

## RESOLUTION NO. 31-16

to

### Revise Ordinances of the San Mateo County Harbor District to reflect Current Staff Organization

**WHEREAS**, on February 3, 2016 the San Mateo County Harbor District Board of Commissioners reviewed and approved the reorganization of District staff;

**WHEREAS**, said reorganization established the positions of Director of Operations, Director of Administrative Services, Administrative Analyst, and Planner Analyst;

**WHEREAS**, said reorganization eliminated the positions of Assistant Harbormaster and Finance Director;

**WHEREAS**, the new positions and eliminated position are to be reflected in District ordinances;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Harbor Commissioners for San Mateo County Harbor District hereby adopts the revision to District Ordinances as reflected in the attached Matrix of Ordinance Code Revisions to Pertaining Staff Re-organization Adopted by the Board of Harbor Commissioners February 3, 2016. and presented to the Board of Harbor Commissioners.

Adopted this 5th day of October, 2016, at the regular meeting of the Board of Harbor Commissioners by recorded vote as follows:

For: Bernardo, Brenan, Chang Kiraly, Parravano, Mattusch

Against None

Absent: None

Attest: None

**Board of Harbor Commissioners**

  
Debbie Gehret  
Deputy Secretary

  
Tom Mattusch  
President

**Matrix of Ordinance Code Revisions to Pertaining Staff Re-organization Adopted By the Board of Harbor Commissioners February 3, 2016**

Section	Current Language	Recommended Revisions																														
1.10.010 Definitions.	"Harbormaster" means the designated marina or Harbor site manager, or his or her designate, employed by the District and charged with responsibility for the safe and proper operation of the marine site.	<del>"Harbormaster"</del> <u>Director of Operations</u> means the designated marina or Harbor site manager, or his or her designate, employed by the District and charged with responsibility for the safe and proper operation of the marine site.																														
1.10.020 Right of entry.	Upon presentation of credentials, every member of the Board, the General Manager, the Harbormaster and his duly authorized agents are authorized and empowered to enter and inspect any wharf, warehouse, or other industry, or establishment situated on property leased by the Board or under the jurisdiction of the Board, and it shall be unlawful for any person to molest any such officer or agent or refuse to allow him to enter such premises. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 1.2.2; prior code § 5.102.]	Upon presentation of credentials, every member of the Board, the General Manager, the <del>Harbormaster</del> <u>Director of Operations</u> and his duly authorized agents are authorized and empowered to enter and inspect any wharf, warehouse, or other industry, or establishment situated on property leased by the Board or under the jurisdiction of the Board, and it shall be unlawful for any person to molest any such officer or agent or refuse to allow him to enter such premises. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 1.2.2; prior code § 5.102.]																														
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Section	Current Language	Recommended Revisions
2.25.010 Harbor policemen.	A. The <b>Harbormaster, Assistant Harbormasters</b> and Deputy Harbormasters of each harbor or marina under the jurisdiction of the District are designated under Cal. Harb. & Nav. Code §§ 663.5 and 6070.6 as harbor policemen and while on duty shall act as such officers for the District solely within those sections.	A. The <del>Harbormaster</del> <b>Director of Operations, Assistant Harbormasters</b> and Deputy Harbormasters of each harbor or marina under the jurisdiction of the District are designated under Cal. Harb. & Nav. Code §§ 663.5 and 6070.6 as harbor policemen and while on duty shall act as such officers for the District solely within those sections.
2.25.020 Power to stop and board vessels.	<b>Harbormasters, Assistant Harbormasters</b> and Deputy Harbormasters of the District, in the exercise of their duties as harbor policemen, shall have the authority and power to stop and board any vessel subject to Cal. Harb. & Nav. Code Division 3, Chapter 5, and to issue written notices to appear in court pursuant to provisions of Cal. Harb. & Nav. Code § 664. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 2.5.2; prior code § 2.402.]	<del>Harbormasters</del> <b>Director of Operations, Assistant Harbormasters</b> and Deputy Harbormasters of the District, in the exercise of their duties as harbor policemen, shall have the authority and power to stop and board any vessel subject to Cal. Harb. & Nav. Code Division 3, Chapter 5, and to issue written notices to appear in court pursuant to provisions of Cal. Harb. & Nav. Code § 664. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 2.5.2; prior code § 2.402.]
3.05.010 General Regulations.	G. Landing or taking off of an aircraft on or from the waters or land controlled by the District requires the prior approval of the <b>Harbormaster</b> except in emergency situations.	G. Landing or taking off of an aircraft on or from the waters or land controlled by the District requires the prior approval of the <del>Harbormaster</del> <b>Director of Operations</b> except in emergency situations.
3.05.010 General Regulations.	I. Length overall of the vessel, including bowsprits, rudder boom, outboard motors or other extensions, may not exceed the limits of the berth assigned. Waivers may be issued solely at the discretion of the <b>Harbormaster</b> .	I. Length overall of the vessel, including bowsprits, rudder boom, outboard motors or other extensions, may not exceed the limits of the berth assigned. Waivers may be issued solely at the discretion of the <del>Harbormaster</del> <b>Director of Operations</b> .
3.05.010 General Regulations.	K. Wherever the term " <b>Harbormaster</b> " is used in this section it shall include the <b>Harbormaster, Assistant Harbormasters</b> and Deputy Harbormasters on duty, and acting in an official capacity pursuant to policies established by the District. [Ord. 77-97; amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.1.1; prior code § 5.915.]	K. Wherever the term " <del>Harbormaster</del> <b>Director of Operations</b> " is used in this section it shall include the <del>Harbormaster, Assistant Harbormasters</del> and Deputy Harbormasters on duty, and acting in an official capacity pursuant to policies established by the District. [Ord. 77-97; amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.1.1; prior code § 5.915.]

Section	Current Language	Recommended Revisions
3.05.050 Accident Reports.	All boating or vehicular accidents occurring on, in or within District facilities involving damage or injury to any private or public property require the operator of the vessel or vehicle which caused the accident to complete an accident report provided by the <b>Harbormaster</b> within twenty-four (24) hours of the incident. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.1.5; prior code § 5.112.]	All boating or vehicular accidents occurring on, in or within District facilities involving damage or injury to any private or public property require the operator of the vessel or vehicle which caused the accident to complete an accident report provided by the <b>Harbormaster-Director of Operations</b> within twenty-four (24) hours of the incident. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.1.5; prior code § 5.112.]
3.05.100 Protection of Vessels.	A. The <b>Harbormaster</b> shall have the authority to designate the area in which any vessel shall be berthed, moored or anchored and may require any vessel to change its berth, mooring or anchorage. If a vessel does not change location after notification, it may be moved by the <b>Harbormaster</b> at the expense of the owner. Vessels may not anchor in the vicinity of piers or docks except in an emergency, or with the permission of the <b>Harbormaster</b> .	A. The <b>Harbormaster-Director of Operations</b> shall have the authority to designate the area in which any vessel shall be berthed, moored or anchored and may require any vessel to change its berth, mooring or anchorage. If a vessel does not change location after notification, it may be moved by the <b>Harbormaster-Director of Operations</b> at the expense of the owner. Vessels may not anchor in the vicinity of piers or docks except in an emergency, or with the permission of the <b>Harbormaster-Director of Operations</b> .
3.05.100 Protection of Vessels.	B. The <b>Harbormaster</b> shall have the right to refuse access to District facilities for any vessel if the <b>Harbormaster</b> believes that said vessel constitutes a hazard to the environment, District facilities or personnel, or other vessels.	B. The <b>Harbormaster-Director of Operations</b> shall have the right to refuse access to District facilities for any vessel if the <b>Harbormaster-Director of Operations</b> believes that said vessel constitutes a hazard to the environment, District facilities or personnel, or other vessels.
3.05.100 Protection of Vessels.	C. Any vessel which is or becomes unattended and which constitutes, in the opinion of the <b>Harbormaster</b> , a hazard to navigation, or endangers the property of the District or other vessels, may be boarded by the <b>Harbormaster</b> , who shall take such steps as may be necessary to prevent damage or to correct said hazardous condition.	C. Any vessel which is or becomes unattended and which constitutes, in the opinion of the <b>Harbormaster-Director of Operations</b> , a hazard to navigation, or endangers the property of the District or other vessels, may be boarded by the <b>Harbormaster-Director of Operations</b> , who shall take such steps as may be necessary to prevent damage or to correct said hazardous condition.

