RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA ESTABLISHING WATERFRONT HARBOR SLIP, MOORING AND USER FEES AND RESCINDING RESOLUTION NOS. 14-048 AND 15-001

WHEREAS, the City provides, maintains and operates a variety of programs and services to the public;

WHEREAS, certain sections of the state and municipal code authorize the imposition and collection of fees to defray the costs of providing certain programs and services;

WHEREAS, certain fee schedules as attached cite the specific state or municipal authority under which fees and charges are collected; and,

WHEREAS, the City Council wishes to adopt certain Waterfront fees separately from other City fees due to the conflicts of interest of certain Councilmembers.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA THAT:

Section 1. The Council hereby determines and finds that:

a. Funds are needed to defray the cost of providing programs and services furnished by the City.

b. The funds needed to defray such operating expenses can and should be obtained by setting fees and charges for these programs and services.

c. The setting of fees and charges for these programs and services is exempt from compliance with the requirements of the California Environmental Quality Act (CEQA) under Public Resources Code Section 21080(b)(8)(1)-(4) and Title 14 of the California Administrative Code, Section 15273(a)(1)-(4).

Section 2. The Waterfront Harbor Slip, Mooring and User Fees for the Fiscal Year 2016 are adopted as set forth in the pages 128 through 141 of the City of Santa Barbara Schedule of Penalties, Fees and Service Charges, attached hereto.

Section 3. The penalties, fees, and service charges contained in the attached schedule shall be effective July 1, 2015, unless otherwise indicated.

Section 4. Resolution Nos. 14-048 and 15-001 are hereby rescinded.

Section 5. All other fee resolutions in effect shall remain in full force.

WATERFRONT HARBOR SLIP, MOORING, AND USER FEES

Fees for the privilege of mooring, anchoring, or tying up vessels in any part of the Harbor or for using City Harbor facilities or services identified herein shall be as follows:

A. MOORING AND SLIP FEES

The following rate and fee schedule shall apply to vessels having assigned moorings or slips in the harbor.

1. Fishermen's Floats North and South

   Per foot of vessel length per month: $4.90. This rate shall also apply to up to 18 slips in Marina 1-A, designated by the Waterfront Director for qualifying commercial fishermen.

2. Skiff Row

   Provided that the area is intended primarily for the docking of skiffs that serve as tenders to mother vessels moored or anchored in the Harbor District and secondarily on a space available basis to skiffs as determined by the Harbormaster, including service skiffs used by Business Activity Permit holders and skiffs used for harbor and vessel maintenance. All skiffs will be measured and photographed prior to permit issuance.

   a. Maximum of 80 permits issued at any one time.
   b. No more than one permit per individual.
   c. Maximum overall length of 15’ per skiff, including mounted engine.
   d. Maximum beam of 6’ unless authorized by the Waterfront Director or his/her designee.
   e. As of October 1, 2005, permits shall not be issued to vessels on Skiff Row that serve as transport to mother ships unless the mother ship measures a minimum of 20’ overall, without bowsprit, bumpkin, pulpit, boom, swimstep or other such appurtenance.
   f. $100 per skiff per 6 months. A Mooring Permittee in the Santa Barbara Mooring Area shall receive a 50% discount for a skiff permitted in the Santa Barbara Mooring Area that also occupies a space on Skiff Row.
   g. Skiff Row Permits sold semiannually, beginning on April 1 and October 1 of each year. Permit fee reduced to $50 on July 1 and January 1 of each year. A Mooring Permittee in the Santa Barbara Mooring Area shall receive a 50% discount for a skiff permitted in the Santa Barbara Mooring Area that also occupies a space on Skiff Row.

3. Mooring Permit Fees

   Mooring Permit Assignment Fee. A non-refundable Mooring Permit Assignment Fee of $300 shall be charged upon initial submittal of a Mooring Permit Application. Of that fee, $250 shall be applied to the first annual permit fee provided the Permittee completes all requirements of the Mooring Permit assignment process.

