



## SMALL CRAFT HARBOR RULES & REGULATION

### LIABILITY OF OWNERS

- a. Any person using the facilities within the confines of the Harbor shall assume all risk of damage or loss to his property and the City assumes no risk on account of fire, theft, act of God or damages of any kind to vessels within the Harbor.
- b. Removal, relocation or storage of vessels as provided in this chapter shall be without liability to the City or its agents.

### BERTHING ASSIGNMENT PERMITS

- a. No person (including the owner, master, operator or person in possession of a vessel) shall moor a vessel at or in the facilities of this Harbor excluding tidelands under lease, without having first secured a berthing assignment permit or temporary assignment from Wharfinger in the form & manner therefore.
- b. Berthing assignment permits are not transferable. Sale or transfer of a vessel covered by a berthing assignment permit transfers no rights or privileges inhering in the berthing assignment permit nor guarantees the issuance of a new berthing assignment permit.
- c. Berthing assignment permits shall be issued only with respect to a named individual and shall be valid only in respect to that individual.
- d. Moorage spaces may be reassigned at the discretion of the Harbor Master if an orderly administration of the Harbor so requires. Holder of a berthing assignment is not a right or privilege inherent in the berthing assignment permit.
- e. Moorage space designated by a berthing assignment permit may not be sublet.



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- f. Any berthing assignment permit or temporary berthing assignment permit may be revoked immediately by the Harbor Master if the holder thereof violates any provision of the Ordinance or any other Ordinance of the City of Eureka applicable thereto. In addition, the Harbor Master may revoke a berthing assignment permit for a deliberate misstatement or willful failure to disclose any material fact in an application for permit.
- g. A berthing assignment permit may be cancelled by the holder thereof upon thirty (30) days written notice to the Harbor Master.
- h. As a condition to the issuance of a berthing permit, the holder thereof shall at all times keep the Harbor Master informed of his current mailing address, telephone number, legal owner's address, and insurance company of record. The holder shall also notify the Harbor Master immediately upon any change of ownership of the vessel to which his berthing assignment permit applies, and shall further notify the Harbor Master immediately upon vacating the mooring space assigned to the vessel. Failure to keep the Harbor Master informed as to the holder's current mailing address, telephone number, legal owners address, and insurance company of record shall be grounds for revocation of the berthing assignment permit.

## TAMPERING WITH OR BOARDING VESSELS

It shall be unlawful to willfully injure, beak, remove or tamper with any part of any vessel in the harbor, any waterway or maritime facility, or to climb into or upon any vessel without the consent of the owner, unless in the performance of official duties or to protect life and/or property.

## SECURITY

During the hours the Small Boat Basin is secured, it shall be unlawful for unauthorized persons to be beyond the locked gate except as a guest or employee of a berth holder or as permitted by the Harbor Master.



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### MINORS IN HARBOR

It shall be unlawful for any person under the age of sixteen (16) years to go, remain, or be upon any of the gangways, floats or vessels in the Small Boat Basin unless such person is accompanied by an adult, or unless such person has the written permission of the owner of any vessel located at the Small Craft Harbor go upon such vessel, or unless such person has permission of the Wharfinger.

### USE OF VESSELS AS A RESIDENCE

No vessel moored or berthed within the Harbor shall be used as a place of residence except as expressly authorized by the Harbor Master for the purpose of Harbor security or during period of inclement weather. For the purpose of this regulation any vessel used as an overnight accommodation in excess of two nights in any seven-day period shall be considered a residence.

### REFUSE

- a. No person shall throw, discharge or deposit from any vessel or from the shore or float or in any other manner any refuse matter of any kind whatsoever into or upon the water of the Harbor or in, or upon the banks, walls, sidewalks, or beaches or any waters within the boundaries of the Harbor.
- b. No person shall dump or discharge oil, spirits, inflammable liquid or contaminated bilge water into the harbor. All garbage must be deposited in receptacles furnished by the City or removed from the harbor.
- c. No person on board any vessel moored in the harbor shall use the sanitary facilities, (toilet, sinks, etc.) on board such vessel unless it is equipped with Marine Sanitary Device or other approved device for sewage disposal that is in properly working order.



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- d. No persons shall place or leave dead animals, fish, shell fish, bait, or other putrefying matter on or along seawalls, harbor structures, floats, piers, sidewalks, or beach area of the harbor, or throw or deposit such material in the waters of such area.
- e. Pets shall not be allowed to commit any nuisance within the harbor. Dogs shall not be allowed on any dock or on the harbor grounds except while on leash.

### WHARVES, FLOATS, AND PIERS

No person shall, without a berthing assignment, permit or tidelands lease issued by the City, build, construct, erect, extend or locate within or upon or over the waters of the harbor any float, pier, landing wharf, open pile structure, or device or structure of whatsoever kind of nature.

### VESSEL SPEED

It shall be unlawful for any person to operate a vessel at a speed in excess of three (3) nautical miles per hour within the Small Boat Basin area.