Section	Current Language	Recommended Revisions
3.05.100 Protection of Vessels.	<p>D. The <b>Harbormaster</b> is expressly empowered to use reasonable steps to protect any vessel which is in danger of sinking or which is beached or in danger of being beached or breaking up; provided, that in waters outside of District boundaries before the <b>Harbormaster</b> exercises said power the Sheriff's office of San Mateo County shall be advised of the nature of the problem. If the Sheriff elects to exercise his or her power under Cal. Harb. &amp; Nav. Code § 510, the <b>Harbormaster</b> shall stand by to assist the Sheriff. If the Sheriff declines to act and does not forbid action by the <b>Harbormaster</b>, the <b>Harbormaster</b> shall give all possible aid and assistance to the endangered vessel and shall exert every reasonable effort to preserve such vessel and cargo and all goods and merchandise which may be cast by the sea upon the land.</p>	<p>D. The <del>Harbormaster</del><u>Director of Operations</u> is expressly empowered to use reasonable steps to protect any vessel which is in danger of sinking or which is beached or in danger of being beached or breaking up; provided, that in waters outside of District boundaries before the <del>Harbormaster</del><u>Director of Operations</u> exercises said power the Sheriff's office of San Mateo County shall be advised of the nature of the problem. If the Sheriff elects to exercise his or her power under Cal. Harb. &amp; Nav. Code § 510, the <del>Harbormaster</del><u>Director of Operations</u> shall stand by to assist the Sheriff. If the Sheriff declines to act and does not forbid action by the <del>Harbormaster</del><u>Director of Operations</u>, the <del>Harbormaster</del><u>Director of Operations</u> shall give all possible aid and assistance to the endangered vessel and shall exert every reasonable effort to preserve such vessel and cargo and all goods and merchandise which may be cast by the sea upon the land.</p>
3.05.100 Protection of Vessels.	<p>E. Any action taken by the <b>Harbormaster</b> under the authority of this section shall be at the owner's expense. The <b>Harbormaster</b> shall document the actual cost(s) to the District in taking the action and provide a copy of this documentation with the bill given or sent to the owner of the vessel. The owner may appeal charges made pursuant to this section to the Board of Commissioners by giving the General Manager a written request to appeal within ten (10) days of receipt of the bill. Appeals will be heard at the next regularly scheduled meeting of the Board of Commissioners. [Res. 02-13 (Att.); amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.1.10; prior code § 5.105.]</p>	<p>E. Any action taken by the <del>Harbormaster</del><u>Director of Operations</u> under the authority of this section shall be at the owner's expense. The <del>Harbormaster</del><u>Director of Operations</u> shall document the actual cost(s) to the District in taking the action and provide a copy of this documentation with the bill given or sent to the owner of the vessel. The owner may appeal charges made pursuant to this section to the Board of Commissioners by giving the General Manager a written request to appeal within ten (10) days of receipt of the bill. Appeals will be heard at the next regularly scheduled meeting of the Board of Commissioners. [Res. 02-13 (Att.); amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.1.10; prior code § 5.105.]</p>

Section	Current Language	Recommended Revisions
3.05.110 Care of vessels – Must be seaworthy.	<p>A. All vessels shall be berthed or moored properly and all equipment, required for berthing or mooring, shall be maintained at all times in such condition as to meet with the approval of the Harbormaster. In the event that vessels are not so maintained, the Harbormaster may supply lines and fittings, or replace inadequate lines and fittings, or may care for the vessel in such a manner as to prevent damage. Any costs incurred for this service, and for any lines, fittings or materials supplied, shall be paid by the owner and shall be due on receipt of invoice. All such lines, fittings and materials used and supplied by the Harbormaster to protect vessels are not returnable.</p>	<p>A. All vessels shall be berthed or moored properly and all equipment, required for berthing or mooring, shall be maintained at all times in such condition as to meet with the approval of the Harbormaster Director of Operations. In the event that vessels are not so maintained, the Harbormaster Director of Operations may supply lines and fittings, or replace inadequate lines and fittings, or may care for the vessel in such a manner as to prevent damage. Any costs incurred for this service, and for any lines, fittings or materials supplied, shall be paid by the owner and shall be due on receipt of invoice. All such lines, fittings and materials used and supplied by the Harbormaster Director of Operations to protect vessels are not returnable.</p>
3.05.120 Maintenance of vessels.	<p>A. Repairs to and maintenance of a vessel may be made or accomplished while such vessel is at its assigned berth, provided all such work is done within the confines of the vessel itself and is not carried on in any manner whatsoever upon floats, gangways or docks. Any repairs on vessels must not interfere with any other vessels. These repairs must be accomplished in the assigned berth of the owner of the vessel and not have a negative environmental effect.</p> <p>The Harbormaster shall be notified of all repairs which would prohibit the vessel from moving under its own power, or which would prevent the Harbormaster from moving, or having moved, the vessel in an emergency.</p>	<p>A. Repairs to and maintenance of a vessel may be made or accomplished while such vessel is at its assigned berth, provided all such work is done within the confines of the vessel itself and is not carried on in any manner whatsoever upon floats, gangways or docks. Any repairs on vessels must not interfere with any other vessels. These repairs must be accomplished in the assigned berth of the owner of the vessel and not have a negative environmental effect.</p> <p>The Harbormaster Director of Operations shall be notified of all repairs which would prohibit the vessel from moving under its own power, or which would prevent the Harbormaster Director of Operations from moving, or having moved, the vessel in an emergency.</p>

Section	Current Language	Recommended Revisions
3.05.120 Maintenance of vessels.	B. No person shall use welding equipment, a burning torch or any other open flame apparatus without a written "hot work" permit from the Harbormaster, the U.S. Coast Guard and the local fire department, as appropriate. Care must be exercised to maintain the safety of other vessels and District facilities, and an adequate fire watch must be maintained at all times, along with adequate means to extinguish any fire which may occur.	B. No person shall use welding equipment, a burning torch or any other open flame apparatus without a written "hot work" permit from the <del>Harbormaster</del> Director of Operations, the U.S. Coast Guard and the local fire department, as appropriate. Care must be exercised to maintain the safety of other vessels and District facilities, and an adequate fire watch must be maintained at all times, along with adequate means to extinguish any fire which may occur.
3.05.120 Maintenance of vessels.	C. Any vendor performing work aboard a vessel must check in with the Harbormaster prior to going on piers or docks, and must provide evidence of authorization to perform such works.	C. Any vendor performing work aboard a vessel must check in with the <del>Harbormaster</del> Director of Operations prior to going on piers or docks, and must provide evidence of authorization to perform such works.
3.05.150 Fishing prohibited.	A. It shall be unlawful for any person to fish in, at or within District facilities except in those areas designated by the Harbormaster.	A. It shall be unlawful for any person to fish in, at or within District facilities except in those areas designated by the <del>Harbormaster</del> Director of Operations.
3.05.160 Transfer of fish from vessel to vessel prohibited.	All fish purchased from commercial fishermen within Pillar Point Harbor shall be unloaded at a pier or wharf designated by the Harbormaster. The transfer of fish from any commercial fishing vessel to another within the said Pillar Point Harbor, except in accordance with the commercial fishing regulations of the State of California, and the commercial activity permit requirements of this code, is expressly prohibited. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.1.16; prior code § 5.411.]	All fish purchased from commercial fishermen within Pillar Point Harbor shall be unloaded at a pier or wharf designated by the <del>Harbormaster</del> Director of Operations. The transfer of fish from any commercial fishing vessel to another within the said Pillar Point Harbor, except in accordance with the commercial fishing regulations of the State of California, and the commercial activity permit requirements of this code, is expressly prohibited. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.1.16; prior code § 5.411.]
3.05.170 Vessels with valid liveaboard permits, used as residences.	A. No vessel berthed in the marinas of Oyster Point Marina/Park or Pillar Point Harbor shall be used as a place of residence except as authorized by the Harbormaster.	A. No vessel berthed in the marinas of Oyster Point Marina/Park or Pillar Point Harbor shall be used as a place of residence except as authorized by the <del>Harbormaster</del> Director of Operations.