   Annual Fee. An annual non-refundable fee of $250 shall be charged for a permit in the Santa Barbara Mooring Area. Annual Mooring Permit Fees are due October 1.

4. Marina Slips, End Ties, Side Ties with Services
Where end ties are divided into more than one account, the charges shall be for the length of that portion of the end tie occupied by each account so that the total end tie feet billed equals the total length of the end tie at the closest slip size rate. Where end ties are a single account, the charges shall be set at the appropriate tiered rate for the length of the end tie.

Per foot of vessel length or slip length, whichever is greater, per month:
20' slips @ $8.43
25' slips @ $8.83
28' slips @ $9.05
30' slips @ $9.25
35' slips @ $9.66
40' slips @ $10.05
43' slips @ $10.30
45' slips @ $10.47
50' slips @ $10.85
60' slips @ $11.79
70' slips @ $12.79
80' slips @ $13.87
90' slips @ $15.06
100' slips @ $16.33

5. Marina Side Ties without Services
Per foot of vessel length per month: $7.35

6. The length of a vessel shall be the length overall.

7. Vessels occupying slips shall be at least 80% of the length of the slip, but shall not project into the adjacent fairway so as to create a navigational hazard as determined by the Harbormaster.

8. An individual must be at least 18 years of age to be eligible for a slip permit.

9. Upon death of a slip permittee who has no sole surviving spouse, registered domestic partner or other slip partner(s), the slip permit shall be terminated. Family members, heirs or executors of the estate of the deceased shall be allowed up to 120 days to continue payment of slip fees at the rate in effect at the time of the permittee's death before the City reassigns the permit to an applicant on the Department's slip waiting list.

B. SLIP WAITING LISTS FEES

1. Master Waiting List Renewal Fee. An annual non-refundable renewal fee of $40 shall be paid by each applicant on the Master Waiting List prior to the first day of November each year. Payment of said fee is required to remain on the Master Waiting List. Failure to timely pay the annual Master Waiting List Renewal Fee shall cause removal of the applicant's name from the Master Waiting List.

2. Lottery List Fees

a. Lottery List Placement Fee. Each applicant selected for placement on the Lottery List shall pay a non-refundable Lottery List Placement Fee of $50. Failure to pay the fee shall cause the applicant's name to not be placed on the Lottery List.

b. Lottery List Renewal Fee. An annual non-refundable Lottery List Renewal Fee of $40 shall be paid by all applicants on the Lottery List prior to the first day of November each year. Failure to timely pay the annual Lottery List Renewal Fee shall cause removal of the applicant's name from the List.

c. Lottery List Assignment Fee. A Lottery List Assignment Fee shall be paid by the applicant at the time a slip assignment is accepted. The Lottery List Assignment Fee shall be in an amount equal to the Waterfront Department's Slip Transfer Fee per linear foot of the assigned slip. If the Lottery List Assignment Fee is not paid at the time of assignment, the slip shall not be assigned to that applicant. The slip assignment shall then be offered to the applicant ranked next on the Lottery List.

C. VISITING OR TRANSIENT VESSEL FEES

Visiting berths, slips and moorings are intended to accommodate boats en route to and from their home port. There shall be a charge for visiting boats not having a regularly assigned slip, end tie, or designated mooring space subject to monthly charges as provided in this resolution. Except as specially designated in Section 5 below, or expressly allowed by the Waterfront Director, visitor berths are assigned on a first-come, first-served basis upon the vessel's arrival at the harbor.

1. The base visiting rate for vessels other than those actively and solely engaged in commercial fishing will be $1.00 per linear overall foot per day for the first 14 cumulative days in the Harbor.

2. Vessels described in C.1 that remain in the Harbor for a period of more than 14 cumulative days will be required to pay two times the base rate. A new 14 day cumulative period at the base rate shall start to run if the vessel returns after being absent from the harbor for 5 or more consecutive days. The Harbormaster may, however, waive such increase in the rate for a period in excess of the 14 cumulative day period in the event of prolonged storms, natural disaster, or on satisfactory proof of a need for additional time to effect emergency repairs.

