565.8(a), 6565.8(b), 6565.8(c), 6566.3(c), 6566.3(d), 6569, 6572, 6573, 6574, 6575, 6600.1, 6615, 6629(b), 7003, 7008(c), 7008(d), 7009(c), 7009(d), 7504(a).
3. California Vehicle Code Sections 5204.A, 9845, 9850, 9853.2, 9853.3, 9853.4, 9864, 9865, 9866, 9871, 9872, 9872.1, 12500, 21113(a), 21116(a), 21464(a), 21464(b) 22500(a), 22500(b), 22500(c), 22500(e), 22500(f), 22500(g), 22500(h), 22500(i), 22500(k), 22500.1, 22502.A, 22507.8, 22516, 22651, 38320(a), and 38320(b).
4. Long Beach Municipal Code Sections 5.46.070, 5.46.090, 5.46.100, 5.46.110, 5.52.030, 5.52.050, 5.60.020, 5.66.020, 5.86.020, 5.86.130, 6.08.010, 6.16.090, 6.16.100, 6.16.110, 6.16.200, 8.60.120, 8.60.130, 9.20.050, 9.22.010, 9.25.010, 9.30.010, 9.30.020, 9.30.025, 9.30.040, 9.30.050 9.36.020, 9.42.010, 9.42.100, 9.42.110, 9.52.020, 9.56.020, 9.56.030, 9.57.030, 9.58.010, 9.62.010, 9.64.020, 10.08.030, 10.08.100, 10.08.110 D., 10.22.020, 10.22.060 A.7, 10.22.110, 10.22.100 A., 10.22.120, 10.22.130, 10.22.140, 10.22.150, 10.24.010 B., 10.24.030, 10.24.050, 10.24.090, 10.24.130, 10.26.010, 10.26.020, 10.28.050, 10.28.060, 10.28.070, 10.28.080, 10.28.090, 10.30.020, 10.30.060 to 10.30.110 inclusive, 10.30.120 A., 10.30.120 B., 10.30.121, 10.30.123, 10.34.020, 10.34.030, 10.38.020, 10.38.100, 10.40.010 B., 10.48.030, 10.48.070 A., 10.48.070 B., 10.52.030, 10.54.030, 10.58.040,

10.64.030, 14.04.010, 14.04.020, 16.04.020, 16.04.030 A., 16.04.040, 16.04.050, 16.04.100, 16.08.350 to 16.08.640 inclusive, 16.08.650 A., 16.08.650 B., 16.08.670 A., 16.08.670 B., 16.08.670 C., 16.08.680, 16.08.690, 16.08.700, 16.08.710, 16.08.720, 16.08.750, 16.08.760, 16.08.790, 16.08.800, 16.08.810, 16.08.830, 16.08.900, 16.08.940, 16.08.950, 16.12.120 to 16.12.300 inclusive, 16.16.010, 16.16.020, 16.16.030 to 16.16.070 inclusive, 16.16.090 and 16.16.100.

5. California Penal Code Sections 148, 314, 374, 409.5, 415, 417, 428, 484, 488, 499(b), 537(e), 594, 602, and 647.
6. California Code of Federal Regulations, Title 33, Part 81, Rule 2; Part 81, Rule 5; Part 81, Rule 6; Part 81, Rule 12; Part 81, Rule 13; Part 81, Rule 14; Part 81, Rule 15; Part 81, Rule 20; Part 81, Rule 27; Part 81, Rule 30; Part 81, Rule 33; Part 81, Rule 34; Part 81, Rule 35; Part 87, Annex IV, Section 87.3; and Part 88, Annex V, Section 88.05.

B. It shall be the duty of those Marine Bureau employees holding or temporarily performing the duties of the classified non-career positions of Security Officer I and Marine Aide to enforce the following laws and ordinances:

1. California Vehicle Code Section 21113(a).
2. Long Beach Municipal Code Sections 10.30.020, 10.30.060, 10.30.070, 10.30.080, 10.30.090, 10.30.100, 10.30.110, 10.30.120 A., 10.30.120 B., and 16.16.100.

C. In enforcing the laws, ordinances, rules and regulations enumerated in Section A above, those ~~Marine Bureau~~ City employees listed in Section 16.08.340A. of the Long Beach Municipal Code shall have the authority:

1. To board and inspect a vessel within the water areas within the limits of the City of Long Beach for compliance with federal, state, and local safety laws, rules and/or regulations; and
2. To order the operator of any unsafe vessel to remove such vessel to shore or to a safe moorage or anchorage under the conditions set forth in Title 14 of the California Code of Regulations.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF LONG BEACH AMENDING AND
RESTATING THE LONG BEACH MARINA
RULES AND REGULATIONS PURSUANT TO
THE PROVISIONS OF SECTION 16.08.970 OF
THE LONG BEACH MUNICIPAL CODE

WHEREAS, the City of Long Beach (the "City") is a municipal corporation
and charter city duly organized and existing under its charter (the "Charter") and the
Constitution of the State of California; and

WHEREAS, the Department of Parks, Recreation and Marine (PRM) and
the Marina Rules and Regulations Committee (Committee) have been conducting
meetings to review Marina Rules and Regulations, in order to ensure that they are
consistent with the City policy of preserving the health, safety, and enjoyment of Long
Beach marina permittees and guests; and

WHEREAS, it has been determined that minor clarifications of a few
provisions would improve the safety of our Marinas and ensure equitable application of
policies; and

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

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

Section 1. The City Council hereby adopts the attached Amended and
Restated Long Beach Marina Rules and Regulations as recommended by the Marine
Advisory Commission.

