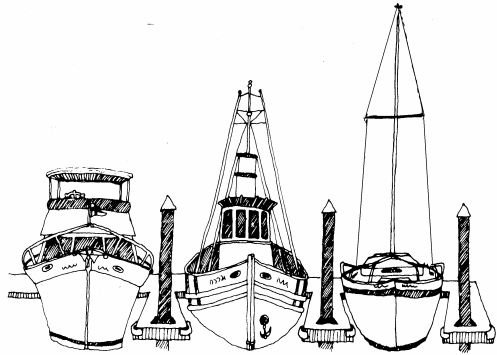

Santa Cruz Harbor

HIGHLIGHTS OF THE SLIP LICENSE AGREEMENT

GENERAL POLICIES AND INFORMATION



HIGHLIGHTS OF THE SLIP LICENSE AGREEMENT:

- The licensee has the exclusive use of a slip; however, to better manage the harbor, the Port District may change the slip assignment with 7 days' notice.
- The license agreement may be terminated by EITHER party; however, 30 days' advance **written** notice is required.
- The slip license may not be transferred to a second party.
- The Port District is not responsible for the conditions of the harbor entrance channel or for negligence of other harbor users.
- Continued occupancy is dependent upon compliance with District ordinances.
- The slip license will be revoked if the licensee's account becomes more than 90 days' delinquent.
- Slip rent is due on the first of the month. A late fee will be charged for slip rent payments **received** after the 20th of each month. The late fee will also be charged for any outstanding balance of \$50.00 or more on the 20th.
- To maintain a slip license, licensees must take their boats out into the open ocean at least ten times per year.

Read the entire license agreement; it is a legal document.

POLICIES:

In addition to Port District ordinances, as listed in the 1998 Ordinance booklet, a number of important policies have been developed. Some of these policies are briefly summarized below.

1. Dockboxes:

Only boxes made by harbor-approved manufacturers are allowed. A current list of the manufacturers and local distributors can be obtained at the harbor office (the harbor office sells approved dockboxes at competitive prices).

2. Telephone Installation:

Please contact the harbor office for information about telephone installation – there are fees associated with initial installation service.

3. Liveboards:

The Port District allows liveboards in up to 10% of its slips. Contact the harbor office for more information.

4. Slip Leave Program

This program is designed for boaters who need a slip leave beyond the six-month occupancy provision. It allows licensees to take a slip leave of up to five years, while retaining their rights to a slip at a future date. A detailed brochure outlining this program is available at the harbor office.

5. Barbeques

Barbeques are not allowed to be stored or used on the docks. There are manufactured barbeques that attach to the stern of a boat and hang out over the water that are allowed.

6. Slip/Dry Storage License Limit

A person or family (defined as related individuals living under the same roof) may only have a license to use one (1) Santa Cruz Harbor facility for which there exists a waiting list.

7. Satellite Dish

Slip licensees may install a satellite dish, only to a harbor-approved dock box on a 4x4 white painted wooden post – maximum height 5'; maximum dish size 24" diameter. In the event a slip licensee moves slips (whether voluntary or required), or releases their slip, the cost and burden of moving or removing the satellite dish is borne entirely by the slip licensee.

8. Signs on Vessels

Signs on vessels are limited to two per vessel, 24"x24", port and starboard.

PARKING PROCEDURES:

Only two stickers are provided per vessel at no charge. Place the sticker on the rear bumper of your vehicle (driver's side). If your vehicle has no rear bumper, the permit may be placed on the rear window glass, (driver's side). Permits may not be

mounted on movable placards, or placed on the dash. Although two stickers are provided, we request that when possible, you only have one vehicle here at a time. If you have more than two vehicles registered to you for which you want permits, or if you are in an authorized Port District vessel partnership, you may purchase additional stickers at the harbor office.

Following are several other important harbor parking policies:

- 1) Guests should park in the marked visitor parking spaces only. In the south harbor, these visitor spaces are metered. Parking stickers provided to you are for your own vehicles. Guests at the harbor need to pay for parking in controlled areas. For guests who stay overnight, 24-hour meter passes may be purchased at the Harbor Office. If a guest arrives after office hours, then the licensee should contact the harbor patrol officer on VHF channel 16 so that arrangements can be made for overnight parking.
- 2) Except by special permit issued by the harbor office, it is illegal to store a vehicle on harbor property for more than 72 consecutive hours. If you leave your vehicle here, unused, longer than 72 hours, please inquire at the harbor office and we will do our best to find a place for your vehicle. Unauthorized stored vehicles will be towed at the owner's expense.

Your cooperation with the Port's permit and guest parking system is greatly appreciated.

THEFT:

Despite patrol efforts, thefts do occur at the harbor. These thefts range from the usual small items (rods, reels, etc.) to expensive electronics and even boats themselves.

Our harbor patrol is active and diligent; however, there are things that you need to do to help yourself.

- Lock your boat, and keep the dock gate closed.
- Don't leave the boat key aboard.