3. The base visiting rate for commercial fishing vessels actively and solely engaged in commercial fishing shall be $.75 per linear overall foot per day. No days out will be required to remain at the base rate when proof in advance of slip assignment in the form of two California Department of Fish and Wildlife commercial fish landing receipts every two weeks is shown. If such proof is not provided, the vessel will be considered not actively fishing and will be subject to fees described in C.1 and C.2.

4. The maximum allowable stay for visiting boats other than actively fishing commercial vessels is 28 cumulative days. A vessel must vacate the Harbor for 5 or more consecutive days before again being eligible for visitor boat status. Any person violating this provision, without express permission of the Waterfront Director or his designee, shall pay a penalty of:

    a. $75 per day for days exceeding the maximum allowable stay, for a vessel whose overall length is 35 feet or less.
    b. $125 per day for days exceeding the maximum allowable stay, for a vessel whose overall length is greater than 35 feet and up to 50 feet.
    c. $175 per day for days exceeding the maximum allowable stay, for a vessel whose overall length exceeds 50 feet.

5. Reservations.

    a. Reservations will be accepted for vessels exceeding 70' in length whose beam does not exceed 30' and whose draft does not exceed 10'.
        i. Rates and length of stay are limited as stated in Section C above for individual visiting vessels.
        ii. Reservations will be taken on a first-come, first-served basis and may be requested no more than 60 days in advance by directly contacting the Waterfront Department.
        iii. A non-refundable reservation fee equivalent to one day's visitor fee for the vessel will be charged at time of reservation.
        iv. Slip reservations must be confirmed and paid in full at least one week prior to reservation date.
        v. Cancellation after full fees have been paid will result in credit for a future visit commensurate with number of days cancelled, provided cancellation occurs more than 48 hours prior to scheduled reservation. All rules outlined in 5.a.i through 5.a.vi, inclusive, shall apply to the future visit, if it requires a reservation.
        vi. No credit will be afforded for cancellations made within 48 hours of scheduled reservation.

    b. Group reservations for Yacht Club-sponsored cruises and races.
        i. A group reservation may be made for no fewer than six vessels, a minimum of 30 days in advance but no more than six months in advance.
        ii. Berthing fees will be based on standard visitor-boat rates and must be paid in full by the group's chairperson at least two weeks prior to reservation date.
        iii. Individual or late entries will not be accepted for reservation, but will be considered on a first-come, first-served basis like all other visitor boats.
        iv. Cancellation after full fees have been paid will result in credit for a future visit commensurate with number of days cancelled, provided cancellation occurs more than 48 hours prior to scheduled reservation.
        v. No credit will be afforded for cancellations made within 48 hours of scheduled reservation.

6. For the purpose of this subsection, a day shall be deemed to be a 24 hour period commencing at twelve noon. All fees are due and payable in advance. No portion of the transient dock fees is refundable. Payment of visiting fees entitles a visiting vessel to utilize a slip or mooring for the paid-up period.

D. CHARGES FOR DELINQUENT PAYMENT

1. A charge in the amount of $35 per month shall be added to monthly slip fees that are delinquent.

2. A charge in the amount of $5 per day shall be added to visitor slip fees for every day such fees are delinquent.

3. A charge equal to double the bill incurred plus $10 shall be added to dockage and/or wharfage fees if any person leaves a slip or mooring, unless forced to do so by weather or fire, without first paying the fees due (unless such vessel is upon the credit dockage list) except by permission of the Waterfront Director.

4. A charge equal to double the bill incurred plus $10 shall be assessed to any visitor who leaves a slip or mooring, unless forced to do so because of weather or fire, without first paying visitor fees due, except by permission of the Waterfront Director.