Section 2. This resolution shall take effect immediately upon its adoption

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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

2 I hereby certify that the foregoing resolution was adopted by the City
3 Council of the City of Long Beach at its meeting of _____, 2010, by the
4 following vote:

5

6 Ayes: Councilmembers: _____

7 _____

8 _____

9 _____

10 Noes: Councilmembers: _____

11 _____

12 Absent: Councilmembers: _____

13 _____

14 _____

15 _____

16 _____

City Clerk

17

18

19

20

21

22

23

24

25

26

27

28

MARINA ENVIRONMENTAL POLICIES

1. All vendors, companies, or individuals that work for compensation in the Long Beach Marinas **MUST** have a City of Long Beach Business License and Marine Vendor Registration card in their possession. Marine Vendor Registration cards are required for each employee performing services in the marina.
2. Owners may undertake boat projects as needed to maintain their vessels' safety, appearance and utility, provided they are conducted in a debris and pollution free method. New or substantial exterior work encompassing more than 5 percent (5%) of the hull or superstructure's surface must be reviewed by the Marine Bureau Manager prior to the work commencing.
3. Marina Management encourages all vessel owners to adhere to the following Best Management Practices.
4. The basic rule to govern your boating activities is "Nothing from the boat goes into the water."

ENGINES AND BILGES

Use absorbent bilge pads to soak up oil and fuel.

Used oil absorbents must be disposed of as hazardous waste.

Dispose used gasoline and diesel fuel as hazardous waste.

Do not discharge bilge water if there is a sheen to it.

Do not dispose any fuel or used oil in the marina's dumpsters.

Contact management for nearest recycling locations.

Recycle used oil and lead acid batteries.

PAINTING AND VARNISHING

Limit the amount of open solvents or paints on the docks to one gallon.

Always mix paints and epoxy over a tarp.

Always use a drip pan or drop cloth.

Spray painting is not permitted within the Long Beach Marinas.

Use up remaining bits of paint by spreading on an old board.

Do not dispose of paint or solvents in the marina's dumpsters.

Contact Management for nearest recycling locations.

SURFACE PREPARATION

Use biodegradable and phosphate-free cleaner.

Liberal use tarps to capture all scraping, debris and drips.

Stretch tarps between side of boat and dock when working over the water.

Vacuum dust and debris every time you move the tarp or every hour.

Reverse the boat in the slip to work on the far side.

Use vacuum sanders with attached collection bags.

SEWAGE

Untreated sewage should never be discharged directly overboard.
Store sewage in holding tanks and dispose of properly at pumpout stations.
Contact management for the phone numbers of commercial pumpout services.

Do not discharge Type 1 while moored in marina

Use shore-side facilities as often as possible.

SOLID WASTE DISPOSAL

Disposal of all garbage in proper shore-side receptacles.
Let empty cans dry thoroughly before disposing in trash.
Recycle glass, newspapers, aluminum and plastics.

CHEMICAL STORAGE

Purchase only the amount of chemicals/paints you need for the project.
Review storage of paints and solvents every six months, and properly dispose of old or unnecessary products.
Do not store more the two gallons total of paint and solvents.
All dock boxes are subject to inspection by the Marine Bureau.

UNDERWATER HULL CLEANING

Use non-toxic and legal hull paints.
Wait 90 days after applying new bottom paint before underwater cleaning.
Schedule regular hull cleaning and maintenance.
Ensure that your Hull Cleaning/Maintenance Service use Underwater Hull Cleaners' Best Management Practices.

Table of Contents

Authority	1
Application & Scope	1
Marina Slip Permits	1
General Regulations	10
Laws, Ordinances, Rules & Regulations Enforceable by Designated City Employees	15

RULES AND REGULATIONS LONG BEACH MARINAS

I. AUTHORITY

These regulations ("Marina Regulations") are adopted pursuant to the provisions of Section 16.08.970 of the Long Beach Municipal Code in order to implement, make specific, and otherwise carry out the policy of maintaining the Long Beach marinas in a sanitary, sightly, and orderly condition and of preserving the public health, safety, peace, welfare, and convenience in the use thereof.

II. APPLICATION AND SCOPE

The Marina Regulations shall apply to the berthing of vessels and other activities and operations within the Long Beach marinas which include the Long Beach Marina Area [as defined in Section 16.08.110 of the Long Beach Municipal Code], the Marina Basins [as defined in Section 16.08.130 of the Long Beach Municipal Code], the Shoreline Marina [as defined in Section 16.08.090 of the Long Beach Municipal Code] and other facilities, beaches and waterways under the jurisdiction of the City of Long Beach, excluding facilities and water areas within the Harbor District of the City of Long Beach. The Long Beach marinas are under the jurisdiction of the Marine Bureau of the Parks, Recreation and Marine Department, which shall operate and control the same.

