

CITY OF SANTA BARBARA WATERFRONT DEPARTMENT

MEMORANDUM

Date: May 19, 2016
To: Harbor Commission
From: Scott Riedman, Waterfront Director
Subject: **Municipal Code Amendments**

RECOMMENDATION:

That Harbor Commission receive a report on amendments to Section 17.20.005 of the Santa Barbara Municipal Code and recommend adoption of those amendments to City Council.

BACKGROUND:

Waterfront Department staff annually reviews Title 17 of the Santa Barbara Municipal Code to identify Sections requiring amendments that will help provide a clear legal framework for administering and implementing Department policies and programs. This year, staff focused on two items in MC 17.20.005 (Slip Assignment Policy): the timeframe to replace a sold, donated, stolen, destroyed or permanently removed vessel in a slip, and Lottery List Assignment Fees. Proposed Municipal Code amendments are found in Attachment 1 to this report.

DISCUSSION:

A. MC 17.20.005 B.3. Replacement Vessel

This Section currently provides a slip permittee 120 days to replace a vessel that is sold, donated, stolen, destroyed or otherwise permanently removed from the slip. In discussions with boaters and yacht brokers, staff has learned that this limited time-frame presents two related problems.

First, after a boater completes documents and settled affairs related to the sale of his/her vessel, at least 30 days have typically passed, leaving only 90 days to place another boat in their slip. Second, unless the permittee is already negotiating to buy another boat, shopping (often internationally) for their vessel of choice can take time. That, in turn, invites placement of a “filler” boat, often an illegal sub-rental, on whose title the slip permittee must remain until he/she locates a boat they wish to buy.

Staff recommends extending the time for replacing a sold, donated, stolen or destroyed boat from 120 days to 180 days. This would allow more time for a slip permittee to shop for a new vessel and reduce the need to place a temporary, substitute boat in the

permittee's slip. Finally, if the owner of the substitute boat is sub-renting a slip, that's illegal per Number 17 of the Marina Rules and Regulations, which accompany each signed slip permit (Attachment 2). It's also cause for slip permit termination.

B. MC 17.20.005 C.4. (b) 3 Lottery List Assignment Fee

Since the 1970s, the Waterfront Department has maintained a waiting list for assigning slip permits that revert to the City, either by voluntary relinquishment or permit termination. In 2005, City Council adopted a new waiting-list structure with three categories: a Master Waiting List, Sub-Master Waiting List and Lottery Waiting List.

The Master Waiting List includes applications by slip-size category, ranked chronologically by date of application. It has been closed to new applicants since 2000. If a slip permit of a certain size is available for assignment, but that slip-size category on the Master Waiting List has been exhausted, the Department defers to the Sub-Master Waiting List.

The Sub-Master Waiting List ranks all Master Waiting List applicants chronologically by application date, regardless of slip-size category. An applicant who has been on the Sub-Master Waiting List the longest may accept or decline an available slip assignment from the exhausted slip-size category. If he or she declines the slip assignment offer, the offer continues down the Sub-Master Waiting List. If nobody on the Sub-Master Waiting List accepts the slip assignment offer, the Department defers to the Lottery Waiting List.

The Lottery Waiting List, created and periodically replenished by lottery and limited to 50 individuals, is utilized if an offered slip permit is not accepted by applicants on the Master or Sub-Master waiting lists.

When City Council adopted this new waiting-list structure, it included a requirement that (unlike assignments from the Master or Sub-Master Lists) anyone assigned a slip permit from the Lottery Waiting List must pay an "Assignment Fee" equal to the Department's slip transfer fee (\$150/foot at the time). The intention was to preclude people from transferring their new permits for profit instead of using them for boating.

Unfortunately, following adoption of the new waiting-list structure, only the smallest slips, 20-footers and a few 25-footers, have been available to Lottery List applicants after being declined by applicants on the Master and Sub-Master lists. As a result, the Department ended up with a surplus of 20-foot slips.

To address this surplus, in 2008 Council approved a special, one-time lottery for 20-foot slip permits. Out of 63 applicants, the Department assigned five slips via this process, but it took four years, due in large part to a requirement of new permittees to pay the Assignment Fee. Many of these assignments from the 20-Footer Lottery List may not have occurred, if not for the popularity of "Harbor 20" sailboats at the time.

Meanwhile, the Department's ability to assign 20' slip permits from the Lottery List continues. The major obstacle remains payment of a \$4,000 Assignment Fee, equal to the current transfer fee for 20' slips. For example, the Department has offered seven 20-foot slip permits to the Lottery Waiting List since 2005, but assigned only two (the remaining five were assigned via the special 20' Lottery List).