Section	Current Language	Recommended Revisions
3.05.170 Vessels with valid liveaboard permits, used as residences.	B. Any vessel used for overnight accommodation between the hours of ten p.m. and six a.m. for more than three (3) nights in a seven (7) day period shall be considered a residence. A request in writing to the <b>Harbormaster</b> for a reasonable extension of time, i.e., vacation, temporary or visitor's berthing, or extenuating circumstances, will be considered. Written approval from the <b>Harbormaster</b> must be received prior to the fourth night of remaining on board the vessel.	B. Any vessel used for overnight accommodation between the hours of ten p.m. and six a.m. for more than three (3) nights in a seven (7) day period shall be considered a residence. A request in writing to the <b>Harbormaster-Director of Operations</b> for a reasonable extension of time, i.e., vacation, temporary or visitor's berthing, or extenuating circumstances, will be considered. Written approval from the <b>Harbormaster-Director of Operations</b> must be received prior to the fourth night of remaining on board the vessel.
3.05.170 Vessels with valid liveaboard permits, used as residences.	C. The <b>Harbormaster</b> may authorize and designate a limited number of berths as residences. These berths will be designated in each berthing section, depending upon the total number of berths in that section, and will be subject to the following conditions: 1. Vessels receiving residence privileges, i.e., liveaboard permit, from the <b>Harbormaster</b> must be of a cruising type, kept in good repair and in seaworthy condition. The vessels must not be permanently attached to the dock and shall leave the marina waters under their own power, at least once in each ninety (90) day period for a minimum of six (6) hours; 2. Subleasing or renting will not be allowed without the express written permission of the <b>Harbormaster</b> . In all such cases the owner shall remain fully responsible for the vessel, its occupants, and any fees or charges due and payable. The <b>Harbormaster</b> is to be advised in writing of the names and phone numbers of all persons residing on board; 3. Residence privileges may not be transferable with the sale of the vessel. Berthers who have residence privileges may purchase a new vessel and still retain these privileges; provided, that a suitable	C. The <b>Harbormaster-Director of Operations</b> may authorize and designate a limited number of berths as residences. These berths will be designated in each berthing section, depending upon the total number of berths in that section, and will be subject to the following conditions: 1. Vessels receiving residence privileges, i.e., liveaboard permit, from the <b>Harbormaster-Director of Operations</b> must be of a cruising type, kept in good repair and in seaworthy condition. The vessels must not be permanently attached to the dock and shall leave the marina waters under their own power, at least once in each ninety (90) day period for a minimum of six (6) hours; 2. Subleasing or renting will not be allowed without the express written permission of the <b>Harbormaster-Director of Operations</b> . In all such cases the owner shall remain fully responsible for the vessel, its occupants, and any fees or charges due and payable. The <b>Harbormaster-Director of Operations</b> is to be advised in writing of the names and phone numbers of all persons residing on board; 3. Residence privileges may not be transferable with the sale of the vessel. Berthers who have residence privileges may purchase a new vessel and still retain



	<p>berth for the new vessel is available.</p> <p>4. Transient vessels and those moored in the outer harbor of Pillar Point Harbor are not eligible for a liveaboard permit and may not remain overnight unless in compliance with the District's regulations and ordinances governing transient vessels.</p>	<p>these privileges; provided, that a suitable berth for the new vessel is available.</p> <p>4. Transient vessels and those moored in the outer harbor of Pillar Point Harbor are not eligible for a liveaboard permit and may not remain overnight unless in compliance with the District's regulations and ordinances governing transient vessels.</p>
3.05.170 Vessels with valid liveaboard permits, used as residences.	D. Every berther shall report any emergency situation, unusual event, or violation of regulations to the <b>Harbormaster's</b> office.	D. Every berther shall report any emergency situation, unusual event, or violation of regulations to the <b>Harbormaster's-Director of Operation's</b> office.
3.05.170 Vessels with valid liveaboard permits, used as residences.	<p>G. Sewage must be controlled or contained in the following manner unless a written exemption from this section with alternative regulations is given by the <b>Harbormaster</b>:</p> <ol style="list-style-type: none"> <li>1. Installation of self-contained marine head (toilet) such as monomatic or similar;</li> <li>2. Liveaboard boats shall have a holding tank or other device bearing the approval of the <b>Harbormaster</b> and the U.S. Coast Guard, SOLAS, or other entity authorized to issue said approvals, to contain sewage and gray water with no outlet to allow tank or device to be emptied except by pumping.</li> </ol>	<p>G. Sewage must be controlled or contained in the following manner unless a written exemption from this section with alternative regulations is given by the <b>Harbormaster-Director of Operations</b>:</p> <ol style="list-style-type: none"> <li>1. Installation of self-contained marine head (toilet) such as monomatic or similar;</li> <li>2. Liveaboard boats shall have a holding tank or other device bearing the approval of the <b>Harbormaster-Director of Operations</b> and the U.S. Coast Guard, SOLAS, or other entity authorized to issue said approvals, to contain sewage and gray water with no outlet to allow tank or device to be emptied except by pumping.</li> </ol>
3.05.170 Vessels with valid liveaboard permits, used as residences.	<p>H. If marine head (toilet) remains on board, the through hull fittings must be closed and sealed, the seal to be provided by the <b>Harbormaster</b>.</p> <p>The <b>Harbormaster</b> reserves the right to inspect the integrity of the seal at any time. The seal may not be removed except in an emergency, or if outside the waters of the District. If the seal is removed in District waters, the <b>Harbormaster</b> shall be notified.</p>	<p>H. If marine head (toilet) remains on board, the through hull fittings must be closed and sealed, the seal to be provided by the <b>Harbormaster-Director of Operations</b>.</p> <p>The <b>Harbormaster-Director of Operations</b> reserves the right to inspect the integrity of the seal at any time. The seal may not be removed except in an emergency, or if outside the waters of the District. If the seal is removed in District waters, the <b>Harbormaster-Director of Operations</b> shall be notified.</p>

Section	Current Language	Recommended Revisions
3.05.170 Vessels with valid liveaboard permits, used as residences.	L. Any tenant berthing multiple vessels at Oyster Point Marina/Park or Pillar Point Harbor and using one (1) or more of the vessels for overnight accommodation between the hours of ten p.m. and six a.m. for more than three (3) nights in a seven (7) day period shall be considered to be using the vessel(s) as a residence. Written authorization must be received from the <b>Harbormaster</b> prior to using the vessels as a residence. This section, in its entirety, shall apply to tenants receiving said authorization. [Amended during 2014 recodification; Res. 02-13 (Att.); amended by Board, 3/7/2007; amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.1.17; prior code § 5.1001.]	L. Any tenant berthing multiple vessels at Oyster Point Marina/Park or Pillar Point Harbor and using one (1) or more of the vessels for overnight accommodation between the hours of ten p.m. and six a.m. for more than three (3) nights in a seven (7) day period shall be considered to be using the vessel(s) as a residence. Written authorization must be received from the <b>Harbormaster-Director of Operations</b> prior to using the vessels as a residence. This section, in its entirety, shall apply to tenants receiving said authorization. [Amended during 2014 recodification; Res. 02-13 (Att.); amended by Board, 3/7/2007; amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.1.17; prior code § 5.1001.]
3.05.180 Hours of operation of Oyster Point Marina/Park – Penalties for violation.	B. No person shall enter or remain within the Harbor outside of the hours set by resolution of the Board of Harbor Commissioners, without having first obtained written permission to enter or remain from the <b>Harbormaster</b> unless such person has lawful business within the Harbor.	B. No person shall enter or remain within the Harbor outside of the hours set by resolution of the Board of Harbor Commissioners, without having first obtained written permission to enter or remain from the <b>Harbormaster-Director of Operations</b> unless such person has lawful business within the Harbor.
3.05.220 Signage and advertising	A. No sign advertising commercial use of a vessel shall be displayed on any vessel, float, dock or other structure without the express permission of the <b>Harbormaster</b> .	A. No sign advertising commercial use of a vessel shall be displayed on any vessel, float, dock or other structure without the express permission of the <b>Harbormaster-Director of Operations</b> .
3.05.230 Vessels moored in the outer Harbor.	Once any vessel has entered the outer Harbor and remains for forty-eight (48) hours, it must register with the <b>Harbormaster</b> , pay Board authorized fees and must remain moored in the outer Harbor. [Res. 02-13 (Att.). Code 1996 § 3.1.23.]	Once any vessel has entered the outer Harbor and remains for forty-eight (48) hours, it must register with the <b>Harbormaster-Director of Operations</b> pay Board authorized fees and must remain moored in the outer Harbor. [Res. 02-13 (Att.). Code 1996 § 3.1.23.]