Gateway to the Monterey Bay National Marine Sanctuary

Santa Cruz Port District
135 Fifth Avenue
Santa Cruz, CA 95062
(831) 475-6161
(831) 475-9558 FAX
www.santacruzharbor.org

- Reinforce dock lines with chain or cable. If you do this, be sure that it is still your lines that take the stress of surge and not the chain.
 - Lock your dinghy to your boat or the dock.
 - Don't stow gear in the cockpit.
 - Put decals or identifying signs on the boat and personal identifying numbers in secret places. Engrave your driver's license number on your property.
 - Don't leave hatches or ports open for ventilation if they are large enough for entry.
 - Keep an inventory of equipment by brand name and serial number.
 - Use good locks and stainless hasps; keep screw heads concealed.
 - Report any suspicious activity or people you observe on the docks or in the general harbor vicinity, by contacting a harbor patrol officer on VHF channel 9 or 16 (24 hours/day) or by phoning the harbor office (475-6161) 8:30 am to 5:00 pm daily, or through the City Police Dispatch (471-1134) for after hours non-emergencies. Harbor patrol officers may also be reached after hours by calling their pager (480-4564) or via cell phone (212-4261).
- For emergencies, call 911.***
- Report all thefts to the harbor office as soon as they are discovered.

ELECTRICAL USE ON UNATTENDED BOATS:

While the energy conservation measures that the Port District has encouraged have been partly successful, PG&E rate increases and increased usage by boaters demand new solutions. In FY 95, the Port District paid over \$80,000 for electricity for the slips. In order to be fair to those who use no power, and to those who need various amounts, the following ordinance is in effect:

Section 220 -- Electrical Use on Unattended Boats

The Port District Commission shall set fees for unattended vessels using or connected to shore power. These fees shall be reviewed from time to time and may be amended as needed by the Commission.

The use of heat lamps, sun lamps, or portable space heaters on unattended vessels is prohibited. The use of more than 800 watts at any time by an unattended vessel is prohibited. Should a vessel be found to be using more than 800 watts, the Port District will notify the boat owner by telephone or mail that he is in violation of this ordinance. The boat's electrical consumption will be rechecked seven (7) days after the first check. If the boat is still using more than 800 watts, the boat will be disconnected from shore power.

For the purpose of this section, Port District approved liveaboard vessels will be considered "attended" whether or not anyone is aboard.

PERSONAL USE OF VESSELS:

There are two aspects that the Port has long been concerned about regarding "use" of the Port slips. The first aspect is that the public property (slip) not be wasted by vessels simply sitting in them and never making use of the open waters. The second aspect of use regards the personal use by the individual who is the licensee with the Port. It is the named individual and his/her spouse who has slip rights to use the public facility. The Port has never tried to limit the use of slips solely to licensees; i.e., we allow vessel partnerships under certain circumstances, we allow other friends/employees to use vessels, and we allow chartering of vessels. However, in all these circumstances, the Port has drawn the line with a requirement that the licensee continues to personally use the vessel a minimum number of times per year.

This personal use requirement is found consistently throughout a number of harbor rules and regulations. First and foremost, the reason for the personal use requirement is because the Port has developed a strict policy of non-transference. We have not wanted the slip licenses to transfer by any other means, except through the waiting list or by special Commission action.

The requirement for regular use is found in the Slip License Agreement, Section 4, (h), which reads:

"Owner shall make continuous use of the vessel on a regular basis, For the purpose of this paragraph,

'continuous use on a regular basis' is defined to mean the taking of the vessel out of the slip and harbor at least one time, for any length of time, on at least ten separate days out of any twelve-month period. Owner shall maintain such usage at all times during the term of this agreement for each and every twelve-month period which may be selected by the Port District upon examination of owner's pattern of usage."

Also, Port Ordinance 302(b), which governs slip license non-transference states, in part:

"A licensee shall not transfer, voluntarily or involuntarily, all or any portion of his rights under his slip license. A slip license shall be deemed transferred in the event the licensee transfers all or any interest in the legal or record ownership of the boat occupying the slip to which the license pertains. The licensee shall inform the Harbormaster of any such transfer by the licensee or any other licensee in violation of this provision of which he has knowledge."

Also in Section 302(b):

"For purposes of these ordinances, 'own personal continued use on a regular basis' is defined to mean that the licensee must personally and physically be present on the boat each time during the taking of the boat out of the slip and harbor for any length of time on at least ten separate days during any twelve month period."

Section 302(b) concludes with:

"In the event the Harbormaster shall determine a licensee has failed to continue use of the boat on a regular basis in accordance with this Section 302(b), the slip license for the boat shall be subject to suspension or revocation."

Port Ordinance 302.1(a) states:

"The owner/licensee under any slip license agreement or addendum or modification thereto shall make continuous personal use of the vessel (vessel means the vessel as defined in the slip license agreement) on a regular basis. For purposes of these ordinances, 'continuous personal use of the vessel on a regular basis' is defined to mean that the owner/licensee must personally and physically be present on the boat each time during the taking of the boat out of the slip and harbor for any length of time on at least ten separate days during any twelve month period. The owner/licensee must be able to establish such personal

usage for each and every twelve month period selected by the Harbormaster."

Port Ordinance 302(c), which governs the use of slips by non-licensees, states:

"No licensee may sublease, subrent, or sublicense a slip to another person, except through the harbormaster's office and according to standard procedure set forth... use of a licensee's vessel by any person other than the licensee, in the form of a charter, rental agreement, lease, or any other arrangement, whereby some person other than the slip licensee is afforded the use of the licensee's slip shall constitute a sublease of the slip and shall be subject to the provisions of this section."

Lastly, *Port Ordinance 302(h)*, governing partnerships, also requires personal use by the licensee and allows for the District to request check-ins and if personal use is not substantiated, the slip license may be terminated.

The purpose of these ordinances is not to prevent slip licensees from allowing their friends or employee from using their vessels. It is simply to require that a licensee also continue to use the vessel to a certain degree as required in the slip license agreement with the Port District.