Staff, therefore, recommends elimination of the Lottery List Assignment Fee, which should expedite assignment of smaller slip permits, especially 20' slip permits, creating more boating opportunities for the public.

CONCLUSION

The two proposed Municipal Code Amendments will help accommodate slip permittees wishing to purchase replacement boats for their slips in a reasonable amount of time and eliminate burdensome financial requirements for Lottery Waiting List applicants offered slip permits declined by applicants on the Master and Sub-Master Waiting lists. Both amendments will help accommodate boating in Santa Barbara Harbor.

Attachments: 1. Proposed amendments to MC 17.20.005 in a "track change" format
2. Marina Rules and Regulations
3. Proposed Amendments to Waterfront Dept FY '16 Fee Resolution

Prepared by: Mick Kronman, Harbor Operations Manager

17.20.005 Slip Assignment Policy.

A. PURPOSE.

1. Generally. The purpose of the Slip Assignment Policy is to provide regulations for the primary purpose of the Harbor, which is to provide in-water storage for commercial and recreational vessels actively used for their intended purpose.

2. Limited Secondary Use. As a limited secondary use, a slip permittee may be permitted to reside aboard a vessel by obtaining a permit from the Waterfront Department pursuant to the Santa Barbara Municipal Code.

B. SLIP RENTAL AGREEMENT.

1. Slip Permit. Before any vessel is allowed in a Slip in the Santa Barbara Harbor, a permit must be issued pursuant to the Santa Barbara Municipal Code for that vessel by the Waterfront Department. Slip Permits, as approved by the Waterfront Director, shall be for month-to-month terms. Slip permittees shall comply with applicable ordinances and resolutions, including fee provisions, adopted by the Santa Barbara City Council. No such Slip Permit shall be transferable after death of the slip permittee or by inheritance. A Slip Permit may, however, be assigned to a deceased slip permittee's surviving spouse or domestic partner registered with the City Clerk in accordance with Chapter 9.135 of the Santa Barbara Municipal Code pursuant to Section 17.20.005.D.2 b herein.

2. Ownership of Vessel Required. A slip permittee must at all times have an equity ownership interest in the vessel assigned to the Slip Permit.

a. Proof of Ownership Required. An equity ownership interest in a vessel must be demonstrated at the time a Slip Permit is issued to a slip permittee or transferred in accordance with Section 17.20.005.D herein by submitting any of the following documents to the Waterfront Department: (i) State vessel registration listing the prospective slip permittee as an owner, (ii) federal documentation listing the prospective slip permittee as an owner or, (iii) a notarized bill of sale in the name of the prospective slip permittee. If proof of vessel ownership is a notarized bill of sale, a fully completed state registration or federal documentation with all slip **permittees** listed as vessel owners must be provided to the Waterfront Department within ninety (90) days of the submittal of the Slip Permit application. The Slip Permit shall be subject to termination if proof of ownership is not provided to the Waterfront Department within ninety (90) days.

b. Permitted Types of Ownership. Corporations, limited liability corporations, partnerships, non-profit organizations, trusts, governmental agencies or individuals may own vessels. If a vessel is owned by an entity other than an individual, non-profit organization or governmental agency, the Slip Permit applicant(s) or slip permittee(s) must submit to the Waterfront Department either a partnership agreement or articles of incorporation which establishes that each slip permittee is either a general partner or an officer of the entity with the authority to legally bind the ownership entity. If the vessel is owned by a governmental agency or non-profit organization, the agency or organization must designate in writing a representative from the agency or organization who will be responsible for all aspects of the Slip Permit. Changing the name of the person so designated shall require payment of a slip transfer fee pursuant to Section 17.20.005.D herein, unless waived by the Waterfront Director.

3. Replacement Vessel. If the vessel assigned to the Slip Permit is sold, donated, stolen, destroyed or otherwise permanently removed from its Slip, its owner must notify the Waterfront Department within 15 days of such event. The slip permittee must place a replacement vessel in the Slip assigned to the slip permittee within ~~120~~180 days after the occurrence of the event causing the removal of the vessel assigned to the Slip Permit, unless granted a written exemption from the Waterfront Director. Failure of timely reporting of a sold, donated, stolen, destroyed or otherwise permanently removed vessel, or timely assignment of a

replacement vessel, shall be grounds for termination of the Slip Permit.