E. TIE-UP FEES ON STEARNS WHARF

1. Tie-up at the passenger-loading ramp on Stearns Wharf for the primary purpose of embarking or debarking commercial passengers shall be at the rate of $5 for each passenger, except for authorized wharf license holders. Non-commercial embarking or debarking of passengers shall be allowed on a space-available basis. Under no circumstances shall vessel tie-ups under this section be allowed to conflict with established wharf license holders conducting business from the passenger loading ramp.

2. Written requests for any Wharf use including the tie-up of vessels shall be made in writing to the Waterfront Director ten working days prior to the proposed use. The Waterfront Director must approve all requests for Wharf use in advance. All fees must be paid 24 hours in advance of any Wharf use.

3. The location for the mooring of vessels shall be at the sole discretion of the Waterfront Director. The Waterfront director may require relocation or departure of a moored vessel when wind or water conditions exist or are anticipated which would endanger the Wharf, the vessel or personnel.

4. Tie-up of vessels is allowed only for the time required to transfer the passengers.

5. Dinghies are not allowed to tie-up at the passenger-loading ramp.

6. Permission to tie-up is revocable at any time.

7. Fees may be waived by the Waterfront Director when the waiver is in the best interests of the City.

F. PROCESSING AND IMPOUND FEES

1. An administrative processing fee of $50 shall be charged for the processing of a new boat in a slip, or the addition of a spouse or legally registered domestic partner to a slip permit.

2. An Impound Fee of $35 shall be assessed against any boat that ties up, docks, anchors, moors or berths within the Harbor District without permission of the Harbormaster. This fee shall be in addition to any applicable storage fee or other reasonable cost incurred in impounding a vessel. All fees charged will be payable prior to release of the impounded vessel. In addition to the Impound Fee, storage fees shall accrue as follows:

   a. All costs necessary to place a vessel into storage including, but not limited to, haul-out fees;
   b. A daily fee for storage either in-water or in a City-owned storage area in an amount equal to the daily visitor slip fees established in Section C of this Resolution;
   c. A daily lay-day fee for storage in a privately–owned drydock or boatyard facility, equal to the fee normally charged by that facility for such service.
   d. A daily fee for storage of unpermitted boats on City Beaches in an amount equal to the daily visitor slip fees established in Section C of this Resolution

3. An administrative fee of $25 shall be initially and annually charged for inclusion and maintenance on the liveaboard permit waiting list.

4. An annual administrative fee of $20 shall be charged at the time of issuance of a Service Business Activity Permit. An annual fee of $250, payable at the time of issuance or renewal shall be charged for a Boat Charter Business Activity Permit. A charge in the amount of $25 shall be added to the cost of a Business Activity Permit that is not renewed within 30 days of its due date.

G. SLIP TRANSFER FEE

1. Effective July 1, 2015, the slip transfer fee, except for slips subject to the wait list transfer fee as set forth in Section H, shall be:
   a. $200 per linear foot of a vessel or slip, whichever is greater in length, for 20’ slips;
   b. $350 per linear foot of a vessel or slip, whichever is greater in length, for 25’ slips; and
   c. $400 per linear foot of a vessel or slip, whichever is greater in length, for slips longer than 25’.

2. Upon payment of a single transfer fee, no more than two persons may be included on or added to a slip permit as part of the transfer of a slip permit to a new vessel owner or the addition of a person or persons to an existing slip permit. Names of persons must be identified before a transfer application can be approved.

3. The date by which the fee is determined shall be the date stamped on the fully completed transfer information packet when submitted to the Waterfront Operations Administration staff.

4. Transfer fees shall be charged:

   a. Upon the sale of the permitted vessel and the transfer of the slip permit to the new owner, or;

   b. Upon the addition of a partner or partners to a slip permit.

H. SLIP WAITING LISTS TRANSFER FEE

1. Any person who obtains a slip permit from the Master Waiting List, Sub-Master Waiting List or the Lottery List shall be required to pay a Slip Waiting Lists Transfer Fee in order to transfer that slip within five years of the date of the slip assignment.