III. MARINA SLIP PERMITS

Any permit issued by the Manager of the Marine Bureau ("Manager") for the use and occupancy of a slip within the Long Beach marinas shall include by reference the following provisions and conditions:

A. Cancellation:

1. By City: The Manager may cancel and terminate any permit upon five (5) days' written notice to the Permittee for Permittee's failure or refusal to comply with (i) provisions of the permit, including, without limitation, nonpayment of slip fees, (ii) any provision of Chapter 16.08 of the Long Beach Municipal Code, (iii) the Marina Rules and Regulations, or (iv) for Permittee's use of the Marina facilities which disturbs the peaceful use and occupancy or the public health, safety, peace, welfare and convenience of the users of Marine facilities or the public. Notice shall be deemed served within twenty-four (24)

hours of the time said notice is deposited in the United States Postal Service, if mailed by first-class mail, postage prepaid, to Permittee's address as designated on the permit. The notice shall specify the applicable provision of the permit, Municipal Code, Marina Regulations, or Marine Bureau policies with which Permittee has failed or refused to comply, the date and time on or before which Permittee is to vacate the slip, and the cancellation date. Permittee shall be liable for all slip fees accruing prior to the date of cancellation.

2. By Permittee: If the Permittee wishes to cancel a permit, Permittee must deliver a written notice of cancellation to the Marine Bureau addressed to either: Long Beach Marine Bureau, 205 Marina Drive, Long Beach, California 90803; Long Beach Marine Bureau, 450 East Shoreline Drive, Long Beach, California 90802; or Long Beach Marine Bureau, 200B Aquarium Way, Long Beach, California 90802.

The written notice must be received on or before the fifth day of the calendar month in which the cancellation is to be effective and any such cancellation shall be effective only upon the last day of that calendar month. A permittee's cancellation notice which is mailed with a payment of fees shall not be effective for the purpose of cancellation of a permit. Such notices must be delivered to a Marine Bureau Office.

B. Removal of Vessel upon Cancellation of Permit:

If Permittee shall fail or refuse to remove his or her vessel from a slip or end tie on or before the date of cancellation of his or her permit thereof, the Manager may order and cause the vessel to be removed and stored at the Permittee's risk and expense and retake possession of the slip. A Permittee shall reimburse the City for costs incurred in moving and storing a vessel in accordance with the Parks, Recreation and Marine/Marine Bureau, Fees, Rates and Charges. Neither the City nor any of its officers or employees shall be liable to and a Permittee waives all claims for damage to persons and property sustained by a Permittee resulting from the movement of his or her vessel pursuant to this provision.

C. Reassignment of Slips:

The Manager shall have the right to temporarily or permanently reassign slip spaces and to move or cause to be moved any vessel so reassigned. A Permittee, by applying for and accepting the use of a slip, a mooring, or other berthing facility shall be deemed to have

consented to the reassignment and movement of his or her vessel to another slip, mooring, or other berthing facility (i) for the proper operation, maintenance, and repair of the Long Beach marinas, (ii) for the convenience of the City, (iii) for a special event, such as a boat show, (iv) in case of an emergency or (v) for the general betterment of the marina. Permittee further consents to the movement of his or her vessel by City personnel if, after notice to move his or her vessel is given by the Manager, Permittee fails to comply with any such notice. A Permittee shall reimburse the City for costs incurred in relocating and moving his or her vessel to another slip, mooring or other berthing facility in accordance with the Parks, Recreation and Marine/Marine Bureau, Fees, Rates and Charges. Neither the City nor any of its officers or employees shall be liable and a Permittee waives all claims for damage to persons and property sustained by a Permittee resulting from the movement of his or her vessel.

D. Effective Date of Slip Assignments and Cancellations:

Slip assignments are effective at noon on the first day of the month. Cancellations of permits are effective at noon on the last day of the month. Transfer of vessels from one slip to another shall be made at noon on the first day of the month, or other date as directed by the Marine Bureau.

E. Nontransferability of Permit:

A Permittee shall not give, sell, sublease, assign, or transfer, or attempt to give, sell, sublease, assign, or transfer, whether voluntarily or involuntarily, the use of a designated slip, mooring, or other berthing facility, the permit therefore or any interest therein. Any agreement, whether oral or in writing, between Permittee and any other person, firm, or entity made in connection (i) with the use of a designated slip, mooring, or other berthing facility by a person other than the Permittee, (ii) with the use of a designated slip, mooring, or other berthing facility by a vessel other than one owned by the Permittee, (iii) with the transfer or ownership of or an interest in a vessel, or (iv) with a transfer of an interest in a corporation or partnership (general or limited) or joint venture owning a vessel, by which agreement Permittee attempts to give, sell, sublease, assign, or otherwise transfer the permit, an interest therein, or the right to use the designated slip shall be void and shall constitute grounds for cancellation of the permit.

In the event of the death of the Permittee, the permit may be transferred to the surviving spouse, upon transfer of title to the vessel to such person within a reasonable time after the Permittee's death.

