

MAR 18 2010
#6

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA ESTABLISHING RULES AND REGULATIONS FOR ISSUING MOORING PERMITS IN THE CITY OF SANTA BARBARA MOORING AREA, SETTING MINIMUM SPECIFICATIONS FOR INSTALLING, INSPECTING, AND REPAIRING SUCH MOORINGS, AND REPEALING RESOLUTION NO. 06-027

WHEREAS, the Santa Barbara Mooring Area is established in Santa Barbara Municipal Code Chapter 17.20;

WHEREAS, the Santa Barbara Mooring Area, as established in Santa Barbara Municipal Code Chapter 17.20, requires that all vessels moored within the area possess mooring permits;

WHEREAS, the rules and regulations for Mooring Permits issued for Mooring Sites within the Santa Barbara Mooring Area are set forth herein;

WHEREAS, pursuant to SBMC Chapter 17.20, mooring permits for available Mooring Sites within the Santa Barbara Mooring Area are issued by the Waterfront Department pursuant to a lottery process;

WHEREAS, the City procedures for conducting the mooring lotteries and assigning Mooring Permits are set forth herein;

WHEREAS, in order to implement the Santa Barbara Mooring Area procedures and polices, including the intent to protect the natural environment of the Mooring Area and assets of the City and to ensure safe navigation, minimum Ground Tackle Specifications are appropriate;

WHEREAS, the issuance and renewal of Mooring permits to individuals for Moorings in the Santa Barbara Mooring Area requires the adherence to rules and regulations for installing, inspecting and repairing Moorings in the Santa Barbara Mooring Area;

WHEREAS, Section 17.20.255 of the Santa Barbara Municipal Code (SBMC) describes requirements for installation, inspection and repair of Moorings in the Santa Barbara Mooring Area;

WHEREAS, SBMC Section 17.20.255 declares that the installation, inspection, and repair of Moorings in the Santa Barbara Mooring Area shall be conducted only by contractors on the City Approved Mooring Inspectors List; and

WHEREAS, the Waterfront Director may, from time to time, amend the list of City Approved Mooring Inspectors to facilitate fair, orderly and equitable administration of the Santa Barbara Mooring Area.

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4. Application. The Waterfront Director shall mail a Mooring Permit Application and a copy of the Minimum Ground Tackle Specifications to prospective Mooring Permittees whose lottery ranking corresponds to assignment opportunities in the Santa Barbara Mooring Area. The Mooring Permit Application shall be returned to the Waterfront Department within fourteen (14) days of the date that the Waterfront Director mails notification of Mooring Site availability. A complete application for a Mooring Permit shall contain, in addition to other information as may be requested by the Waterfront Department, a general description of the size and type of vessel proposed to occupy a Mooring Site in the Santa Barbara Mooring Area. Should an applicant fail to timely submit a completed application or fail to perform obligations necessary to secure an approved Mooring Permit, the next highest ranking Lottery Participant shall be mailed notice of an offer for Mooring Site assignment. This process shall continue until available Mooring Permits are assigned and approved by the Waterfront Director, or all Lottery Participation Requests from that lottery have been exhausted. Should the number of Lottery Participation Requests exceed the number of Mooring Permits assigned, the excess Lottery Participation Requests not offered assignment shall be discarded.

5. Grandfather Lottery. An initial lottery, held pursuant to procedures outlined in this section, shall be restricted to individuals who, according to Waterfront Department records, utilized the East Beach anchorage, including establishing presence of a vessel, during a designated window period of November 2, 2005 through March 1, 2006. In addition, any individual holding a valid, approved, non-discontinued U.S. Coast Guard Private Aids to Navigation permit for establishment of a mooring buoy East of Stearns Wharf as of April 19, 2006 shall be included in the Grandfather Lottery. To be eligible under this provision, the permittee must provide proof of a valid U.S. Coast Guard Private Aids to Navigation Permit to the Waterfront Director no later than 5:00 p.m. on May 15, 2006. If the total number of Mooring Permits assigned from the Grandfather Lottery equals thirty (30) or fewer, a subsequent lottery will be held pursuant to procedures outlined in this Resolution.