2. The Slip Waiting Lists Slip Transfer Fee shall be charged upon the transfer of the slip permit to a new vessel owner or the addition of a partner or partners to a slip permit. Upon payment of a single Slip Waiting List Transfer Fee, no more than two persons may be included on or added to a slip permit as part of the transfer of a slip permit to a new vessel owner or the addition of a person or persons to an existing slip permit. Names of persons must be identified before a transfer application can be approved.

3. Effective July 1, 2015, the amount of the Slip Waiting Lists Slip Transfer Fee shall be determined as a function of the slip size and length of time the permit has been held according to the following schedule:

SLIDING SCALE SLIP WAITING LISTS TRANSFER FEE

		20' Slips		25' Slips		28' Slips	30'Slips
Year	$ Per Foot		$ Per Foot		$ Per Foot		
1	$375	$7,500	$575	$14,375	$625	$17,500	$18,750
2	$325	$6,500	$525	$13,125	$575	$16,100	$17,250
3	$300	$6,000	$475	$11,875	$525	$14,700	$15,750
4	$275	$5,500	$425	$10,625	$475	$13,300	$14,250
5	$225	$4,500	$375	$9,375	$425	$11,900	$12,750

Year	$ Per Foot	35' Slips	40' Slips	43' Slips	45' Slips
1	$850	$29,750	$34,000	$36,550	$38,250
2	$750	$26,250	$30,000	$32,250	$33,750
3	$650	$22,750	$26,000	$27,950	$29,250
4	$550	$19,250	$22,000	$23,650	$24,750
5	$450	$15,750	$18,000	$19,350	$20,250

$ Per Foot	50' Slips	51' Slips	60' Slips
$1,100	$55,000	$56,100	$66,000
$950	$47,500	$48,450	$57,000
$800	$40,000	$40,800	$48,000
$650	$32,500	$33,150	$39,000
$500	$25,000	$25,500	$30,000

The fee amount will be adjusted annually according to the schedule on the anniversary of the assignment of the slip permit.

4. The Slip Waiting Lists Transfer Fee for a slip permittee holding a permit for a slip other than an endtie or sidetie shall be determined by multiplying the appropriate fee amount, as designated by the slip length and year according to the schedule above, by the length of the vessel or slip length, whichever is greater.

5. The Slip Waiting Lists Transfer Fee for a slip permittee holding a permit for an endtie or sidetie shall be calculated using the fee amount assigned to the slip length appropriate for the vessel(s) owned by the permittee. Vessels greater than 60 feet in length berthed on endties or sideties shall be subject to the fee amount designated for 60-foot slips. The Slip Waiting Lists Transfer Fee for permittees whose vessels are berthed on endties shall be determined by multiplying the appropriate fee amount by the length of the vessel(s) or endtie length, whichever is greater. The Slip Waiting Lists Transfer Fee for permittees whose vessel(s) are berthed on sideties shall be determined by multiplying the appropriate fee amount by the length of the vessel(s).

6. The Slip Waiting Lists Transfer Fee shall be paid at the time of the transfer of the slip permit according to Sections 17.20.005(C) and 17.20.005(D) in addition to any other fees, rents or deposits owed by the permittee.

7. Any person who fails to pay the Waiting List Transfer Fee in the amount and at the time imposed by this Resolution shall pay an additional penalty fee of 10% of the Slip Waiting Lists Transfer Fee applicable to the transfer each year or fraction thereof the payment is delinquent; furthermore, such slip permit may be terminated or subject to other penalty in the discretion of the Waterfront Director.

8. After five years, the slip transfer fee shall be determined as set forth in Section G herein.

I. PERMIT EXCHANGES

1. An administrative processing fee of $50 per permit shall be charged for processing an exchange of permits between slips that differ by five feet or less in length.