F. Sale of Permittee's Vessel:

A Permittee may retain his or her designated slip for a period of thirty (30) days after transferring title to or agreeing to sell his or her vessel provided:

1. Permittee shall notify the Marine Bureau in writing within five (5) days of the date Permittee enters into an agreement for the sale of the vessel and his or her intent to acquire another vessel of the appropriate length for occupancy of the slip.
2. Permittee shall pay slip fees equal to the amount specified in his or her permit for the vessel sold pending the acquisition of another vessel.

An extension of an additional period [but not to exceed ninety (90) days] may be granted by the Manager upon submission by Permittee the proof of a contract to purchase or construct another vessel. If Permittee does not acquire and accept delivery of another vessel of appropriate length for the assigned slip within the ninety (90) day period or any extension thereof, the permit shall be cancelled by the Manager. When the last day of the initial period or any extension thereof is on or prior to the fifth (5th) day of a month, the date of cancellation shall be effective the last day of that month. If the last day of the initial thirty (30) day period or any extension thereof falls after the fifth (5th) day of the month, the cancellation shall be deemed effective on the last day of the following month. Permittee shall remain liable to the City for all slip fees accruing prior to the date of cancellation.

Permittee shall notify the Marine Bureau in writing within five (5) days of any change of ownership in his or her vessel resulting from a gift, sale, lease, withdrawal, addition, or substitution of partners, the sale or transfer of stock in a closely held corporate owner of the vessel or a change of officers or directors of a closely held corporation owning the vessel.

G. Partnership/Corporations:

No permit will be issued in the name of a partnership (general or limited), corporation, joint venture or other legal entity. A slip permit for a vessel which is registered, documented or owned by a partnership (general or limited), corporation, joint venture or other legal entity will be issued only to a natural person whose name appears on the marina waiting list and whose interest in the vessel (whether by virtue of an interest in the partnership, ownership of stock of a corporation or otherwise) is equal to or greater than that of each of the other partners, stockholders, members or associates. An applicant for a slip permit at a Long Beach marina for a vessel which is owned by a partnership (general or limited), a corporation, joint venture, or other legal entity shall submit for approval by the Manager, a fully executed Marine Bureau Statement of Ownership. Any gift, sale, assignment or transfer of (i) the applicant's interest in the vessel (ii) his or her interest in the partnership, corporation or other legal entity by which the named Permittee transfers or attempts to transfer the right to use the assigned slip to another person or persons, (including remaining partners and/or stockholders) or to another partnership, corporation or other legal entity shall be void and shall constitute grounds for cancellation of the permit. The only exception to this rule relates to partnerships. When a partnership applies for a permit, one partner must be designated as the Permittee for legal purposes. Upon execution of the permit, a list of partners will be incorporated with the permit. Under this exception, the permit may be transferred to any of the original partners, if requested by the existing Permittee, and with appropriate notification and permit changes through the Marine Bureau. The remaining original partner(s) may enter into new partnerships, but the seniority relating to the existing slip will only vest with the original partners. If there are no initial partners, the permit will become void. Existing partnerships will not be grandfathered, and must contact Marine Bureau to incorporate a partnership list for purposes of this exception, and rights to the slip will revert back to effective date of the adoption of this rule or the incorporation of the partnership list, whichever is later. Notwithstanding the form of ownership of the vessel, the permit to berth the same at a Long Beach marina shall not be transferable under any circumstances, except as allowed herein. If a Permittee fails or refuses to notify the Manager of a change to any of the information contained in the Marine Bureau Statement of Ownership within five (5) days from the date of any such change, such failure or refusal shall also constitute grounds for cancellation of the permit.

H. Vessels as Place of Abode:

All Permittees desiring to live aboard vessels berthed or moored within the water areas of the City of Long Beach (excluding the water areas within the Harbor District) shall obtain a live aboard permit from the Manager. A Person shall be deemed to be living aboard a vessel if he or she occupies the vessel and engages in those usual and customary activities associated with a person's residence abode, such as sleeping, preparation of meals, etc., for any period in excess of twelve (12) days in a calendar month. The Manager may require valid proof of residency if there is a suspicion of illegal live aboard activity. The Manager may cancel any permit issued by the Marine Bureau if any person lives aboard a vessel without obtaining a permit therefore. Such permits shall be subject to the following conditions and limitations:

1. Live aboard status will only be granted if the Permittee lives aboard. All other occupants must register to live aboard.
2. Within the water areas within the limits of the City of Long Beach (excluding the Harbor District), the number of live aboard permits for each gangway shall be determined by the Manager.
3. The Permittee must provide his or her own source of energy for cooking, space heating, refrigeration and lighting.
4. The overall length of the vessel for which permission to live aboard is sought must be over thirty (30) feet.
5. Regardless of the length of occupancy, no person living aboard a vessel shall use the toilet facilities aboard such vessel, unless the vessel has an approved holding tank. The Manager may order that Permittees granted live aboard privileges to seal the toilet facilities and place dye tablets in holding tanks and/or to contract with a mobile pumpout service.
6. The Manager or his designee shall have the right to make periodic inspections of the vessel to determine compliance with these conditions and the seaworthiness and sanitary conditions of the vessel. By reserving the right to make inspections, the City does not assume, nor shall that right be construed to impose, any liability for claims for damages to persons or property resulting from a failure to make any such inspections.
7. Any Permittee granted permission to use a vessel as a place of abode, and is subsequently granted leave of absence status (as

defined in Paragraphs I and/or J) shall be placed at the top of the live aboard waiting list when they request to return.