6. Subsequent Lottery. Anytime the total number of Mooring Permits assigned in the Santa Barbara Mooring Area declines to thirty (30) or fewer, a lottery shall be held following procedures established herein. These subsequent lotteries shall be open to the general public. Such lotteries shall be conducted at the discretion of the Waterfront Director and no more frequently than one year apart.

B. OFFER, ACCEPTANCE AND RENEWAL OF MOORING PERMITS

1. General. A permit to moor a vessel in the Santa Barbara Mooring Area shall be offered, in order, to each individual ranked during the lottery process described herein, within 30 days of the Lottery, up to a total number of offers determined by the Waterfront Director.

2. Permit Offers. Mooring Permit offers shall be sent by U.S. Certified Mail, to the individual's address indicated on the Lottery Participation Request form. The individual offered a Mooring Permit shall have 14 calendar days from the date of mailing to respond in person or by mail by returning a completed application indicating their intention to accept or decline the offer. Late postmarks shall not be accepted.

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b. If a vessel designated on a Mooring Permit is sold, destroyed or ruined by accident, damage, fire, sinking or other casualty, the Mooring Permittee may be allowed to place a replacement vessel owned by the Mooring Permittee, as such ownership is demonstrated as required herein, in the Mooring Site. Such replacement vessel shall comply with size restrictions determined by the Waterfront Director as appropriate for vessels assigned to the Mooring Site receiving the replacement vessel. Upon approval by the Waterfront Director, a Mooring Permit describing the replacement vessel shall be issued for the remaining term of the existing Mooring Permit. If an approved replacement vessel is not procured within ninety (90) days of the date that the designated vessel is removed from the Mooring Site, either by sale or casualty, the Mooring Permit shall terminate as provided herein.

4. Vessel Size.

a. All designated vessels assigned to a Mooring Site shall be a minimum of twenty (20) feet in length without bow sprit, bumpkin, pulpit, swimstep or other such appurtenance.

b. No Dinghy assigned to the Mooring Site shall exceed thirteen (13) feet without express permission of the Waterfront Director.

D. TERMINATION OF MOORING PERMIT.

1. Either party may terminate the Mooring Permit for any reason by giving thirty (30) days prior written notice to the other party.

2. The Mooring Permit may be terminated by the Waterfront Director without prior notice to the Permittee upon the occurrence of one or more of the events described below:

a. failure to pay when due Mooring Permit fees. No termination shall occur for this reason unless the fee is thirty (30) days past due;

b. failure to meet the Minimum Ground Tackle Specifications upon installation or annual inspection, or failure to complete required corrections;

c. failure to submit to the Waterfront Director a timely Mooring Inspection Report;

d. failure to maintain a vessel assigned to a Mooring Site in an Operable condition;

e. failure to maintain the Mooring in a manner that is not detrimental to the use, operation or development of the waters of the City of Santa Barbara or does not pose a hazard to navigation;

f. failure or refusal of the Mooring Permittee to allow an inspection of the vessel, Mooring, or both to determine if the vessel is Operable or the Mooring meets the Minimum Ground Tackle Specifications;

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2. Migration of Vessel or Mooring. Any vessel or Mooring that migrates off station shall be relocated to the Mooring Site within three (3) days of the date that the Mooring Permittee is notified by the Waterfront Director that the vessel or Mooring has migrated. The relocation of the Mooring shall be undertaken only by a City Approved Mooring Inspector. Costs of relocating a Mooring, vessel, or both, that has migrated off station from a Mooring Site shall be borne in full by the Mooring Permittee.

Section 2. City Approved Mooring Inspectors. City Approved Mooring Inspector. The Waterfront Department shall maintain a list of inspectors who are approved to install, inspect and repair Moorings in the Santa Barbara Mooring Area. Mooring Permittees may select only those inspectors on the list of City Approved Mooring Inspectors to perform Mooring installations, inspections and repairs.

Section 3. Minimum Ground Tackle Specifications.