2. The slip transfer fee specified in Section G of this Resolution shall be charged upon the exchange of permits between slips that differ in length by more than five feet. The slip transfer fee will be charged for each linear foot of difference between the slip lengths.

3. A permittee subject to the waiting list transfer fee who exchanges their permit will remain subject to the waiting list transfer fee following the exchange of permits. The permittee will remain subject to the waiting list transfer fee as applied to the slip originally assigned.

J. GATE KEYS

1. The charge for gate keys sold to authorized slip permittees shall be:

   a. At the time of the gate system change, one card style key shall be issued for each slip account free of charge.
   b. At the time of a slip transfer, one card style key shall be issued for the slip account free of charge.
   c. Up to a total of nine keys will be issued to each slip account at a charge of $7 each for card style keys or $12 each for fob style keys.
   d. The 10th key and any additional keys will be charged at $25 each for card style keys or $30 for fob style keys.
   e. Such charges shall not be refundable.

2. The charge for gate keys sold to visiting vessels shall be:

   a. Up to a total of nine keys will be issued to each visiting vessel at a charge of $7 each for card style keys or $12 each for fob style keys.
   b. The 10th key and any additional keys will be charged at $25 each for card style keys or $30 for fob style keys.
   c. Such charges shall not be refundable.

3. Replacement of non-operational Gate Keys:

   a. In the event a gate key becomes non-operational within one year of issuance it shall be replaced free of charge provided there has been no apparent damage or misuse of the key. A replacement gate key will only be issued to the key holder of record for the non-operational key and who also remains eligible to possess gate keys at the time of key replacement.
   b. After one year from issuance or when there has been apparent damage or misuse of the key no free replacement key shall be issued.
   c. In the event that the issuance date or key holder of record cannot be determined due to the condition of the key no free replacement key shall be issued.

4. In order to provide for the proper and orderly use of key cards, the Harbormaster may restrict the number of cards issued to any one individual or boat.

K. CATAMARAN PERMITS FOR LEADBETTER BEACH

A permit fee of $200 per vessel shall be charged for the privilege of placing vessels as defined herein within the designated area on Leadbetter Beach. Permits shall be sold on a seasonal basis. The season shall be from the first Friday of April through October 31st, annually. No vessel may be placed on Leadbetter Beach at other times or places. A maximum of 65 permits shall be issued to catamarans, each being no longer than 26 feet nor wider than 13 feet. No permit is valid unless proper application is made to the Harbormaster and the permitted vessel displays a valid permit sticker in addition to current California registration numbers. A maximum of one permit shall be issued to any individual and no commercial activities shall be conducted. Permits are non-transferable and non-refundable.

L. OUTRIGGER, SAILBOAT, ROWING DORY AND SURF SKI PERMITS FOR WEST BEACH

A permit fee of $250 per vessel shall be charged to place an outrigger, sailing outrigger, sailboat, rowing dory, or surf ski within the area designated by the Harbormaster on West Beach. Outriggers and rowing dories shall be no longer than 45 feet nor wider than 7 feet. Sailing outriggers shall be no longer than 45 feet nor wider than 18 feet. Sailboats shall be no longer than 16 feet overall nor wider than 6 feet. Permits shall be sold on an annual basis beginning on the second Friday of March. No vessel may be stored on West Beach at any other location and no vessels other than those permitted by the Harbormaster may be placed on West Beach.

A maximum of 50 permits shall be issued each year, divided as follows:

- A combined maximum of 20 permits for sailboats and rowing dories.
- A maximum of 2 permits for sailing outriggers, convertible to outrigger permits if unassigned by March 31st of any permit year.
- A maximum of 28 permits for outriggers and surf skis.

A right of first refusal for annual permits shall be granted to outrigger clubs utilizing OC6 and OC4 outriggers and established prior to January 1, 2015. The number of permits issued to individual clubs shall not exceed the maximum number issued in any year prior to this date. The right of first refusal may only be exercised by notifying the Harbormaster in writing no later than 72 hours prior to the start date of annual permit sales and shall only be granted through March 31st of any permitting year. If not utilized by that date, qualifying permits shall be assigned on a first-come, first-served basis.