8. The prohibition against living aboard a vessel except pursuant to a permit issued by the Manager shall not apply to privately owned and operated marinas unless such marinas are situated upon granted tidal or submerged lands.
9. Persons granted live aboard status must utilize the privilege throughout the year. If not so used, the privilege may be revoked by the Manager.
10. Live aboard status will be granted only to a current Permittee. No person or animal is allowed to live aboard unless the Permittee is also living aboard the vessel under a valid live aboard permit.
11. Live aboard status is granted only for the slip assigned to the Permittee at the time of the grant. Live aboard status will not be transferred to another slip location unless approved by the Manager.

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 six (6) 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). All slip fees and live aboard fees, if applicable, shall be paid when due during any absence.

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. A Permittee may request leave of absence in six (6) month increments.
3. Permittee must provide current registration and valid insurance on their vessel on an annual basis.
4. The Permittee shall pay to the Marine Bureau an administrative fee as provided in Fees, Rates, and Charges, 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 if the Permittee requests a slip prior to the expiration of the leave of absence period.

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.

5. 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, liveaboard status, if applicable, 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.
6. 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.

7. 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.):

K. Change of Slip Fee Rates/Deposits:

Within thirty (30) days after notice from the Marine Bureau of a change of slip rate fees, a Permittee shall deposit with the Marine Bureau such additional sums as may be required to maintain the amount deposited with the Marine Bureau equal to one month's slip fee.

L. Deposits:

Any sum deposited with the Marine Bureau pursuant to a permit issued by the Manager shall be deemed a security deposit for the performance by a Permittee of the provisions of the permit. The security deposit, or any portion of it, may be used to cure a default or to compensate the City of Long Beach for all damage sustained by the City resulting from a Permittee's default. Security deposit cannot be used for the last month's slip fees. Permittee shall immediately on demand pay to the Marine Bureau a sum equal to the portion of the security deposit expended or applied. The City's obligation with respect to the security deposit is those of a debtor and not a trustee. The City shall not be required to pay interest on a security deposit.

M. Commercial Use of Slips:

No slip or dock structure within the Long Beach marinas shall be used for commercial purposes unless the slip has been designated by the Manager as a commercial float. "Commercial purposes" shall include, but not be limited to, any activity involving the use of a Permittee's vessel by the Permittee or any other person, firm, or entity for which use the Permittee receives cash, credit, or any other form of valuable consideration.

N. Taxes:

In the event that the Los Angeles County Tax Assessor determines that any permit issued by the Manager for berthing or mooring of vessels creates a possessory interest subject to property taxes, the Permittee shall pay any such tax prior to delinquency. The situs, for personal property tax purposes, of any vessel under permit shall be the marina in the City of Long Beach for which a permit is issued.

O. Waiver of Claims:

Neither the City of Long Beach nor any of its officers, employees, or contractors shall be liable to a Permittee for any damage to person or property resulting from oil operations conducted on Oil Island Grissom. All vessels and property belonging to a Permittee located at a Long Beach marina shall be there at the risk of Permittee and neither the City of Long Beach nor its officers or employees shall be liable for damage thereto not theft or misappropriation thereof.

P. Temporary Slip Permit:

In addition to the powers vested in the Manager under Section 16.08.950 of the Long Beach Municipal Code, the Manager may issue temporary slip permits for assigned but vacant slips or end ties and for unassigned slips or end ties upon such terms and conditions as may be required for the efficient operation of the Long Beach marinas.

Q. Ownership of Vessels:

No permit, or temporary slip permit, for a slip within the Long Beach marinas shall be issued unless the applicant therefore shall establish to the satisfaction of the Manager that the applicant is the owner of a vessel which is to be berthed at the slip. Evidence of ownership shall be in the form of a certificate issued by the California Department of Motor Vehicles showing the applicant as the legal and registered or registered owner or ship's documents issued by the U.S. Department of Transportation showing applicant's interest in the vessel. Applicant must have the exclusive right of possession and beneficial use and enjoyment of the vessel.

At the request of the Marine Bureau, an applicant shall submit such documentation as the Marine Bureau may require to determine the nature and extent of the applicant's interest in the vessel. In addition, the applicant shall declare under penalty of perjury that the facts, documents, and other information submitted to establish ownership of

a vessel are true and correct and reaffirm such declarations from time to time at the request of the Marine Bureau.

R. Visiting Vessels:

Visiting vessels will be issued end tie slip or guest slip permits for a maximum period of fifteen (15) days per month. No extensions will be granted nor shall a visiting vessel be entitled to an assignment to a different slip within Long Beach marinas, unless authorized by the Manager. Visiting vessels must supply current registration or documentation prior to being issued a guest slip or end tie slip.