Section	Current Language	Recommended Revisions
3.10.100 Dockage permitted in specified areas.	No vessel shall be allowed to tie to a public wharf at Pillar Point Harbor or to the banks, bulkheads, pilings or dolphins of the District within the Harbor except in areas specifically marked and designated by the <b>Harbormaster</b> . Violation of this section shall be an infraction, subject to fine as provided in Cal. Harb. & Nav. Code § 6309.4. [Ord. 77-97; amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.2.10; prior code § 3.301.]	No vessel shall be allowed to tie to a public wharf at Pillar Point Harbor or to the banks, bulkheads, pilings or dolphins of the District within the Harbor except in areas specifically marked and designated by the <del>Harbormaster</del> <b>Director of Operations</b> . Violation of this section shall be an infraction, subject to fine as provided in Cal. Harb. & Nav. Code § 6309.4. [Ord. 77-97; amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.2.10; prior code § 3.301.]
3.10.110 Dockage fee.	Each vessel docking at a public wharf or tying to the banks, berths, bulkheads, pilings or dolphins at, on or within District facilities or to any vessel or vessels which are tied to a public wharf or the banks, berths, bulkheads, pilings or dolphins of the District shall pay prescribed fees. No vessel shall be permitted to use the utilities including electricity or water from said public wharf without first obtaining permission from the <b>Harbormaster</b> and paying the prescribed fees. [Code 1996 § 3.2.11; prior code § 3.302.]	Each vessel docking at a public wharf or tying to the banks, berths, bulkheads, pilings or dolphins at, on or within District facilities or to any vessel or vessels which are tied to a public wharf or the banks, berths, bulkheads, pilings or dolphins of the District shall pay prescribed fees. No vessel shall be permitted to use the utilities including electricity or water from said public wharf without first obtaining permission from the <del>Harbormaster</del> <b>Director of Operations</b> and paying the prescribed fees. [Code 1996 § 3.2.11; prior code § 3.302.]
3.10.130 Vessels being repaired or outfitted.	Vessels which are being repaired or outfitted at District facilities shall obtain a written permit from the <b>Harbormaster</b> . [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.2.13; prior code § 3.304.]	Vessels which are being repaired or outfitted at District facilities shall obtain a written permit from the <del>Harbormaster</del> <b>Director of Operations</b> . [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.2.13; prior code § 3.304.]
3.10.140 Unattended vessels.	No vessel shall be left unattended at District facilities without having first obtained a written permit from the <b>Harbormaster</b> . Violation of this section shall be an infraction, subject to fine as provided in Cal. Harb. & Nav. Code § 6309.4. [Ord. 77-97; amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.2.14; prior code § 3.305.]	No vessel shall be left unattended at District facilities without having first obtained a written permit from the <del>Harbormaster</del> <b>Director of Operations</b> . Violation of this section shall be an infraction, subject to fine as provided in Cal. Harb. & Nav. Code § 6309.4. [Ord. 77-97; amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.2.14; prior code § 3.305.]

Section	Current Language	Recommended Revisions
3.10.150 Removal from pier or other facilities.	<p>Any vessel docked at District facilities for more than one (1) day without payment of dockage fees or left unattended in violation of the ordinances of the District may be moved to a mooring or removed from the Harbor at the discretion of the <b>Harbormaster</b>. The owner of the vessel must pay all fees and the cost of moving the vessel before it will be released. The General Manager shall ensure that the cost of moving the vessel shall be reflected on the owner's account with the District or shall be available upon request of the owner of the vessel in the event that the owner has no account with the District. The owner of the moved or removed vessel may appeal these charges for moving or removing the vessel by submitting a written request to appeal to the General Manager within ten (10) days of the day the vessel is moved or removed. Appeals will be heard at the next regularly scheduled meeting of the Board of Harbor Commissioners. [Res. 02-13 (Att.); amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.2.15; prior code § 3.306.]</p>	<p>Any vessel docked at District facilities for more than one (1) day without payment of dockage fees or left unattended in violation of the ordinances of the District may be moved to a mooring or removed from the Harbor at the discretion of the <del>Harbormaster</del><b>Director of Operations</b>. The owner of the vessel must pay all fees and the cost of moving the vessel before it will be released. The General Manager shall ensure that the cost of moving the vessel shall be reflected on the owner's account with the District or shall be available upon request of the owner of the vessel in the event that the owner has no account with the District. The owner of the moved or removed vessel may appeal these charges for moving or removing the vessel by submitting a written request to appeal to the General Manager within ten (10) days of the day the vessel is moved or removed. Appeals will be heard at the next regularly scheduled meeting of the Board of Harbor Commissioners. [Res. 02-13 (Att.); amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.2.15; prior code § 3.306.]</p>
3.10.190 Dinghy storage and dockage.	<p>Storage or dockage of a dinghy shall be permitted at facilities provided for said purposes as designated and subject to regulation by the <b>Harbormaster</b> at District facilities upon payment of prescribed fees. Payment of dinghy storage or dockage on a monthly or annual basis shall entitle the permittee to use the District's hoist installed at the dinghy storage area for the purpose of removing the dinghy from the Harbor or restoring dinghies to the Harbor without payment of any additional fee. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.2.19; prior code § 3.601.]</p>	<p>Storage or dockage of a dinghy shall be permitted at facilities provided for said purposes as designated and subject to regulation by the <del>Harbormaster</del><b>Director of Operations</b> at District facilities upon payment of prescribed fees. Payment of dinghy storage or dockage on a monthly or annual basis shall entitle the permittee to use the District's hoist installed at the dinghy storage area for the purpose of removing the dinghy from the Harbor or restoring dinghies to the Harbor without payment of any additional fee. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.2.19; prior code § 3.601.]</p>