No permit is valid unless proper application is made to the Harbormaster and the permitted vessel displays a valid permit sticker in addition to current California registration numbers if required. No commercial activities shall be conducted. Permits are non-transferable and non-refundable.

A fee of $900 each shall be charged for storage racks for outrigger club activities, each accommodating a maximum of eight, single-person, human powered vessels and placed within the area designated by the Harbormaster on West Beach. A total of six renewable annual permits shall be available for this purpose. Each rack and each vessel stored on a rack must

display valid, corresponding permit stickers. No additional permit fee shall be charged for corresponding permits issued to vessels stored on permitted storage racks. Rack permits are non-transferable and non-refundable.

The Santa Barbara Youth Foundation shall be allowed to place two racks for the storage of 16 laser-style sailboats assigned by the Foundation within the area designated by the Harbormaster on West Beach. A fee of $900 shall be charged for each rack. Each rack and each vessel stored on a rack must display valid, corresponding permit stickers. No additional permit fee shall be charged for corresponding permits issued to vessels stored on permitted storage racks. Rack permits are non-transferable and non-refundable.

M. UNPERMITTED STORAGE OF VESSEL OR ITEMS ON BEACH

A $20 per day storage fee shall be charged for any unpermitted vessel or item removed from any City Beach by Waterfront Department staff.

N. WHARFAGE AND DOCKAGE

1. Wharfage rates to service, repair or supply a vessel tied to the City Pier shall be computed and assessed on vessel length at $.50 per linear overall foot per hour.

2. Dockage rates shall be computed and assessed on a per tie-up basis at $.50 per foot per day.

3. A fee of $6 per hour will be charged for the use of the City-Owned fish hoists commonly known as Fish Hoists One and Two.

4. A fee of $7.50 per hour will be charged for the use of the fish hoist commonly known as Fish Hoist Three.

5. A fee of $12 per hour will be charged for the use of the fish hoist commonly known as the Stiff-Leg Hoist, or Fish Hoist Four.

O. NON-EMERGENCY FEE

1. A fee may be charged for Harbor Patrol services, except for bona fide emergencies, at a rate based on the current Waterfront contract hourly service rates for manpower and equipment.

P. USE OF WATERFRONT FOR COMMERCIAL ACTIVITY

1. In addition to any permit fees charged by the City, there shall be a separate charge for commercial activity in the Waterfront as follows:

• Movie Feature Filming	Up to $1,000 per day
• TV, Movie or Commercial Filming	Up to $1,000 per day
• Commercial Photography (still)	Up to $ 500 per day

• Commercial Displays or Demonstrations	Up to $300 per day plus 20% of gross sales
• Aquatic Activity or Exhibit	$5.00 per day

2. The Waterfront Director shall determine the support manpower necessary to support, assist or control a commercial activity, and shall require advance payment. The amount charged for support manpower shall be based on the current Waterfront contract hourly service rates.

3. Movie, TV or still photography by students for class assignment may be permitted without charge if not in conflict with other Wharf or Harbor activities. The Waterfront Director may require certification from the school to the effect that the photographic activity is a class assignment and not a commercial activity.

Q. USE OF WHARF AND HARBOR FOR PRIVATE NON-COMMERCIAL ACTIVITIES

Use of leased facilities (e.g., a restaurant) shall be in accordance with the existing terms of the lease.

R. USE OF HARBOR AND WHARF FOR PROMOTION OF BOATING AND RECREATION

Use of the Harbor and Wharf on a non-profit basis for the promotion of the Wharf, boating and recreational purposes may be permitted without fee with the written approval of the Waterfront Director.

S. USE OF HARBOR OR WHARF FOR EMBARKING OR DEBARKING OF CRUISE SHIP PASSENGERS

Use of the Harbor or Wharf for embarking or debarking of cruise ship occupants shall be $5 per person. The fee shall be calculated based on the total number of occupants on the visiting ship, including passengers and crew.

