

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING THE SANTA BARBARA MUNICIPAL CODE BY AMENDING SECTION 17.04.010 AND ADDING SECTION 17.12.050 TO ESTABLISH A DEFINITION OF "VESSEL" FOR CRAFT BERTHED, MOORED OR ANCHORED IN THE HARBOR DISTRICT

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

**SECTION 1.** Section 17.04.010 of Chapter 17.04 of Title 17 of the Santa Barbara Municipal Code is amended to read as follows:

**17.04.010. Definitions.**

The following words and phrases shall have the meaning indicated, unless the context or usage clearly requires a different meaning:

**A. ANCHOR.** A heavy metal device, fastened to chain or line, designed to help hold a vessel in position.

**B. ANCHORING EQUIPMENT.** An Anchor, line or chain and associated gear that is retrievable, stowable, non-permanent ground tackle designed to engage the seafloor and through its resistance to drag maintain a vessel within a given radius.

**C. BERTH.** A water surface area, delineated by either floating or fixed dock structures, intended for the purposes of embarking, disembarking and the wet storage of boats. A Berth is also known as a "Slip."

**D. CITY-APPROVED MOORING INSPECTOR.** An individual who, by satisfactorily demonstrating appropriate qualifications, has been included on a City-approved list of inspectors eligible to install, inspect and repair ground tackle for Mooring Permittees in the Santa Barbara Mooring Area.

**E. CITY PIER.** The City Pier is located adjacent to the Breakwater at the Southeastern end of Harbor Way in the Santa Barbara Harbor formerly known as the "Navy Pier."

**F. DINGHY.** A small boat used as a tender to a larger vessel. A Dinghy is also known as a "Skiff."

**G. DISCHARGE.** To spill, leak, pump, pour, emit, empty, dump, deposit, or throw.

**H. DOCK.** A platform, either floating or fixed, provided in a marina for the wet storage of a boat and pedestrian access for and from the boat.

**I. DOCKAGE.** The daily rate assessed a vessel which ties up to any wharf or pier in the Harbor.

**J. FLOAT.** A wharf, pier, quay or landing.

**K. GROUND TACKLE.** All equipment used for Mooring or anchoring a vessel securely to the seafloor.

**L. HARBOR.** The area depicted on Exhibit "A" attached to Chapter 17.20 generally bounded by and including Stearns Wharf on the east, the Breakwater on the south, the seawall abutting Harbor Way and the Harbor commercial area on the west, the concrete walkway and seawall along currently-designated Marinas 2, 3 and 4 and including the area commonly known as West Beach on the north.

**M. HARBOR DISTRICT.** The entire Waterfront of the City, including all navigable waters and all tidelands and submerged lands, whether filled or unfilled, situated below the line of mean high tide, bounded by the limits of the City as now fixed or hereafter may be extended.

**N. HARBORMASTER.** The person designated by the Waterfront Director as the division manager of the Operations Division of the Waterfront Department.

**O. HARBOR PATROL SUPERVISOR.** The person designated by the Waterfront Director as the supervisor of the Harbor Patrol Officers in the Operations Division of the Waterfront Department.

**P. LIVE-ABOARD.** The use or occupancy of a vessel for habitation on any four (4) nights during a seven (7) day period. The term does not include the vacation use of a vessel, as defined in Section 17.18.090, by its registered owner and the owner's guests.

**Q. MARINA.** A connected system of slips in the Harbor.

**R. MARINE SANITATION DEVICE.** Equipment on board a vessel that is designed to receive, retain, treat, process, or discharge sewage.

**S. MINIMUM GROUND TACKLE SPECIFICATIONS.** The specifications for Ground Tackle used to moor a vessel, attached as Attachment "A" to the Resolution of the Council of the City of Santa Barbara Establishing Minimum Ground Tackle Specifications and Procedures for Installing, Inspecting and Repairing Moorings in the Santa Barbara Mooring Area, as may be amended from time to time by the Harbor Commission, with which all vessels intending to moor in the City of Santa Barbara Mooring Area must comply.