4. Slip Fees. The slip permittee shall pay one month's Slip Fee, in advance, plus applicable fees and deposits when the Slip Permit application is submitted to the Waterfront Department. Slip Fees shall be established by resolution of the City Council.

5. Commercial Fishing and Aquaculture. The City Council may by resolution establish exclusive or preferential uses within all, or within certain areas of, the Harbor for use by vessels employed in commercial fishing and/or aquaculture. For purposes of this Section, a commercial fishing vessel or vessel employed in aquaculture is a vessel in use pursuant to a valid and current commercial fishing or aquaculture permit issued by the California Department of Fish and Game. Such a vessel shall be a continuing source of income pursuant to the appropriate California permits, in accord with regulations adopted from time to time by resolution of the City Council.

C. SLIP WAITING LISTS.

1. Master Waiting List. The waiting list for the assignment of Harbor marina slips, as created by City Council Ordinance, is renamed the "Master Waiting List." The Master Waiting List is divided into categories according to slip length. Applicants on the Master Waiting List have designated a category of slip length from which they seek a slip assignment. Applicants may not change their designated category of slip length and no new applicants shall be added to the Master Waiting List.

a. Procedure for Slip Assignment to Master Waiting List Applicants. When a slip becomes available, it shall be offered for assignment according to whether the slip is a designated commercial fishing slip or whether it can be utilized for either commercial or recreational purposes. For purposes of this Section, commercial fishing slip means a slip that is specially designated by the Waterfront Director as a slip reserved for qualified commercial fishermen ("Commercial Fishing Slip"). If the slip is designated as a Commercial Fishing Slip, it shall be assigned according to Section C.5 herein to a qualified commercial fisherman. If it is not so designated, it shall be offered for assignment to the applicant in the slip-length category of the available slip with the earliest chronological application date on the Master Waiting List. The available slip shall be offered to each applicant in turn on the Master Waiting List within the slip-length category of the available slip until the slip is either accepted by an applicant or declined by all applicants for that slip-length category.

b. Procedure for Accepting or Declining a Slip Assignment Offer.

(1) Acceptance of Slip Assignment Offer. Notification of slip availability shall be mailed by the Waterfront Department to the applicant at the applicant's most recent address on file in the Waterfront Department. Acceptance of the slip assignment offer must be submitted by the applicant in writing to the Waterfront Department within thirty (30) days of the date of mailing the notice of slip availability.

(2) Declined Slip Offer. Failure of an applicant to accept a slip assignment offer within thirty (30) days of the date of mailing of such offer by the Waterfront Department shall be considered a declined offer. Declining a slip offer will result in removal of the applicant's name from the List and in the loss of all fees paid by the applicant.

c. Unassigned Slips from the Master Waiting List. If an available slip is offered and declined by all applicants on the Master Waiting List registered for the slip-length category of the available slip, or if a slip-length category on the Master Waiting List is depleted of applicants, the slip shall be referred for assignment to a Sub-Master Waiting List in accordance with Section C.2 herein.

2. Sub-Master Waiting List. All applicants in all slip-length categories on the Master Waiting List shall also be applicants on the Sub-Master Waiting List. The Sub-Master Waiting List shall be ordered chronologically, according to application date, and not divided into slip-length categories. The applicant on the Master Waiting List with the earliest chronological

application date, regardless of designated slip-length category, shall be the first applicant on the Sub-Master List. The applicant on the Master Waiting List with the second earliest chronological application date shall be the second applicant on the Sub-Master List, and so on.

a. Procedure for Slip Assignment to Sub-Master Waiting List Applicants. A slip that becomes available for assignment to the Sub-Master Waiting List shall be offered to the first applicant on the Sub-Master Waiting List. If the slip offer is declined, it shall be offered to the second applicant on the List, and so on, until the slip is either accepted by an applicant or declined by all applicants on the Sub-Master List.

b. Procedure for Accepting or Declining a Slip Assignment Offer.

(1) Acceptance of Slip Assignment Offer. Notification of slip availability shall be mailed by the Waterfront Department to the applicant at the applicant's most recent address on file in the Waterfront Department. Acceptance of the slip assignment offer must be submitted by the applicant in writing to the Waterfront Department within fourteen (14) days of the date of mailing the notice of slip availability.