Section	Current Language	Recommended Revisions
3.20.010 Applications for berths.	Once any vessel has entered the outer Harbor and remains for forty-eight (48) hours, it must register with the <b>Harbormaster</b> , pay Board authorized fees and must remain moored in the outer Harbor. [Res. 02-13 (Att.). Code 1996 § 3.1.23.]	Once any vessel has entered the outer Harbor and remains for forty-eight (48) hours, it must register with the <del>Harbormaster</del> <b>Director of Operations</b> , pay Board authorized fees and must remain moored in the outer Harbor. [Res. 02-13 (Att.). Code 1996 § 3.1.23.]
3.20.030 Waiting list.	A waiting list shall be maintained by the <b>Harbormaster</b> in a manner prescribed by the Board of Harbor Commissioners. Three (3) nonresponses or refusals of berth assignment will result in the name being removed from the waiting list. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.4.3; prior code § 5.903.]	A waiting list shall be maintained by the <del>Harbormaster</del> <b>Director of Operations</b> in a manner prescribed by the Board of Harbor Commissioners. Three (3) nonresponses or refusals of berth assignment will result in the name being removed from the waiting list. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.4.3; prior code § 5.903.]
3.20.050 Occupancy within thirty (30) days.	A boat registered to the applicant shall be placed in the assigned berth within thirty (30) days of acceptance. Requests for extensions must be in writing and approved by the <b>Harbormaster</b> . If an extension is granted, the <b>Harbormaster</b> reserves the right to sublet the area temporarily after the thirty (30) day period of acceptance. [Code 1996 § 3.4.5; prior code § 5.905.]	A boat registered to the applicant shall be placed in the assigned berth within thirty (30) days of acceptance. Requests for extensions must be in writing and approved by the <del>Harbormaster</del> <b>Director of Operations</b> . If an extension is granted, the <del>Harbormaster</del> <b>Director of Operations</b> reserves the right to sublet the area temporarily after the thirty (30) day period of acceptance. [Code 1996 § 3.4.5; prior code § 5.905.]
3.20.060 Berth exchange.	Berth renters may exchange berths when mutually agreeable and approved in writing by the <b>Harbormaster</b> . [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.4.6; prior code § 5.906.]	Berth renters may exchange berths when mutually agreeable and approved in writing by the <del>Harbormaster</del> <b>Director of Operations</b> . [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.4.6; prior code § 5.906.]
3.20.070 Changes in berthing.	Any requests for changes in berthing by a berth renter shall be in writing. If a berth is available, it will be assigned. If not, the name will be put on a waiting list for changes, which shall be maintained by the <b>Harbormaster</b> . [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.4.7; prior code § 5.907.]	Any requests for changes in berthing by a berth renter shall be in writing. If a berth is available, it will be assigned. If not, the name will be put on a waiting list for changes, which shall be maintained by the <del>Harbormaster</del> <b>Director of Operations</b> . [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.4.7; prior code § 5.907.]

Section	Current Language	Recommended Revisions
3.20.090 Transfer of berths by renter.	A berth renter who sells his or her boat cannot transfer the berth to the purchaser unless the request, submitted in writing, is mutually agreeable to both buyer and seller and approved by the <b>Harbormaster</b> . [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.4.9; prior code § 5.909.]	A berth renter who sells his or her boat cannot transfer the berth to the purchaser unless the request, submitted in writing, is mutually agreeable to both buyer and seller and approved by the <del>Harbormaster</del> <b>Director of Operations</b> . [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.4.9; prior code § 5.909.]
3.20.110 Unauthorized berth occupancy prohibited.	Unauthorized berth occupancy is prohibited. The <b>Harbormaster</b> is authorized to move, secure, or impound any such boat. [Code 1996 § 3.4.11; prior code § 5.911.]	Unauthorized berth occupancy is prohibited. The <del>Harbormaster</del> <b>Director of Operations</b> is authorized to move, secure, or impound any such boat. [Code 1996 § 3.4.11; prior code § 5.911.]
3.20.120 Cancellation of berths.	A. The <b>Harbormaster</b> shall be notified in writing of the exact date of release of assigned facilities; charges will continue until such notice is given. Written notice can be made by the return of the vessel owner's copy of the original application for the berth with the request for release written in the space provided thereon. Required time of notice is at least thirty (30) days as established by resolution of the Board of Harbor Commissioners. Telephone cancellation will be accepted, provided written confirmation is received within five (5) days.	A. The <del>Harbormaster</del> <b>Director of Operations</b> shall be notified in writing of the exact date of release of assigned facilities; charges will continue until such notice is given. Written notice can be made by the return of the vessel owner's copy of the original application for the berth with the request for release written in the space provided thereon. Required time of notice is at least thirty (30) days as established by resolution of the Board of Harbor Commissioners. Telephone cancellation will be accepted, provided written confirmation is received within five (5) days.
3.20.120 Cancellation of births.	B. The <b>Harbormaster</b> shall have the authority to cancel assigned berth(s) with thirty (30) days' notice in writing to the boat owner at the address of record for any violation of this chapter. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.4.12; prior code § 5.912.]	B. The <del>Harbormaster</del> <b>Director of Operations</b> shall have the authority to cancel assigned berth(s) with thirty (30) days' notice in writing to the boat owner at the address of record for any violation of this chapter. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.4.12; prior code § 5.912.]

Section	Current Language	Recommended Revisions
3.20.130 Temporary removal of vessels.	Boat owners who wish to remove their vessels from the marina for a period in excess of thirty (30) days and do not want to release their berths permanently shall pay the established monthly berth rates. The District may use the berth(s) for temporary and visitor berthing. Seven (7) days' notice is required in writing to the <b>Harbormaster</b> prior to removing the vessel and fifteen (15) days' notice in writing is required prior to returning the vessel to the berth. [Code 1996 § 3.4.13; prior code § 5.913.]	Boat owners who wish to remove their vessels from the marina for a period in excess of thirty (30) days and do not want to release their berths permanently shall pay the established monthly berth rates. The District may use the berth(s) for temporary and visitor berthing. Seven (7) days' notice is required in writing to the <del>Harbormaster</del> <u>Director of Operations</u> prior to removing the vessel and fifteen (15) days' notice in writing is required prior to returning the vessel to the berth. [Code 1996 § 3.4.13; prior code § 5.913.]
3.20.140 Use of assigned berths.	Use of a berth is restricted to one (1) vessel only. A dinghy or small boat up to twelve (12) feet in length can also be kept in the berth; provided, that neither vessel extends beyond the limits of the berth width and length. An exception to this provision may be permitted by the <b>Harbormaster</b> if the size of the berth will permit its use by two (2) or more vessels. The rental charge for those berths will be based on the overall length of each vessel, or the length of the berth, whichever is greater. [Code 1996 § 3.4.14; prior code § 5.914.]	Use of a berth is restricted to one (1) vessel only. A dinghy or small boat up to twelve (12) feet in length can also be kept in the berth; provided, that neither vessel extends beyond the limits of the berth width and length. An exception to this provision may be permitted by the <del>Harbormaster</del> <u>Director of Operations</u> if the size of the berth will permit its use by two (2) or more vessels. The rental charge for those berths will be based on the overall length of each vessel, or the length of the berth, whichever is greater. [Code 1996 § 3.4.14; prior code § 5.914.]
3.15.030 Cancellation – Use of unoccupied moorings.	C. If not removed within thirty (30) days, said mooring may be removed by the <b>Harbormaster</b> and the cost thereof shall be paid by the owner of the mooring;	C. If not removed within thirty (30) days, said mooring may be removed by the <del>Harbormaster</del> <u>Director of Operations</u> and the cost thereof shall be paid by the owner of the mooring;
3.15.030 Cancellation – Use of unoccupied moorings.	D. If said mooring is unoccupied, it may be temporarily assigned as a mooring for a guest vessel by the <b>Harbormaster</b> . Fifty (50) percent of the fees collected from said temporary assignment of a mooring shall be credited to the owner of the mooring, and fifty (50) percent shall be retained by the District for administrative costs;	D. If said mooring is unoccupied, it may be temporarily assigned as a mooring for a guest vessel by the <del>Harbormaster</del> <u>Director of Operations</u> . Fifty (50) percent of the fees collected from said temporary assignment of a mooring shall be credited to the owner of the mooring, and fifty (50) percent shall be retained by the District for administrative costs;
3.15.030 Cancellation – Use of unoccupied moorings.	F. No mooring may be leased or rented by the permittee to another person except with the written permission of the <b>Harbormaster</b> ;	F. No mooring may be leased or rented by the permittee to another person except with the written permission of the <del>Harbormaster</del> <u>Director of Operations</u> ;