1. Ground Tackle Specifications. All Moorings permitted and installed in the Santa Barbara Mooring Area shall comply with Minimum Ground Tackle Specifications attached hereto in Attachment A and incorporated herein by this reference.

2. Mooring Installation. An inspector selected from the City Approved Mooring Inspector list shall be the only entity approved to install Moorings in the Santa Barbara Mooring Area. The installation shall be at the Mooring Permittee's sole cost and expense. The Mooring Inspector shall submit written specifications of the Mooring installation on a City-supplied Mooring Inspection Report within ten (10) days of the installation.

3. Mooring Inspection. An inspector selected from the City Approved Mooring Inspector list shall be the only entity approved to inspect Moorings in the Santa Barbara Mooring Area. Moorings shall be inspected upon installation at the Mooring Site and, except as provided below, annually thereafter in August or September to confirm continued compliance with City-approved Minimum Ground Tackle Specifications. Any mooring initially deployed in May, June or July may delay its next annual inspection after deployment until August or September of the following year.

All inspections shall be at the Mooring Permittee's sole cost and expense. The Mooring Inspector shall submit written results of the inspection on a Mooring Inspection Report within ten (10) days of completion of the inspection.

4. Mooring Repairs. Any and all repairs recommended in the Mooring Inspection Report shall be completed by the City Approved Mooring Inspector at the Mooring Permittee's sole cost and expense and verified by the Mooring Inspector by the time the Mooring Inspection Report is submitted to the Waterfront Director. The Mooring Permit shall terminate if repairs recommended in the Mooring Inspection Report are not completed and the Mooring Inspection Report is not submitted within ten (10) days of the inspection and subsequently approved by the Waterfront Director.

5. Additional Inspection at Request of Waterfront Director. The Waterfront Director may require additional inspections of a Mooring anytime she or he deems such inspection necessary to assess the Mooring's compliance with the Minimum Ground Tackle Specifications. If following an inspection by a City Approved Mooring Inspector

RESOLUTION NO. 09-075

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STATE OF CALIFORNIA)
)
COUNTY OF SANTA BARBARA) ss.
)
CITY OF SANTA BARBARA)

I HEREBY CERTIFY that the foregoing resolution was adopted by the Council of the City of Santa Barbara at a meeting held on September 15, 2009, by the following roll call vote:

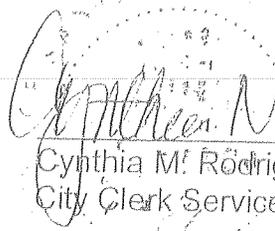
AYES: Councilmembers Dale Francisco, Roger L. Horton, Grant House, Helene Schneider, Das Williams; Mayor Marty Blum

NOES: None

ABSENT: Councilmember Iya G. Falcone

ABSTENTIONS: None

IN WITNESS WHEREOF, I have hereto set my hand and affixed the official seal of the City of Santa Barbara on September 16, 2009.