**T. MOORING.** An Anchor, chain, buoy, pendant, snubber, chafing gear and associated equipment, not typically stowed or carried aboard a vessel when underway, used to engage the seafloor and through its resistance to drag maintain a vessel within a given radius.

**U. MOORING INSPECTION REPORT.** A City form on which a City-Approved Mooring Inspector provides the results and recommendations of a Mooring Inspection.

**V. MOORING PERMIT.** An annual non-transferable Mooring Site rental agreement issued by the Waterfront Director to a Mooring Permittee to place a Mooring and vessel in a Mooring Site in the Santa Barbara Mooring Area.

**W. MOORING SITE.** A designated location within the Santa Barbara Mooring Area assigned by the Waterfront Director through a Mooring Permit to a Mooring Permittee for purposes of Mooring a vessel.

**X. OPERABLE.** A vessel's ability to maneuver safely under its own power from any place in the Harbor District to the open waters of the Pacific Ocean and back to its point of origin.

**Y. RODE.** All gear, collectively, that lies between a boat and its Anchor.

**Z. SANTA BARBARA MOORING AREA.** The area located in the City of Santa Barbara tidal waters east of Stearns Wharf as depicted on the reference map attached as Exhibit "A" to Chapter 17.20.

**AA. SEASONAL ANCHORAGE.** The area depicted on the reference map attached as Exhibit "A" to Chapter 17.20.

**BB. SEWAGE.** Human body wastes and the wastes from toilets and other receptacles intended to receive or retain body waste.

**CC. SLIP.** A docking space for a vessel within the Harbor.

**DD. SLIP FEE.** The monthly license fee paid by a slip permittee for berthing privileges in the Harbor, including the monthly fees paid for live-aboard privileges if applicable.

**EE. SLIP PERMIT.** A slip rental agreement issued by the Waterfront Director to a Slip Permittee to berth a vessel in a slip in the Santa Barbara Harbor.

**FF. SPECIAL ACTIVITY MOORING PERMIT.** A Mooring Permit issued by the Waterfront Director to individuals, organizations and governmental entities found to be operating research, scientific, clean-up or other functions necessary to the long-term health and operation of the Harbor District and marine environment, or critical to the safety, welfare and protection of persons and assets within the Harbor District.

**GG. STEARNS WHARF.** The wharf structure and all of its improvements located at the foot of State Street.

**HH. TRANSFER FEE.** The fee charged to transfer a Slip Permit.

**II. VESSEL.** A craft whose physical characteristics indicate that it was designed and constructed for the purpose of carrying people or goods over water.

**JJ. WATERFRONT.** The Harbor, Stearns Wharf, West Beach and all City-owned or -operated parking lots and related structures and facilities along Cabrillo Boulevard or Shoreline Drive within the City of Santa Barbara.

**KK. WHARFAGE.** The hourly rate assessed any vessel which uses or is tied up to any structure in the Harbor for the loading or unloading of merchandise, excluding the products of commercial fishing.

**LL. YEAR-ROUND ANCHORAGE.** The area depicted on the reference map attached as Exhibit "A" to Chapter 17.20.

**SECTION 2.** Chapter 17.12 of Title 17 of the Santa Barbara Municipal Code is amended by adding Section 17.12.050 which reads as follows:

**17.12.050. Vessels Berthed, Moored or Anchored in the Harbor District.**

After December 1, 2015, only Vessels as defined in Section 17.04.010 II. shall be berthed, moored or anchored in the Harbor District. Man-made floating objects that are existing and berthed, moored or anchored in the Harbor District as of December 1, 2015, and do not meet the definition of "Vessel," as set forth in Section 17.04.010 II, shall be allowed to continue to berth, moor or anchor in the Harbor District and shall not be required to meet the definition of Vessel. All other requirements of Title 17 of the Santa Barbara Municipal Code shall apply to these man-made floating objects, with the following exceptions:

1. Waiver of operability requirements described in 17.20.005 K (I).
2. No length or beam variations after December 1, 2015.