Section	Current Language	Recommended Revisions
3.15.050 Delinquent fees.	When the fee for a mooring period is in arrears for a period of thirty (30) days or more, the <b>Harbormaster</b> may cancel the permit upon five (5) days' written notice to the permittee by first class mail to the address shown on the permit. If the mooring is not removed by the owner within thirty (30) days after cancellation of permit, it shall be deemed abandoned and title thereto shall vest in the District. [Code 1996 § 3.3.5; prior code § 5.705.]	When the fee for a mooring period is in arrears for a period of thirty (30) days or more, the <del>Harbormaster</del> <b>Director of Operations</b> may cancel the permit upon five (5) days' written notice to the permittee by first class mail to the address shown on the permit. If the mooring is not removed by the owner within thirty (30) days after cancellation of permit, it shall be deemed abandoned and title thereto shall vest in the District. [Code 1996 § 3.3.5; prior code § 5.705.]
3.15.060 Unauthorized use of mooring.	No person shall use a mooring unless he holds a current and valid permit therefor, except for temporary use with the permission of the <b>Harbormaster</b> as provided in this chapter. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.3.6; prior code § 5.706.]	No person shall use a mooring unless he holds a current and valid permit therefor, except for temporary use <del>with the permission of the</del> <b>Director of Operations</b> Harbormaster as provided in this chapter. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.3.6; prior code § 5.706.]
3.15.070 Permit transferable.	Any permit issued under this chapter authorizes the permittee to use a limited water area and submerged land area for mooring purposes only and is transferable only with the written permission of the <b>Harbormaster</b> . Mooring equipment remains the property of the permit holder unless sold or forfeited as provided in this chapter. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.3.7; prior code § 5.707.]	Any permit issued under this chapter authorizes the permittee to use a limited water area and submerged land area for mooring purposes only and is transferable only with the written permission of the <del>Harbormaster</del> <b>Director of Operations</b> . Mooring equipment remains the property of the permit holder unless sold or forfeited as provided in this chapter. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.3.7; prior code § 5.707.]
3.15.120 Inspection of moorings.	The owner of each mooring shall cause a certified diver to inspect said moorings at least once every two (2) years and the results of the inspection shall be conveyed in writing to the <b>Harbormaster</b> . The <b>Harbormaster</b> may require any mooring to be removed and repaired at any time when deemed necessary to bring the mooring up to specifications when the inspection reveals that it is not in good condition. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.3.12; prior code § 5.805.]	The owner of each mooring shall cause a certified diver to inspect said moorings at least once every two (2) years and the results of the inspection shall be conveyed in writing to the <del>Harbormaster</del> <b>Director of Operations</b> . The <del>Harbormaster</del> <b>Director of Operations</b> may require any mooring to be removed and repaired at any time when deemed necessary to bring the mooring up to specifications when the inspection reveals that it is not in good condition. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.3.12; prior code § 5.805.]



Section	Current Language	Recommended Revisions
3.15.130 Mooring removal and/or relocation.	The <b>Harbormaster</b> may require that a mooring be relocated at any time, after which the <b>Harbormaster</b> shall notify the owner of the mooring to relocate same when possible. Such relocation shall be completed at expense of owner of mooring within forty-five (45) days after mailing of written notification addressed to the last known address of the owner of the mooring. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.3.13; prior code § 5.806.]	The <del>Harbormaster</del> <b>Director of Operations</b> may require that a mooring be relocated at any time, after which the <del>Harbormaster</del> <b>Director of Operations</b> shall notify the owner of the mooring to relocate same when possible. Such relocation shall be completed at expense of owner of mooring within forty-five (45) days after mailing of written notification addressed to the last known address of the owner of the mooring. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.3.13; prior code § 5.806.]
3.15.140 Number of vessels.	No more than one (1) vessel is permitted to be attached to a mooring without the written permission of the <b>Harbormaster</b> . [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.3.14.]	No more than one (1) vessel is permitted to be attached to a mooring without the written permission of the <del>Harbormaster</del> <b>Director of Operations</b> . [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.3.14.]
3.25.010 Launching and removing.	It is unlawful for any person to launch or recover from the waters of the District any vessel except at such public or commercial locations specifically designated by the District for such purpose, unless permission to do so is first obtained from the <b>Harbormaster</b> . [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.5.1; prior code § 5.601.]	It is unlawful for any person to launch or recover from the waters of the District any vessel except at such public or commercial locations specifically designated by the District for such purpose, unless permission to do so is first obtained from the <del>Harbormaster</del> <b>Director of Operations</b> . [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.5.1; prior code § 5.601.]
3.25.050 Launch ramp hours of operation.	Public launch ramps operated by the District shall have their operating hours posted in a manner which can readily be seen by the users of the launch ramp. It shall be unlawful to launch boats using the ramp during closed periods unless permission has been granted by the <b>Harbormaster</b> . [Code 1996 § 3.5.5; prior code § 5.605.]	Public launch ramps operated by the District shall have their operating hours posted in a manner which can readily be seen by the users of the launch ramp. It shall be unlawful to launch boats using the ramp during closed periods unless permission has been granted by the <del>Harbormaster</del> <b>Director of Operations</b> . [Code 1996 § 3.5.5; prior code § 5.605.]

Section	Current Language	Recommended Revisions
3.30.010 Access to marina and vessels.	The berthing area of marina facilities is closed to the general public, except to owners or residents of vessels berthed in the marina, their authorized guests and those receiving special permission from the <b>Harbormaster</b> . The public dock is open and accessible to the general public during prescribed operating hours. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.6.1; prior code § 5.415.]	The berthing area of marina facilities is closed to the general public, except to owners or residents of vessels berthed in the marina, their authorized guests and those receiving special permission from the <del>Harbormaster</del> <b>Director of Operations</b> . The public dock is open and accessible to the general public during prescribed operating hours. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.6.1; prior code § 5.415.]
3.30.040 Dock boxes.	Dock boxes are available only to vessel owners having vessels berthed in the marina and at rates established by the Board of Harbor Commissioners. Dock boxes must be vacated upon the release of berth. Rental of dock boxes is restricted to one (1) dock box per berth. Dock boxes shall be kept in a safe condition with a minimum amount of flammable material and shall be subject to inspection by the <b>Harbormaster</b> at all reasonable times. Dock box lids shall be securely closed at all times except when actually in use. The renter shall be responsible for any and all repairs required to dock boxes due to the negligence or actions of the renter. All repairs to dock boxes shall be effected by the <b>Harbormaster</b> or his or her designee. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.6.4; prior code § 5.414.]	Dock boxes are available only to vessel owners having vessels berthed in the marina and at rates established by the Board of Harbor Commissioners. Dock boxes must be vacated upon the release of berth. Rental of dock boxes is restricted to one (1) dock box per berth. Dock boxes shall be kept in a safe condition with a minimum amount of flammable material and shall be subject to inspection by the <del>Harbormaster</del> <b>Director of Operations</b> at all reasonable times. Dock box lids shall be securely closed at all times except when actually in use. The renter shall be responsible for any and all repairs required to dock boxes due to the negligence or actions of the renter. All repairs to dock boxes shall be effected by the <del>Harbormaster</del> <b>Director of Operations</b> or his or her designee. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.6.4; prior code § 5.414.]
3.30.070 Lifesaving appliances.	B. Lifesaving appliances maintained by said owners, agents or lessees of the District shall be kept in suitable containers properly labeled in such places as the <b>Harbormaster</b> shall direct and shall at all times during the day and night be conveniently accessible for the purpose of rescuing persons from drowning. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.6.7; prior code § 5.404.]	B. Lifesaving appliances maintained by said owners, agents or lessees of the District shall be kept in suitable containers properly labeled in such places as the <del>Harbormaster</del> <b>Director of Operations</b> shall direct and shall at all times during the day and night be conveniently accessible for the purpose of rescuing persons from drowning. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.6.7; prior code § 5.404.]