(2) Declined Slip Offer. Failure of an applicant to accept a slip assignment offer in writing within fourteen (14) days of the date of mailing of such offer by the Waterfront Department shall be considered a declined offer. Declining a slip offer from the Sub-Master List will not result in removal of the applicant's name from the Master or Sub-Master Waiting lists, loss of any fees paid, or change in the applicant's position on either List.

c. Unassigned Slips from the Sub-Master Waiting List. If a slip assignment offer is declined by all applicants on the Sub-Master Waiting List, or if there are no applicants on the Sub-Master Waiting List, the slip shall be referred for assignment to a Lottery List in accordance with Section C.3 herein.

3. Lottery List. Any slip that remains unassigned after being offered for assignment to the Master Waiting List and Sub-Master Waiting List, or if the Sub-Master Waiting List is depleted of applicants, shall be offered for assignment to a Lottery List. The Lottery List shall be comprised of applicants selected by lot by the Harbor Commission Chair at a public meeting. Procedures for formation of the Lottery List shall be established by the Waterfront Department Slip Waiting Lists regulation adopted by resolution of the City Council.

a. Procedure for Placement on the Lottery List.

(1) Qualification for Placement on the Lottery List. To qualify for placement on the Lottery List, all applicants must timely submit a Lottery List Participation Request in accordance with the Slip Waiting Lists regulation containing the applicant's name, telephone number and address. An individual may submit only one Lottery List Participation Request.

(2) Notification of Ranking and Potential Placement on Lottery List. Within five (5) business days after the Harbor Commission Lottery List drawing, the Waterfront Department shall mail notification to each applicant whose Lottery Participation Request was selected by the Harbor Commission of their ranking and potential placement on the Lottery List. Notification shall be provided by certified mail, return receipt requested, to the applicant at the address shown on the Lottery List Participation Request form. A Lottery List Acceptance Form shall accompany the notification. Applicants not selected for ranking in the Lottery List drawing shall be notified in writing that their Lottery List Participation Request was not selected. The Waterfront Department shall discard the Lottery List Participation Requests not selected.

(3) Procedure to Accept Placement on the Lottery List.

(a) Within thirty (30) days of the date of mailing notification of Lottery List rankings, selected applicants ranked numbers one (1) through fifty (50) shall return the completed Lottery List Acceptance Form and the Lottery List Placement Fee in an amount established by resolution of the City Council to the Waterfront Department. Any such applicant failing to return the Acceptance Form and Lottery List Placement Fee to the Waterfront Department within the required thirty (30) day period shall not have a position on the Lottery

List, and their Lottery Participation Request shall be discarded by the Waterfront Department.

(b) Should any applicant ranked numbers one (1) through fifty (50) fail timely return of the Lottery List Acceptance Form and the Lottery List Placement Fee, notification will be sent to the next-ranked applicant for potential placement on the Lottery List as provided by resolution of City Council. Any such applicant ranked numbers fifty-one (51) through seventy (70) offered potential placement on the Lottery List shall, within fourteen (14) days of the date of such mailing, return the completed Lottery List Acceptance Form and the Lottery List Placement Fee in an amount established by resolution of the City Council to the Waterfront Department. Any such applicant failing to return the Acceptance Form and Lottery List Placement Fee to the Waterfront Department within the required fourteen (14) day period shall not have a position on the Lottery List, and their Lottery Participation Request shall be discarded by the Waterfront Department.

b. Procedure for Slip Assignment to Lottery List Applicants. A slip that becomes available for assignment to the Lottery List shall be offered for assignment to applicants on the Lottery List according to their rank on the Lottery List. ~~With the exception of assignments for twenty-foot slips, if~~ If a slip assignment offer is declined by all applicants on the Lottery List, the slip shall be held in the Waterfront Department's visitor slip inventory for a period of six (6) months. After six (6) months, the slip assignment shall be re-offered individually to applicants on the Lottery List in the same order as the slip assignment was initially offered. If the slip remains unassigned after the re-offer, the procedure shall be repeated every six (6) months until the slip assignment offer is accepted. ~~If all applicants on the Lottery List decline a slip assignment offer for a twenty-foot slip, the slip assignment for the twenty-foot slip shall be offered for assignment through a separate twenty-foot lottery pursuant to City Council Resolution.~~

c. Procedure for Accepting or Declining a Slip Assignment Offer from the Lottery List.

(1) Acceptance of Slip Assignment Offer.

(a) Notification of slip availability shall be mailed by the Waterfront Department to the applicant at the applicant's most recent address on file in the Waterfront Department. Acceptance of the slip assignment offer must be submitted by the applicant in writing to the Waterfront Department within fourteen (14) days of the date of mailing the notice of slip availability. Acceptance must be submitted to the Waterfront Department in writing. ~~along with payment of a non-refundable Lottery List Assignment Fee as provided in Section C.4.b.(3) herein.~~

(b) An existing marina slip permittee who is offered a Lottery List slip assignment shall relinquish an existing slip permit to the Waterfront Department prior to, and in exchange for, a slip assignment from the Lottery List.

