

2021 Harbor Rules and Regulations

SPECIAL USE PARKS

91.80 Yacht Harbor and Boats.

- a.) Management. The yacht harbor will be operated under the jurisdiction of the harbormaster. The assignment of boat stalls and mooring space will be made by permit by the harbormaster or his duly appointed representative.
- b.) Establishment of rules and regulations. The parks and recreation commission shall have authority to establish such rules and regulations as may be deemed advisable to promote peace, health or safety in the Yacht Harbor. They shall have authority to delegate enforcement of such rules and regulations to the Harbor Master, who may call on the police to assist in enforcing all such rules and regulations as may be deemed necessary. Failure to abide by the rules, regulations and provisions of this ordinance shall be grounds for suspension and/or loss of privileges in the Yacht Harbor.
- c.) Permit required to moor boats. No person shall in, any manner anchor, moor, tie or fasten any canoe, scow, skiff, other equipment which shall be construed to be navigable upon or in the water (except boats belonging to the United States Government) in the Yacht Harbor or to any wharf, pier or dock within the confines of any part or part thereof without first obtaining a permit from the department of parks and recreation.
- d.) Permittees to assume liability for damages. No permit shall be granted under this article to any person for any purpose unless, in the application thereof, the party applying for the same shall agree in writing to indemnify and save the city harmless from any liability because of injury to person or property arising out of the activity or privileges for which the permit was issued.
- e.) Motor vehicles. All vehicles servicing or used in connection with any type of watercraft in the Yacht Harbor must remain in the regularly established roads or designated parking areas.
- f.) Small craft. Rowboats and other small craft must be tied or moored in areas designated by the harbormaster.
- g.) Launching. All boats shall be placed in the water or taken out of the water only at the places designated for such purpose. Except for emergency repairs, no boat shall be dry docked or stored in the Yacht Harbor or city property.
- h.) Marking. All craft shall be marked with the owner's identification and shall be registered with the harbormaster.
- i.) Speed limit. The maximum speed limit of all craft in the yacht harbor area shall be 5 M.P.H., no wake speed.

- j.) Boat space. All permit fees are to be collected in advance at the time space is assigned. Fees shall be set by resolution of the City Commission.
- k.) Other users. The following rates shall apply to the other users of the harbor facilities:
- a. Nonresident yachtsman on cruise shall pay rates as set by the City Commission.
 - b. Commercial boatmen, local. The user rates shall be double that set for resident yachtsmen.
 - c. Commercial boatmen, nonlocal. Nonlocal commercial boatmen shall not be permitted in the harbor except for repairs for a period not to exceed 72 hours or for the duration of a storm.
- l.) Conditions of usage. The boat harbor may be used for pleasure craft only under the following conditions:
- a. Mooring in channel. No boats are to be moored for a longer period than 2 hours in the entrance and channel leading from the bay into the harbor. No boats shall be moored in such entrance or channel at any time, so as to obstruct the free passage through the channel.
 - b. Lights. Between one hour after sundown and one hour before sunrise, all boats entering and using the boat harbor shall have lighted thereon one red light and one green light.
 - c. Powerboats. No powerboats shall be allowed to be driven within the harbor for any other purpose than for entering or leaving the harbor or mooring of boats therein.
 - d. Anchoring. All boats moored within the harbor which are not securely tied must be securely anchored.
- m.) Disturbances of peace. No person shall use any loud, boisterous or profane language or otherwise create any breach or disturbance of the peace within the boat harbor or entrance and the lagoon. All powerboats shall be operated as quietly as possible, consistent with the necessary operation of the boats.
- n.) Garbage. No person shall throw or dump into the boat harbor, the entrance, or the lagoon any rubbish.
- o.) Bathing and fishing. The boat harbor and harbor entrance shall be reserved for boating purposes and no person shall seine for minnows or fish therein. Swimming is prohibited in the harbor, harbor entrance and lagoon.
- p.) Unlocked boats. If any person shall leave any boat or craft unlocked or unchained for a period of time longer than 12 hours, such boat or craft shall be considered abandoned and shall be taken in possession by the department of public safety.
- q.) Sale of impounded boats. The City may not sell at auction any boat impounded by City officials until at least 14 days after written notice to the owner of the boat, if known, or publication of sale in the local newspaper. The owner of the impounded boat may claim

such boat or craft by paying the reasonable costs of the taking possession and storing of the boat or craft any time up to actual sale.

- r.) Costs. The costs of taking possession of any boat shall be \$50.00 and the costs of storage shall be \$25.00 for each day or part of a day that the boat or craft is in the possession of the public safety department.
- s.) Sale of unclaimed boat. In the event that any boat or craft remains unclaimed for 14 days after being impounded by the public safety department, the boat or craft shall be destroyed or sold at public sale. All proceeds realized from the impounding or sale of such boat or craft shall be turned over to the general fund of the city.
- t.) Authority to Harbor Master to board or move boats; authority to bound ice shanties. The Harbor Master or his designee shall have authority to board any boat which may be anchored, moored, tied or fastened in violation of the terms of this article and move or cause such boat to be moved to another location. They shall have the right to hold such boat in the event any permit fee or fees for moving such boat are not paid. The Harbor Master and /or any authorized City official may remove any ice shanty from park property within seven (7) days of it being placed on park property. The same costs as charged in paragraph (T) above shall be charged for the cost of impoundment and storage.
- u.) Interference with employees of department of parks and recreation. No person shall hinder, prevent or interfere with the agents or employees of the department of parks and recreation while engaged in carrying out the provisions of this article.
- v.) Advertising and peddling while at mooring spaces prohibited. It shall be unlawful for any person to display any placards or commercial displays upon any vessel while occupying a mooring space. Nor shall any hawking, peddling or any other article be offered for sale, charter or trade within any mooring space in any park or part thereof.
- w.) Disorderly conduct; swimming; speed or boats entering or leaving basins or harbors. Indecent exposure of the persons, disorderly conduct, objectionable noise, riot, breach of the peace and the use of profane or obscene language is expressly forbidden while occupying a mooring space. Vessels propelled by motor shall reduce their speed to no wake speed and shall not be maneuvered except as absolutely necessary while entering or leaving any basin or harbor. No swimming, diving or bathing shall be permitted in any basin or harbor.