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. 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.

IV. GENERAL REGULATIONS

The following regulations shall apply to the use of the water areas and the facilities and improvements situated within the Long Beach marinas:

A. Storage on Docks and Fingers:

Nothing shall be stored on the docks and fingers except in locker boxes provided at each slip. Storage in each locker box shall not exceed two hundred (200) pounds.

B. Steps:

Any steps used for ingress to and egress from a vessel shall not be wider than one-half (1/2) of the width of the finger to which the vessel is moored. The steps must be of lightweight construction and not used as a storage locker.

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 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 (10') 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. 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.
7. Dinghy/tender shall not be used for storage.

No dinghy or yacht tender shall be placed in such a manner so as to obstruct free passage along the finger.

D. Fenders, Dock Wheels and Telephone Lines:

No Permittee shall install fender material, dock wheels, carpet or telephone lines on fingers or gangways. Additional fenders of material as now installed, approved dock wheels or telephone line may be purchased by the Permittee provided that Parks, Recreation and Marine employees only shall install such fenders, dock wheels or telephone lines. Upon installation, title to said fender, dock wheels or telephone lines shall vest in the City of Long Beach.

E. Dogs:

Dogs must be kept on leash in all public areas in the marinas. Permittees and their guests are required to closely supervise their animals on these premises, and particularly on the ramps, docks and fingers, and pick up the waste in the interests of public safety and sanitation. All pets are prohibited in the boatowner and public rest rooms and showers.

F. Swimming:

Swimming is not permitted in any of the Long Beach marinas.

G. Fishing:

No person shall fish from the walls, docks, or fingers of the Long Beach marinas. Fishing is permitted only from fishing piers or vessels berthed at slips.

H. Vessel Maintenance:

Major repair or reconstruction work shall not be performed in or at any marina slip or in Alamitos Bay or other water areas within the limits of the City of Long Beach. Except for emergency repairs to keep a vessel afloat, no repair or other work on a vessel shall be performed before 8 a.m. nor after sunset. Permittees shall not place or permit others performing repairs or other work on a vessel to place tools or equipment in a manner so as to obstruct access to fingers or docks. Permittees may use portions of the docks or fingers for minor rigging and maintenance for short periods of time; provided, however, such space must be kept in a neat, clean, and orderly condition and a drop cloth and boat bath are used during maintenance periods. No material of any type resulting from maintenance work shall be allowed to become airborne, or enter the waters of the Long Beach marinas. (This includes but is not limited to sanding of paint and fiberglass and spray painting.)

I. Small Children on Docks:

Children under ten years are not permitted on the docks and fingers without the immediate presence of their parents or other responsible adults.

J. Visitors:

Visitors, unless accompanied by a Permittee shall not be permitted on the docks after sunset.

K. Signs:

No person shall place, erect, or maintain any sign, display, or notice on any property (including water areas), structure, or improvement within the Long Beach marinas owned, operated, or controlled by the City without the prior written consent of the Manager. Any such sign, display, or notice may be removed or caused to be removed by the Manager at the expense of the person placing, erecting, or maintaining the same. A Permittee may place one (1) sign on the exterior of a vessel under permit advertising the sale or offering for sale said vessel; provided, however, the size of any such sign shall not exceed twenty-four inches (24") by eighteen inches (18") and the lettering thereon shall not exceed eight inches (8") in height; provided, further that the sign shall be professionally made, and be properly maintained. The Manager may direct the removal of any nonconforming or unauthorized sign, display, or notice. In the event the Permittee refuses to remove the sign, display, or notice as directed, such refusal shall constitute grounds for cancellation of the slip permit.

L. Bicycles and Motorcycles:

No person shall roller skate, skateboard, ride bicycles or motorcycles on the docks and gangways within the Long Beach marinas, with the exception of City of Long Beach employees in the normal course of their duties.

M. Parking Lots:

1. No person shall discharge waste material from, store or sleep or cook in a house trailer, boat trailer, camper, or other vehicle while such vehicle is in a parking space within the parking lots or facilities adjacent to the Long Beach marinas.
2. No vehicle or apparatus capable of being registered as a vehicle or trailer shall block the parking lanes in the Long Beach marinas.
3. No vehicle in excess of twenty-one (21) feet in overall length may occupy any parking space within the parking lots adjacent to the Shoreline Marina or in the parking lot adjacent to Basin 4 in the Alamitos Bay Marina without the permission of the

Manager or his designee. No vehicle in excess of twenty-four (24) feet in overall length may occupy any parking space within the parking lots adjacent to Alamitos Bay Marina, with the exception of Basin 4 described herein. Vehicles must be parked in a manner not to protrude past the parking stall lines, or to impede the flow of traffic.