Section	Current Language	Recommended Revisions
3.30.100 Swimming and/or underwater diving.	B. The <b>Harbormaster</b> is authorized and directed to install and maintain signs in such number and at such places in said marina as deemed necessary in order to give notice to persons that swimming, bathing and wading are prohibited therein.	B. The <del>Harbormaster</del> <b>Director of Operations</b> is authorized and directed to install and maintain signs in such number and at such places in said marina as deemed necessary in order to give notice to persons that swimming, bathing and wading are prohibited therein.
3.30.100 Swimming and/or underwater diving.	C. The <b>Harbormaster</b> shall be advised of all diving operations conducted within the marina or Harbor. Each such diving operation shall be required to display such flags or signage which would alert the public and other Harbor users of the presence of the diving operation. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.6.10; prior code § 5.109.]	C. The <del>Harbormaster</del> <b>Director of Operations</b> shall be advised of all diving operations conducted within the marina or Harbor. Each such diving operation shall be required to display such flags or signage which would alert the public and other Harbor users of the presence of the diving operation. [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.6.10; prior code § 5.109.]
3.30.140 Unlawful to discharge substances into Harbor.	E. Sanitary facilities (marine toilet, or head, sinks, etc.) shall not be used while the vessel is in waters of the District unless the vessel is equipped with an approved holding tank, incinerator, recirculation device or their equivalent, approved by the <b>Harbormaster</b> and the U.S. Coast Guard and in compliance with SMCHDOC 3.05.170. It shall be unlawful for any person to discharge sewage or other pollutants into the waters of the District.	E. Sanitary facilities (marine toilet, or head, sinks, etc.) shall not be used while the vessel is in waters of the District unless the vessel is equipped with an approved holding tank, incinerator, recirculation device or their equivalent, approved by the <del>Harbormaster</del> <b>Director of Operations</b> and the U.S. Coast Guard and in compliance with SMCHDOC 3.05.170. It shall be unlawful for any person to discharge sewage or other pollutants into the waters of the District.
3.30.150 Unlawful to unload explosives.	It shall be unlawful for any person to load, unload or transfer explosives to or from any vessel or wharf without first obtaining permission from the U.S. Coast Guard and the <b>Harbormaster</b> . No vessel shall be permitted to enter the Harbor with explosives on board in a commercial quantity excepting public vessels of the United States or the State of California without first having received permission from the <b>Harbormaster</b> . [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.6.15; prior code § 5.401.]	It shall be unlawful for any person to load, unload or transfer explosives to or from any vessel or wharf without first obtaining permission from the U.S. Coast Guard and the <del>Harbormaster</del> <b>Director of Operations</b> . No vessel shall be permitted to enter the Harbor with explosives on board in a commercial quantity excepting public vessels of the United States or the State of California without first having received permission from the <del>Harbormaster</del> <b>Director of Operations</b> . [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.6.15; prior code § 5.401.]

Section	Current Language	Recommended Revisions
3.35.010 Vehicles on wharfs, piers, docks or landings.	A. It shall be unlawful for any person to drive or operate or permit to be driven or operated any motor vehicle onto or upon any public wharf or pier except for the purpose of loading or discharging freight or passengers or while actually engaged in the performance of necessary duties which require the presence of such vehicle on such wharf, pier or landing without first obtaining the permission of the Harbormaster.	A. It shall be unlawful for any person to drive or operate or permit to be driven or operated any motor vehicle onto or upon any public wharf or pier except for the purpose of loading or discharging freight or passengers or while actually engaged in the performance of necessary duties which require the presence of such vehicle on such wharf, pier or landing without first obtaining the permission of the <del>Harbormaster</del> Director of Operations
3.35.010 Vehicles on wharfs, piers, docks or landings.	B. Any such vehicle on such wharf, pier or landing shall be subject to rules and regulations of the District and shall be under the attendance of the operator thereof. It shall be the duty of such operator to immediately remove such vehicle from such wharf or landing upon the completion of the transaction of his or her necessary business thereon, or if ordered by the Harbormaster.	B. Any such vehicle on such wharf, pier or landing shall be subject to rules and regulations of the District and shall be under the attendance of the operator thereof. It shall be the duty of such operator to immediately remove such vehicle from such wharf or landing upon the completion of the transaction of his or her necessary business thereon, or if ordered by the <del>Harbormaster</del> Director of Operations.
3.35.010 Vehicles on wharfs, piers, docks or landings.	C. It shall be the duty of the Harbormaster to take charge of and remove any vehicle left upon any wharf, pier or landing in violation of this section and to tow the same at the owner's expense. Prior to release of said vehicle, all fees for towing and storage shall be paid.	C. It shall be the duty of the <del>Harbormaster</del> Director of Operations to take charge of and remove any vehicle left upon any wharf, pier or landing in violation of this section and to tow the same at the owner's expense. Prior to release of said vehicle, all fees for towing and storage shall be paid.
3.35.010 Vehicles on wharfs, piers, docks or landings.	D. Any person violating this section shall, in addition to pecuniary penalties provided by ordinances of the District, be refused further access to any public wharf or pier without first obtaining special permission therefor from the Harbormaster.	D. Any person violating this section shall, in addition to pecuniary penalties provided by ordinances of the District, be refused further access to any public wharf or pier without first obtaining special permission therefor from the <del>Harbormaster</del> Director of Operations.

Section	Current Language	Recommended Revisions
3.35.020 Parking.	D. Permission must be obtained from the <b>Harbormaster</b> prior to parking any vehicle, trailer or boat in the parking areas at, in or within the District facilities for a period exceeding seventy-two (72) consecutive hours. If permission is not requested or granted, the vehicle, trailer or boat will be removed and stored at the owner's expense. Prior to release of said vehicle, all fees for towing and storage shall be paid.	D. Permission must be obtained from the <del>Harbormaster</del> <u>Director of Operations</u> prior to parking any vehicle, trailer or boat in the parking areas at, in or within the District facilities for a period exceeding seventy-two (72) consecutive hours. If permission is not requested or granted, the vehicle, trailer or boat will be removed and stored at the owner's expense. Prior to release of said vehicle, all fees for towing and storage shall be paid.
3.35.020 Parking.	F. The use of any vehicle for eating or sleeping for over four (4) hours per day while parked in the Harbor or marina parking areas is prohibited without written permission from the <b>Harbormaster</b> . If permission is not requested or granted, the vehicle may be removed and stored at the owner's expense. Prior to release of said vehicle, all fees for towing and storage shall be paid. [Amended through codification process of 1995, Ord. 74-96; Ord. 70-92 § 1, 1992. Code 1996 § 3.7.2; prior code § 5.202.]	F. The use of any vehicle for eating or sleeping for over four (4) hours per day while parked in the Harbor or marina parking areas is prohibited without written permission from the <del>Harbormaster</del> <u>Director of Operations</u> . If permission is not requested or granted, the vehicle may be removed and stored at the owner's expense. Prior to release of said vehicle, all fees for towing and storage shall be paid. [Amended through codification process of 1995, Ord. 74-96; Ord. 70-92 § 1, 1992. Code 1996 § 3.7.2; prior code § 5.202.]
3.35.030 Operation of vehicles.	No person shall start, drive, operate, coast, move, park or possess a motor driven vehicle or any bicycle, coaster, trailer or other man or gravity powered vehicle, upon that portion of the public lands of the facilities of the District except upon roadways clearly marked as those designated for the use of motorized and other vehicular traffic, without the prior written consent and authorization of the <b>Harbormaster</b> . [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.7.3; prior code § 5.203.]	No person shall start, drive, operate, coast, move, park or possess a motor driven vehicle or any bicycle, coaster, trailer or other man or gravity powered vehicle, upon that portion of the public lands of the facilities of the District except upon roadways clearly marked as those designated for the use of motorized and other vehicular traffic, without the prior written consent and authorization of the <del>Harbormaster</del> <u>Director of Operations</u> . [Amended through codification process of 1995, Ord. 74-96. Code 1996 § 3.7.3; prior code § 5.203.]