(2) Declined Lottery List Assignment Offer. Failure of an applicant to accept a slip assignment offer in writing within fourteen (14) days of the date of mailing of such offer by the Waterfront Department ~~and payment of the Lottery List Assignment Fee as provided in Section C.4.b.(3) herein~~ shall be considered a declined offer. Declining a slip assignment offer will not result in removal of the applicant's name from the Lottery List, loss of the applicant's Lottery List Placement Fee, Lottery List Renewal Fee, or change in the applicant's position on the Lottery List.

d. Lottery List Eligibility. An applicant whose name is on the Master Slip Waiting List is not eligible for inclusion on the Lottery List.

4. Slip Waiting Lists Fees.

a. Master Waiting List Renewal Fee. An annual non-refundable Master Waiting List renewal fee in an amount established by resolution of the City Council shall be paid by each applicant on the Master Waiting List prior to the first day of November each year. Failure to

timely pay the annual renewal fee shall cause removal of the applicant's name from the List.

b. Lottery List Placement Fee, Renewal Fee and Assignment Fee.

(1) Lottery List Placement Fee. Each applicant selected for placement on the Lottery List shall return the Lottery List Acceptance Form along with a non-refundable Lottery List Placement Fee in an amount established by resolution of the City Council. Failure to timely pay the Lottery List Placement Fee shall cause the applicant's name to not be placed on the Lottery List.

(2) Lottery List Renewal Fee. An annual non-refundable Lottery List Renewal Fee in an amount established by resolution of the City Council shall be paid prior to the first day of November each year. Failure to timely pay the annual Lottery List Renewal Fee shall cause removal of the applicant's name from the Lottery List.

~~(3) Lottery List Assignment Fee. — A Lottery List Assignment Fee shall be paid by the applicant at the time a Lottery List slip assignment is made in an amount established by resolution of the City Council. Failure to timely pay the Lottery List Assignment Fee shall be deemed a declined offer.~~

c. Slip Waiting Lists Transfer Fee.

(1) Slip Waiting Lists Transfer Fee. Any slip permittee assigned a slip from either the Master Waiting List, Sub-Master Waiting List or Lottery List shall pay a Slip Waiting List Transfer Fee in an amount established by resolution of the City Council to transfer the slip within five (5) years of the date of the slip assignment. After five (5) years, a standard Slip Transfer Fee shall be paid in an amount established by resolution of the City Council. A slip transfer shall be accomplished in accordance with Section D herein.

(2) Exemptions from Slip Waiting Lists Transfer Fee. Mooring Licensee Priority Assignment. Payment of the Slip Waiting Lists Transfer Fee shall not be required for the transfer of a slip permit by a slip permittee who obtained a permit to occupy a slip pursuant to a mooring licensee priority assignment as provided in the Marina One and Four Expansion Slip Assignment Policy and Procedures Document. A standard Slip Transfer Fee is required.

(3) Hardship Waiver/Appeal. The Waterfront Department, Waterfront Director, Harbor Commission or City Council shall not accept or consider any slip permittee's appeal or request for a waiver from payment of the Slip Waiting Lists Transfer Fee.

5. Commercial Fishing/Aquaculture Slip Assignment. Commercial Fishing Slips shall be offered for assignment only to qualified commercial fishermen. Prior to assignment of a Commercial Fishing Slip from either the Master Waiting List, Sub-Master Waiting List, or the Commercial Fishing Slip Lottery, a commercial fisherman must demonstrate to the satisfaction of the Waterfront Department that the commercial fisherman possesses the following minimum qualifications: (i) a commercial fishing or aquaculture permit issued by the California Department of Fish and Game; (ii) a Fish and Game permit for the vessel that is to be moored in the Commercial Fishing Slip as a commercial fishing vessel; and (iii) satisfaction of the terms and criteria to qualify as a qualified commercial fisherman, as established by City Council resolution, including the requirement for earnings from commercial fishing in years prior to the pending Commercial Fishing Slip assignment ("Qualified Commercial Fisherman").