4. No person shall remain, stay, or loiter in any marina parking lot between the hours of sunset and 5 a.m.
5. To facilitate the sweeping and cleaning of the marina parking lots, certain sections may be posted with restricted parking times. Failure to observe the posted restrictions will result in the issuance of parking citations.
6. Permittees may not construct or reconstruct or cause to be constructed or reconstructed, repair or cause to be repaired, to grease or cause to be greased, or perform any type of maintenance, on any vehicle or vessel or any part thereof within the parking lots of the marinas. However, temporary minor repairs in case of emergency may be made within the parking lots to enable the vehicle to be moved to a proper place for mechanical work.
7. The parking of Recreational Vehicles (R.V.s) and vehicles of extended length will be limited to designated areas within the Alamitos Bay Marina. Vehicles will be required to obtain a parking permit from the Manager. All recreational vehicles in the designated area must be moved the first and third Thursday of each month for street sweeping.
8. The washing of any vehicle, vessel, trailer or apparatus capable of being registered as a vehicle or trailer is prohibited in the parking lots of the Long Beach marinas. This includes commercial vehicle detailing.
9. Waste Oil Tanks- No person shall place any substance in waste oil tanks other than waste motor oil.
10. Trailers, dilapidated vehicles, and inoperable vehicles are not allowed in the marina parking lots. A vehicle must have current registration. Failure to remove a trailer or prohibited vehicle will result in the impound of the trailer or vehicle at a cost to the owner.

N. Movement of Vessels:

Movement of vessels within the Long Beach marinas shall be for the purpose of entering or leaving a slip only.

O. Unseaworthy Vessels:

Permittees shall, upon request, demonstrate or allow inspection by Marine Bureau employees of vessels under permit for seaworthiness. Seaworthiness will be determined by, but not limited to the following:

- Vessel shall operate under its own power.
- Vessel shall have an operable electrical system.
- Vessel shall not be in a state of deterioration.
- Vessel shall be water tight (minimal amount of water in bilge.)
- Vessel shall be navigable.

Any vessel determined to be unseaworthy shall be posted with a notice to repair or remove from the slip space. A copy of said notice shall be mailed to the slip Permittee. If the Permittee fails or refuses to repair or remove the vessel within 30 days of the posting and mailing of notice to the Permittee, the Manager may cancel the slip permit and move or cause to be removed and impounded such vessel at the Permittee's expense.

P. Leaving and Entering Marina:

Vessels entering and leaving the marina will abide by all rules of navigation and posted speed limits.

Q. No Sailing or Cruising within Shoreline Marina:

The Shoreline Marina shall be entered only for the purpose of berthing vessels and for embarking and disembarking passengers from marina slips.

R. Length of Vessels:

For the purpose of determining the appropriate slip size under these regulations, the overall length of vessels (LOA) shall mean the length of the vessel rounded upward to the next whole foot including all permanent and functional overhangs. Modifications to vessels affecting the LOA of a vessel shall be reported to the Marine Bureau in writing within five (5) days of making the modification. Any

modification which results in an increase or decrease of the LOA of a vessel in excess of or less than permitted size of vessel for slip will be grounds for cancellation of the slip permit.

S. Modification of Dock Structures:

No Permittee shall install in or upon, nail to, modify or make any additions or changes to the City dock structures in the Long Beach Marinas. Any materials or structures attached to or located on the dock will be removed and repairs made all at the permittees sole cost and expense.

T. Use of Hydro Hoists:

The use of Hydro hoists supported/stabilized by attachment to the gangway or finger, or any apparatus supported/stabilized by attachment to the gangway or the finger capable of lifting a vessel from the water within the slips of the marinas is prohibited. Other non-stabilized/supported lifting apparatus must have prior approval from the Manager.

U. Cooking / Barbecuing:

Cooking or barbecuing on the dock is prohibited unless the cooking unit is propane or gas powered and elevated a minimum of nine (9) inches from any dock structure or surface (dock boxes included). The use of a charcoal BBQ is restricted to the vessel only.

V. Address / Contact Information Changes:

Permittees will notify the Marine Bureau office in writing of any change of address or telephone number. The Bureau will not be responsible for lost or misdirected mail due to incorrect information.

W. Automatic Water Shut off Nozzles:

Permittees shall obtain an automatic shut off type nozzle for the dock side water supply.

X. Use of Boatowner Restrooms and Showers:

Only boatowners, their guests and authorized personnel are allowed in the boatowner restrooms and showers.

Y. Use of On Board Toilet Facilities:

No person aboard a vessel in the Long Beach marina shall use the toilet facilities aboard such vessel, unless the vessel has an approved holding tank. The Manager may order that Permittees post notices and seal the toilet facilities and place dye tablets in holding tanks, or to supply proof as to how the holding tank is expelled.

Z. Fueling:

Fueling in the marina must be accomplished using a container manufactured for fueling purposes, which is no larger than six (6) gallons.

AA. Use of Bottom Liners:

Permittees using bottom liners must maintain the bottom liner properly, ensuring that the inside and underside are kept clean, and must be used in compliance with all state and federal regulations. Failure to do so will be grounds for cancellation of the permit.