Cynthia M. Rodríguez
Cynthia M. Rodríguez, CMC
City Clerk Services Manager

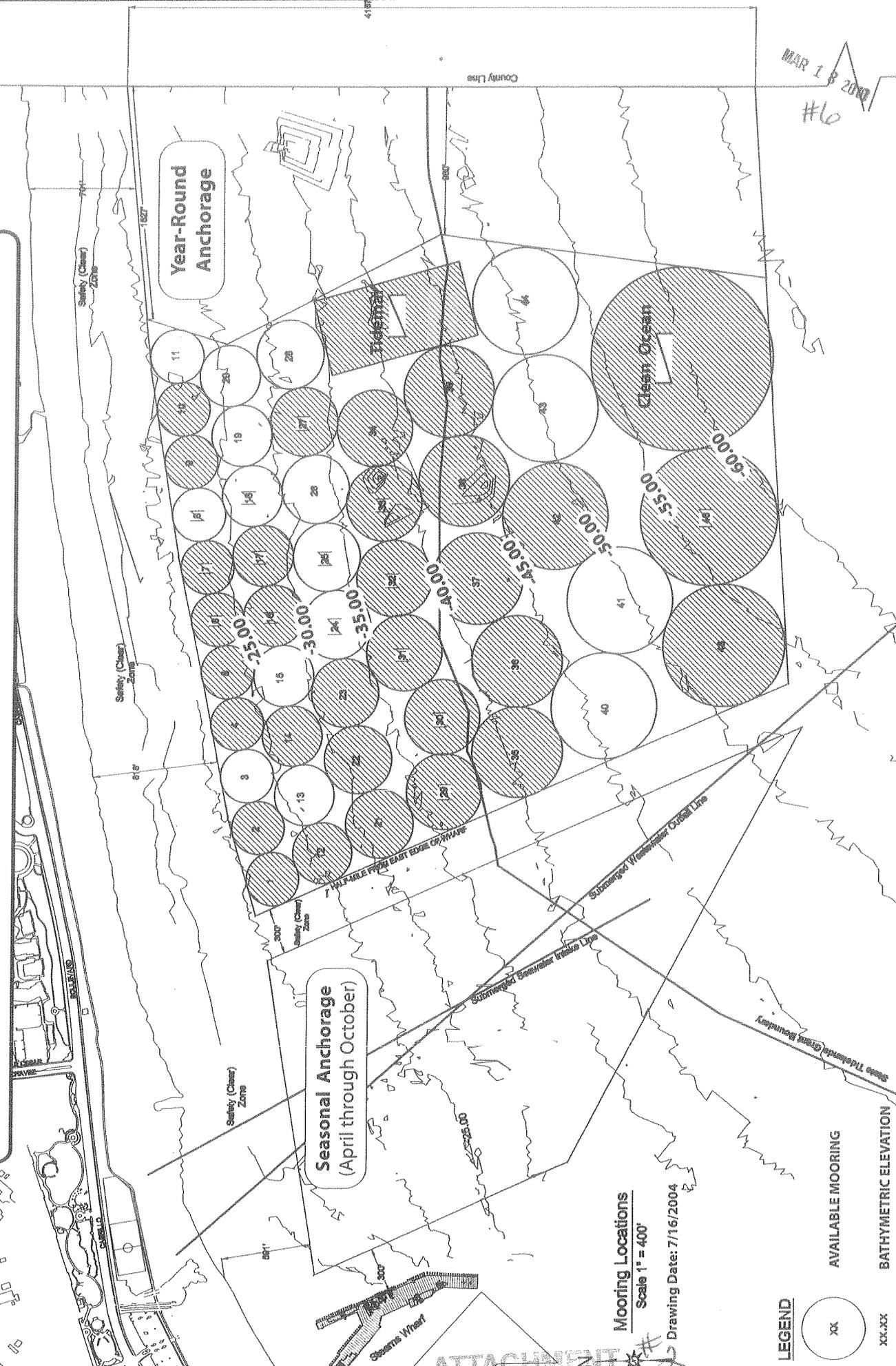
I HEREBY APPROVE the foregoing resolution on September 16, 2009.


Marty Blum
Mayor

EAST BEACH MOORING/ANCHORING PROGRAM

City of Santa Barbara | Waterfront Department

MAR 18 2004
#6



MAR 18 2004

Seasonal Anchorage
(April through October)

Year-Round Anchorage

Mooring Locations
Scale 1" = 400'
Drawing Date: 7/16/2004

LEGEND
XX
XX.XX

AVAILABLE MOORING

BATHYMETRIC ELEVATION

ATTACHMENT #



SANTA BARBARA MOORING AREA MOORING PERMIT LOTTERY

SB Harbor announces an application period for the Santa Barbara Mooring Area. Lottery will rank applicants for about 16 mooring permits. Application packets accepted from 8 a.m. Feb. 3, 2010 through 5 p.m. Mar. 3, 2010.

For application form and program details, please visit:

- Waterfront Administration Office, 132A Harbor Way, Santa Barbara, CA 93109
- Call 805-564-5531
- www.SantaBarbaraCA.gov/Government/Departments/Waterfront

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ATTACHMENT #3