T. USE OF HARBOR OR WHARF FOR SERVICING NAVY AND COAST GUARD VESSELS

Contactors using the Harbor or Wharf for servicing Navy or Coast Guard vessels for purposes including but not limited to embarking and debarking personnel and visitors, supplying fresh water, removing sewage and disposing trash or oily water, shall be subject to a fee of 10% of their Navy contract or husbandry agent contract as applicable. Fees shall only be applied to vessels entering the Harbor or using Stearns Wharf during the performance of their contract. Contactors providing service to the USS Ronald Reagan are exempt from the fee.

U. EXPENSES FOR EMPLOYEES

All costs, expenses and salaries of Department employees specifically incurred because of special activity permitted shall be borne by the permittee in addition to any permit fee.

The hourly rate is based upon the cost of the services furnished and shall be determined by the Waterfront Director.

V. RESCUE OR SPECIAL INCIDENT REPORT

The Waterfront Department will provide Harbor Patrol Rescue or Special Incident Reports, leases, permits or other in-house documents for a copy fee of $.20 per page. Other Department published reports shall be provided at cost.

W. LIVEABOARD PERMITS

1. A charge of $140 per month shall be paid by each liveaboard permittee.
2. A fee of $25 shall be charged annually for inclusion and maintenance on the liveaboard permit waiting list.
3. Temporary cancellation of a liveaboard permit may be granted for a slip permittee who, desiring to take an extended cruise for a period of at least 90 days, places their slip permit on temporary cancellation status as well. During the period of temporary cancellation, the permittee will pay a reduced liveaboard fee equivalent to 50% of the normal liveaboard fee. In the event the permittee's vessel returns before the 90 days, the full monthly liveaboard fee will be charged for the period that the permittee's vessel was absent from the Harbor.

X. CHARGES FOR DELIVERY OF FRESH WATER AND ICE TO VESSELS

1. Rates for fresh water delivered to vessels at floats, wharves or piers in the Santa Barbara Harbor shall be as follows:

   a. $15.50 per thousand gallons, including wharfage.
   b. $15.50 is the minimum charge.

2. A penalty of $100 per offense, in addition to any other penalties incurred, shall be charged for a violation of Section 17.24.240 of Title 17 of the Municipal Code regarding the unlawful use of water and water outlets in the Santa Barbara Harbor.

3. The fee for ice shall be $.04 per pound, or $.03 per pound for orders of 10 tons or more.

Y. RETURNED CHECK FEE

A returned check fee equal to fees charged by the City Finance Department shall be charged to the maker of any check that is not honored by the bank due to non-sufficient funds or other reasons.

Z. MEETING ROOM FEES

Fees for the use of the Marine Center Classroom, Waterfront Community Meeting Room or Waterfront Conference Room shall be:

1. $50 per hour/$200 per day maximum for commercial and/or private non-ocean related users.

2. $25 per hour/$100 per day maximum for commercial and/or private ocean related activities.

3. $25 per hour/$100 per day maximum for non-profit and educational institutions where food and/or drinks are consumed.

4. $15 per hour/$50 per day maximum for non-profit and educational institutions where food and/or drinks are not consumed.

5. Use of Waterfront meeting rooms by other City Departments will be charged at the rates noted above in #3 and #4 unless expressly waived by the Waterfront Director.

6. There will be no charge for non-profit ocean related organizations with the Waterfront Director's approval.

7. A refundable security deposit of $100 is required from all room users unless expressly waived by the Waterfront Director. Any cleaning costs in excess of the security deposit will be charged to the user. The cleaning fee will be charged at $45 per hour. Any room damage will be charged to the user.

AA. DISCRETION OF WATERFRONT DIRECTOR

All activities and uses under this resolution are subject to the sole discretion of the Waterfront Director.