Section	Current Language	Recommended Revisions
3.35.040 Repairing vehicles, vessels or trailers prohibited.	It shall be unlawful for any person to construct, cause to be constructed, repair, or cause to be repaired any vehicle, vessel, or trailer, or any part thereof, upon any District facility, parking lot, or roadway, without the prior written consent and authorization of the <b>Harbormaster</b> or his/her designee, except to make temporary emergency repairs necessary to move the vehicle, vessel or trailer. "Repairs" include, but are not limited to: bottom cleaning; removing and/or replacing of parts; removing, replacing, and/or flushing of any fluids including oils and coolants; any activities which require jacks or jack stands; or any activities which might adversely affect the environment, public safety, and/or District property. [Code 1996 § 3.7.4.]	It shall be unlawful for any person to construct, cause to be constructed, repair, or cause to be repaired any vehicle, vessel, or trailer, or any part thereof, upon any District facility, parking lot, or roadway, without the prior written consent and authorization of the <b>Harbermaster-Director of Operations</b> or his/her designee, except to make temporary emergency repairs necessary to move the vehicle, vessel or trailer. "Repairs" include, but are not limited to: bottom cleaning; removing and/or replacing of parts; removing, replacing, and/or flushing of any fluids including oils and coolants; any activities which require jacks or jack stands; or any activities which might adversely affect the environment, public safety, and/or District property. [Code 1996 § 3.7.4.]
3.40.010 Hours of operation – Use restrictions.	D. Notwithstanding the foregoing, the <b>Harbormaster</b> may make a determination that vehicles considered not suitable for accommodation are not allowed to park on site at any time overnight. [Amended through codification process of 1995, Ord. 74-96; Ord. 63 § 1, 1987. Code 1996 § 3.8.1.]	D. Notwithstanding the foregoing, the <b>Harbermaster-Director of Operations</b> may make a determination that vehicles considered not suitable for accommodation are not allowed to park on site at any time overnight. [Amended through codification process of 1995, Ord. 74-96; Ord. 63 § 1, 1987. Code 1996 § 3.8.1.]
3.40.050 Noise restrictions.	All users of said site shall refrain from causing or allowing any excessive noise production, from whatever source, from the hours of seven p.m. to seven a.m., such as to disturb or annoy others, including, but not limited to, use of loud music equipment, radios, television or other machinery, loud partying, playing, sport activity, or other use of the site that exceeds the standard tolerance of the remaining users, to be determined at the discretion of the <b>Harbormaster</b> . [Ord. 63 § 4, 1987. Code 1996 § 3.8.5.]	All users of said site shall refrain from causing or allowing any excessive noise production, from whatever source, from the hours of seven p.m. to seven a.m., such as to disturb or annoy others, including, but not limited to, use of loud music equipment, radios, television or other machinery, loud partying, playing, sport activity, or other use of the site that exceeds the standard tolerance of the remaining users, to be determined at the discretion of the <b>Harbermaster-Director of Operations</b> [Ord. 63 § 4, 1987. Code 1996 § 3.8.5.]

Section	Current Language	Recommended Revisions
3.40.070 Enforcement.	<p>B. The District's <b>Harbormaster</b> and any officer of the City of Half Moon Bay Police Department or fire officer of the Coastside Fire Protection District are authorized to give reasonable orders to any recreational vehicle site tenant to protect the public health, safety and welfare; promote appropriate and beneficial use of the site; and avoid dangerous conditions, disputes or other problems, including, but not limited to, an order to immediately remove their vehicle for the failure to obey all relevant rules or laws, failure to pay fees, or because said vehicle constitutes a hazard. A violation of said order shall be deemed a misdemeanor by operation of the ordinance codified in this chapter. [Amended during 2014 recodification; amended through codification process of 1995, Ord. 74-96; Ord. 63 §§ 7, 8, 1987. Code 1996 § 3.8.7.]</p>	<p>B. The District's <del>Harbormaster</del> <u>Director of Operations</u> and any officer of the City of Half Moon Bay Police Department or fire officer of the Coastside Fire Protection District are authorized to give reasonable orders to any recreational vehicle site tenant to protect the public health, safety and welfare; promote appropriate and beneficial use of the site; and avoid dangerous conditions, disputes or other problems, including, but not limited to, an order to immediately remove their vehicle for the failure to obey all relevant rules or laws, failure to pay fees, or because said vehicle constitutes a hazard. A violation of said order shall be deemed a misdemeanor by operation of the ordinance codified in this chapter. [Amended during 2014 recodification; amended through codification process of 1995, Ord. 74-96; Ord. 63 §§ 7, 8, 1987. Code 1996 § 3.8.7.]</p>
3.40.080 Commercial fishermen – special passes.	<p>Notwithstanding any other provision in this chapter to the contrary, the <b>Harbormaster</b> is authorized to provide special passes to commercial fishermen, who are operating a vessel out of the Harbor, and can demonstrate the need for extended stay or reduced rates, authorizing them to remain longer than otherwise allowed in a location and at a rate specified by the Board of Harbor Commissioners. [Amended through codification process of 1995, Ord. 74-96; Ord. 63 § 9, 1987. Code 1996 § 3.8.8.]</p>	<p>Notwithstanding any other provision in this chapter to the contrary, the <del>Harbormaster</del> <u>Director of Operations</u> is authorized to provide special passes to commercial fishermen, who are operating a vessel out of the Harbor, and can demonstrate the need for extended stay or reduced rates, authorizing them to remain longer than otherwise allowed in a location and at a rate specified by the Board of Harbor Commissioners. [Amended through codification process of 1995, Ord. 74-96; Ord. 63 § 9, 1987. Code 1996 § 3.8.8.]</p>

Section	Current Language	Recommended Revisions
3.45.010 General regulations.	B. Vessels shall not depart the marinas of the District with passengers for hire on board without first depositing with the <b>Harbormaster</b> or other agent of the District, in the manner or by the method prescribed, a float plan or crew and passenger manifest. The float plan or crew and passenger manifest shall contain, at a minimum, the following information: name of vessel, official number or registration number of vessel, name of vessel master, license number of vessel master, full name, address and telephone number of all persons on board.	B. Vessels shall not depart the marinas of the District with passengers for hire on board without first depositing with the <u>Harbormaster-Director of Operations</u> or other agent of the District, in the manner or by the method prescribed, a float plan or crew and passenger manifest. The float plan or crew and passenger manifest shall contain, at a minimum, the following information: name of vessel, official number or registration number of vessel, name of vessel master, license number of vessel master, full name, address and telephone number of all persons on board.
3.45.010 General regulations.	C. Full crew information required by the U.S. Coast Guard shall be on file with the <b>Harbormaster</b> or other agent of the District. Required information shall include a copy of drug testing certificate, name, address, and telephone number of drug testing agency.	C. Full crew information required by the U.S. Coast Guard shall be on file with the <u>Harbormaster-Director of Operations</u> or other agent of the District. Required information shall include a copy of drug testing certificate, name, address, and telephone number of drug testing agency.
3.55.010 Authorization required.	The owner of any boat or vessel, including a skiff, dinghy or rowboat entering the Harbor, must provide proof of ownership and registration to the <b>Harbormaster</b> , obtain written authorization from the <b>Harbormaster</b> to remain and pay all applicable fees established by the District. In the event that the owner has just arrived at the Harbor and must use a skiff or other small boat to get to shore, the owner must immediately inform the <b>Harbormaster</b> of his presence and use of the vessel, among other requirements listed within this code. [Res. 02-13 (Att.). Code 1996 § 3.11.1.]	The owner of any boat or vessel, including a skiff, dinghy or rowboat entering the Harbor, must provide proof of ownership and registration to the <u>Harbormaster-Director of Operations</u> , obtain written authorization from the <u>Harbormaster-Director of Operations</u> to remain and pay all applicable fees established by the District. In the event that the owner has just arrived at the Harbor and must use a skiff or other small boat to get to shore, the owner must immediately inform the <u>Harbormaster-Director of Operations</u> of his presence and use of the vessel, among other requirements listed within this code. [Res. 02-13 (Att.). Code 1996 § 3.11.1.]
5.10.010 Commercial activity permits – General.	A. It is unlawful for any person to sell or publicly solicit for sale any merchandise within the boundaries of the District unless a permit is first obtained from the District. The District shall establish bulletin boards which may be used to offer for sale various merchandise and services which may be of interest to the users of District facilities. The <b>Harbormaster</b> may, from time to	A. It is unlawful for any person to sell or publicly solicit for sale any merchandise within the boundaries of the District unless a permit is first obtained from the District. The District shall establish bulletin boards which may be used to offer for sale various merchandise and services which may be of interest to the users of District facilities. The <u>Harbormaster-Director of</u>



	time, peruse items posted on the bulletin boards and cull those items which are expired, defaced or inappropriate to the intended use of the bulletin board.	<u>Operations</u> may, from time to time, peruse items posted on the bulletin boards and cull those items which are expired, defaced or inappropriate to the intended use of the bulletin board.
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