### SOLICITATION, ADVERTISING AND SIGNS

- a. Solicitation of patronage within the Harbor is prohibited unless licensed by the City of Eureka.
- b. No person shall post signs of any kind or description on piles, gangplanks or floats within the Harbor without receiving prior approval from the Harbor Master.

### EMERGENCY POWER

Whenever any boat is in danger of being damaged or damaging other boats of any Harbor facility, the Harbor Master shall be empowered to take such action as is in his discretion necessary for the protection of any property of the City or its berthing assignment permittees. The Harbor Master shall make a charge for any such services to



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the boat owner and such amount shall become due and payable in the same manner and subject to the same regulations as berthing or rental fees.

### COMPLIANCE WITH RULES AND REGULATIONS

All persons using the Harbor shall comply with all the rules and regulations, adopted by the United States of America, State of California, and local agencies with regard to water safety requirements, operation and maintenance of boats. The Harbor Master is authorized to enforce all said rules and regulations and to deny the use of the facilities at said Harbor for violation of said rules and regulations.

### VIOLATION OF RULES AND REGULATIONS

- a. An applicant for berth assignment agrees by his signature on the berthing assignment permit form to comply with these rules and regulations.
- b. The Harbor Master shall have the right to deny the use of the Harbor and cancel the berth assignment and require removal of any boat at the owner's expense, who, in the opinion of the Harbor Master, fails to comply with the rules and regulations for the operation of the Eureka Small Craft Harbor and this Ordinance.

### SAFE MOORING

All vessels will be required to furnish fenders or fender material as approved by the Harbor Master. The use of tires or similar materials for fenders is expressly prohibited.

### MAKING FAST TO MOORED VESSELS

No person shall make fast to or tie any vessel to a vessel already occupying a mooring or berth without the approval of the Master of that vessel and a berthing assignment permit from the Harbor Master.



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### OBSTRUCTION OF WHARVES, FLOATS AND PIERS

- a. City owned piers, floats, gangways and docks shall be kept clear at all times of any miscellaneous gear, debris, material, or other hazardous obstructions except as permitted by tidelands lease.
- b. No person shall build or place in, on or about the Harbor any structures such as steps, walkways, gangplanks, finger floats, rubbing piles, dock boxes, or the like, without prior written approval of the Harbor Master. Dock wheels or telephone cleats that are permanently added to Harbor docks shall become the property of the City of Eureka.

### MAINTENANCE OF BOAT IN BERTH

- a. Boat maintenance work in berths shall be limited to that ordinarily required to keep a vessel seaworthy and in good condition. Berth renters shall not conduct any major reconstruction work that would tend to make a boat unseaworthy or unsightly shall be undertaken except as may be provided in a site authorized for such work. Berth renters performing maintenance shall not obstruct piers and access with tools and equipment. If berth renter uses portions of piers and floats for rigging and maintenance work, such space must be left in a neat, clean and orderly condition.
- b. No spray painting or disc sanding will be permitted in the Harbor except leased tidelands without the written approval of the Harbor Master.
- c. Whenever it is necessary to perform work on board a vessel involving use of welding or burning equipment, the Harbor Master shall be advised of the nature and extent of the work, the workmen or company doing the job, and the date and time the work will be done. The workmen or company doing the welding or burning must furnish a current gas free certificate. This notification shall be given prior to starting the work and wherever practical at least one (1) day before the work is to be performed.



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### REGISTRATION OR DOCUMENTATION

All vessels required to be either U.S. documented or registered by the State of California must remain currently documented or registered to retain a berth assignment.

### AUTHORITY

The following regulations are adopted pursuant to Section 2113 of the California Vehicle Code and shall apply to the Small Boat Basin parking area.

### OBSTRUCTION TRAFFIC

No vehicle shall be parked so as to obstruct the road, driveway, gate or other public access.

### BICYCLES & MOTORCYCLES

Bicycles and motorcycles are subject to all requirements of this Article and shall not be permitted on any pier or any float.

### OVERNIGHT PARKING OF VEHICLES

No overnight parking of vehicles of any type shall be permitted except under the provisions of a permit issued by the Harbor Master. The Harbor Master may issue a parking permit for vehicles listed on the permit statement up to a maximum of two vehicles for each permittee.

### DRY STORAGE OR TRAILERS AND/OR TRAIERED BOATS

Designated areas of land may be used for storage of boat trailers or trailered boats as approved by the Harbor Master, upon payment of fees as designed by resolution of the City Council. Storage of these vehicles shall be prohibited except in areas designated for such use by the City and after issuance of a permit by the Harbor Master.

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### ENFORCEMENT

Violation of this Ordinance shall constitute a misdemeanor and the penalty thereof shall be as prescribed in the laws of the State of California with respect to misdemeanors.

Each day any person is in violation of the provisions of this Ordinance shall constitute a separate offense punishable as provided herein.

*Updated 2020*

If you have any further questions or concerns please do not hesitate to contact Harbor personnel by phone, email or in person at the Wharfinger Building #1 Marina Way, Eureka CA 95501 from M-F 8:00 – 4:30pm.

Thank you!

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