CITY OF SANTA BARBARA - WATERFRONT DEPARTMENT
MARINA RULES AND REGULATIONS

May 19, 2016
Report #11

1. All boats must be secured so no part extends over any portion of the walkway.
2. A vessel must occupy at least 80% of the slip length and extend a distance into the fairway no greater than that allowed by City Resolution.
3. A slip permittee's dinghy may be kept within the slip, but may not extend beyond the designated slip boundary.
4. Slip fees are for the overall length of the boat or slip, whichever is greater.
5. Boat owners may stay aboard their vessels a maximum of three (3) nights per seven (7) day period. Vacation time aboard for up to 60 days per year may be approved upon application to the Waterfront Director. A live aboard permit is required for time aboard greater than this.
6. Discharge of pollutants in the harbor, including detergents or emulsifiers on fuel spills, is prohibited. Use oil absorbent materials in the bilge. Dispose of solid and liquid waste properly. Use of non-biodegradable soaps and disinfectants in vessel washdown water prohibited. All dock hoses must be equipped with automatic shut-off nozzles.
7. At the discretion of the Waterfront Director, boats may be moved or reassigned as necessary.
8. Walkways and fingers may not be obstructed in any manner except by a landing step of approved size and weight. Landing steps may be no wider than ½ the dock width, may not be used for storage, may weigh no more than fifty (50) pounds. One dock box for storage is assigned for each slip. No storage of flammables or other hazardous materials allowed. No unattended paint cans or maintenance supplies on dock.
9. Items found on the docks will be disposed of at the expense of the slip permittee.
10. Dock alterations by other than the Waterfront Department not permitted. Potted plants require secondary containment.
11. A shore power cord must be marine grade, a maximum of 50 feet in length, with a minimum of 10 gauge for 30 ampere (120 volt) receptacles and 6 gauge for 50 ampere (208 volt) receptacles. All plugs must be male twist locking with a grounding connector. Pigtailed and other adapters are not allowed.
12. All pets must be kept on leash while in the harbor and marina areas. Owners must clean up after pets.
13. No swimming is allowed within the harbor except in designated swimming areas.
14. Fishing is not allowed from walkways and fingers, but is permitted from boats in slips. No disposal of fish offal in harbor waters. Use proper containers.
15. Slip permittees shall report absences greater than 5 days to the Waterfront Department. The permittee shall give the Waterfront Department 3 days notice before returning.
16. A slip may be occupied only by the vessel assigned by the Waterfront Department. Visiting vessels will be assigned to unoccupied slips.
- 17. Slips may not be loaned or rented out by the slip permittee.**
18. Temporary cancellation status is not permitted if ownership in the vessel is not retained.
19. The Waterfront Department may remove a boat from the harbor or to another area for failure to pay fees. A boat may become subject to lien sale in accordance with the State of California Boater's Lien Law.
20. Any change in title, ownership, or change of address of ownership of a boat must be reported to the Waterfront Department within 5 days. All correspondence will be sent to the latest name and address on file. The permittee agrees that any notices sent to that address will be considered received within five (5) working days.
21. Any slip transfer or addition of a new boat in a slip requires a marine sanitation device (MSD) inspection and dye tabbing. Any slip permittee convicted of two overboard sewage violations in a 36-month period is subject to slip termination. Any slip permittee whose slip permit is terminated for violation of sewage-discharge regulations is prohibited from being assigned a slip for one year.
22. All slip permittees and their guests must comply with reasonable standards of health, safety and welfare in the use of slips, vessels and the harbor.

I HAVE READ THE REGULATIONS, RULES, AND LAWS AND AGREE TO COMPLY WITH THEM.

Signature _____ Print name _____ Date _____

Signature _____ Print name _____ Date _____

Attachment #2

2. Lottery List Fees

- a. Lottery List Placement Fee. Each applicant selected for placement on the Lottery List shall pay a non-refundable Lottery List Placement Fee of \$50. Failure to pay the fee shall cause the applicant's name to not be placed on the Lottery List.
- b. Lottery List Renewal Fee. An annual non-refundable Lottery List Renewal Fee of \$40 shall be paid by all applicants on the Lottery List prior to the first day of November each year. Failure to timely pay the annual Lottery List Renewal Fee shall cause removal of the applicant's name from the List.
- ~~c. Lottery List Assignment Fee. A Lottery List Assignment Fee shall be paid by the applicant at the time a slip assignment is accepted. The Lottery List Assignment Fee shall be in an amount equal to the Waterfront Department's Slip Transfer Fee per lineal foot of the assigned slip. If the Lottery List Assignment Fee is not paid at the time of assignment, the slip shall not be assigned to that applicant. The slip assignment shall then be offered to the applicant ranked next on the Lottery List.~~