V. LAWS, ORDINANCES, RULES AND REGULATIONS ENFORCEABLE BY DESIGNATED CITY EMPLOYEES

- A. It shall be the duty of those City employees listed in Section 16.08.340A of the Long Beach Municipal Code to enforce the following laws, ordinances, rules, and regulations.
1. California Harbors and Navigation Code Sections 300, 301, 305, 307, 308, 505.5, 522, 654.05(a), 654.05(b), 654.05(c), 654.05(d), 654.06(a), 654.06(b), 654.06(c), 655.2, 658(a), 658(b), 658(d), 658(e), 658.7, 674, 708(a), 761, 773.3, and 780.
 2. California Code of Regulation Title 13, Section 300.08(c), Title 14, Sections 700, 6550.5(d), 6555, 6565.5(a), 6565.5(b), 6565.5(c), 6565.7, 6565.7(a), 6565.7(b), 6565.8(a), 6565.8(b), 6565.8(c), 6566.3(c), 6566.3(d), 6569, 6572, 6573, 6574, 6575, 6600.1, 6615, 6629(b), 7003, 7008(c), 7008(d), 7009(c), 7009(d), 7504(a).
 3. California Vehicle Code Sections 5204.A, 9845, 9850, 9853.2, 9853.3, 9853.4, 9864, 9865, 9866, 9871, 9872, 9872.1, 12500, 21113(a), 21116(a), 21464(a), 21464(b), 22500(a), 22500(b), 22500(c), 22500(e), 22500(f), 22500(g), 22500(h), 22500(i),

22500(k), 22500.1, 22502.A, 22507.8, 22516, 22651, 38320(a), and 38320(b).

4. Long Beach Municipal Code Sections 5.46.070, 5.46.090, 5.46.100, 5.46.110, 5.52.030, 5.52.050, 5.60.020, 5.66.020, 5.86.020, 5.86.130, 6.08.010, 6.16.090, 6.16.100, 6.16.110, 6.16.200, 8.60.120, 8.60.130, 9.20.050, 9.22.010, 9.25.010, 9.30.010, 9.30.020, 9.30.025, 9.30.040, 9.30.050, 9.36.020, 9.42.010, 9.42.100, 9.42.110, 9.52.020, 9.56.020, 9.56.030, 9.57.030, 9.58.010, 9.62.010, 9.64.020, 10.08.030, 10.08.100, 10.08.110 D., 10.22.020, 10.22.060 A.7, 10.22.110, 10.22.100 A., 10.22.120, 10.22.130, 10.22.140, 10.22.150, 10.24.010 B., 10.24.030, 10.24.050, 10.24.090, 10.24.130, 10.26.010, 10.26.020, 10.28.050, 10.28.060, 10.28.070, 10.28.080, 10.28.090, 10.30.020, 10.30.060 to 10.30.110 inclusive, 10.30.120 A., 10.30.120 B., 10.30.121, 10.30.123, 10.34.020, 10.34.030, 10.38.020, 10.38.100, 10.40.010 B., 10.48.030, 10.48.070 A., 10.48.070 B., 10.52.030, 10.54.030, 10.58.040, 10.64.030, 14.04.010, 14.04.020, 16.04.020, 16.04.030 A., 16.04.040, 16.04.050, 16.04.100, 16.08.350 to 16.08.640 inclusive, 16.08.650 A., 16.08.650 B., 16.08.670 A., 16.08.670 B., 16.08.670 C., 16.08.680, 16.08.690, 16.08.700, 16.08.710, 16.08.720, 16.08.750, 16.08.760, 16.08.790, 16.08.800, 16.08.810, 16.08.830, 16.08.900, 16.08.940, 16.08.950, 16.12.120 to 16.12.300 inclusive, 16.16.010, 16.16.020, 16.16.030 to 16.16.070 inclusive, 16.16.090 and 16.16.100.
5. California Penal Code Sections 148, 314, 374, 409.5, 415, 417, 428, 484, 488, 499(b), 537(e), 594, 602, and 647.
6. California Code of Federal Regulations, Title 33, Part 81, Rule 2; Part 81, Rule 5; Part 81, Rule 6; Part 81, Rule 12; Part 81, Rule 13; Part 81, Rule 14; Part 81, Rule 15; Part 81, Rule 20; Part 81, Rule 27; Part 81, Rule 30; Part 81, Rule 33; Part 81, Rule 34; Part 81, Rule 35; Part 87, Annex IV, Section 87.3; and Part 88, Annex V, Section 88.05.

B. It shall be the duty of those Marine Bureau employees holding or temporarily performing the duties of the classified non-career positions of Security Officer I and Marine Aide to enforce the following laws and ordinances:

1. California Vehicle Code Section 21113(a).

2. Long Beach Municipal Code Sections 10.30.020, 10.30.060, 10.30.070, 10.30.080, 10.30.090, 10.30.100, 10.30.110, 10.30.120 A., 10.30.120 B., and 16.16.100.
- C. In enforcing the laws, ordinances, rules and regulations enumerated in Section A above, those City employees listed in Section 16.08.340A. of the Long Beach Municipal Code shall have the authority:
1. To board and inspect a vessel within the water areas within the limits of the City of Long Beach for compliance with federal, state, and local safety laws, rules and/or regulations; and
 2. To order the operator of any unsafe vessel to remove such vessel to shore or to a safe moorage or anchorage under the conditions set forth in Title 14 of the California Code of Regulations.