



Legislation Details (With Text)

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Type: Ordinance **Status:** Adopted

File created: 12/22/2021 **In control:** Maritime Advisory Board

On agenda: 1/10/2022 **Final action:** 4/25/2022

Title: Mooring Permits - Forfeiture - For the purpose of modifying the use requirement of moorings in City waters; providing a definition; and generally relating to mooring permits.

Sponsors: Gavin Buckley

Indexes: Environmental Matters Committee, Maritime Advisory Board

Code sections:

Attachments: 1. O-2-22 First Reader, 2. O-2-22 Staff Report, 3. O-2-22 Fiscal Impact Note, 4. O-2-22 Amendments 1-3 Savidge, Finlayson, Arnett, 5. O-2-22 MAB Recommendations, 6. O-2-22 SIGNED.pdf

Date	Ver.	Action By	Action	Result
4/25/2022	1	City Council	adopt on second reader	Pass
4/25/2022	1	City Council	amended	Pass
4/25/2022	1	City Council	adopt as amended	Pass
4/25/2022	1	City Council	adopt on third reader	Pass
4/18/2022	1	Environmental Matters Committee	recommend with amendments	Pass
3/10/2022	1	Environmental Matters Committee	postpone	Pass
2/10/2022	1	Environmental Matters Committee	postpone	Pass
2/7/2022	1	Public Safety Committee		
1/24/2022	1	City Council	declare the public hearing closed	
1/10/2022	1	City Council	adopt on first reader	Pass
1/10/2022	1	City Council	refer to Annapolis Education Commission	
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Mooring Permits - Forfeiture - For the purpose of modifying the use requirement of moorings in City waters; providing a definition; and generally relating to mooring permits.

**CITY COUNCIL OF THE
City of Annapolis**

Ordinance 2-22

**Introduced by: Mayor Buckley
Co-sponsored by:**

**Referred to
Environmental Matters Committee
Maritime Advisory Board**

AN ORDINANCE concerning

Mooring Permits - Forfeiture

FOR the purpose of modifying the use requirement of moorings in City waters; providing a definition; and generally relating to mooring permits.

BY repealing and reenacting with amendments the following portions of the Code of the City of Annapolis, 2021 Edition
15.20.150

SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that the Code of the City of Annapolis shall be amended to read as follows:

Title 15 - HARBORS AND WATERFRONT AREAS
Chapter 15.20 - PERMITS

Section 15.20.150 - Permit expiration, FORFEITURE, and nontransferability.

- A. A mooring permit issued by the Harbormaster is valid for work commenced within a period of sixty days from the issuance of the permit; otherwise, it is void. Work permitted by a mooring permit shall be completed within three months of the date of issuance of the permit, unless an extension is granted by the Port Wardens for good cause.
- B. EXCEPT AS PROVIDED IN THIS PARAGRAPH, Moorings not in continuous use for more than sixty consecutive days during the period of May 1st to October 31st shall be automatically forfeited to the City. A MOORING SHALL NOT BE IN DISUSE BY THE PERMITTED VESSEL FOR MORE THAN 30 CONSECUTIVE DAYS FROM JUNE 1ST THROUGH OCTOBER 1ST. IN ADDITION, A MOORING SHALL BE OCCUPIED BY THE PERMITTED VESSEL FOR AT LEAST 70 DAYS OF THE 122-DAY PERIOD FROM JUNE 1ST THROUGH OCTOBER 1ST UNLESS THE PERMIT HOLDER HAS RECEIVED ADVANCE WRITTEN PERMISSION FROM THE HARBORMASTER. A PERMIT HOLDER WHO IS NOT IN COMPLIANCE WITH THIS SECTION SHALL AUTOMATICALLY FORFEIT THE PERMIT TO THE CITY., UNLESS THE PERMIT HOLDER HAS PROVIDED ADVANCE WRITTEN NOTICE TO THE HARBORMASTER. SUCH WRITTEN NOTICE SHALL INCLUDE THE 1ST DAY OF DISUSE, AND THE EXPECTED DURATION OF DISUSE NOT TO EXCEED 70 CONSECUTIVE DAYS.
- C. IF ANY SINGLE DURATION OF DISUSE BY THE PERMITTED VESSEL IS MORE THAN 70 CONSECUTIVE DAYS FROM JUNE 1ST THROUGH OCTOBER 1ST, THE CITY SHALL BE ENTITLED TO ASSUME THAT THE PERMIT HOLDER HAS NO CONTINUING NEED FOR THE MOORING OR THE PERMIT, AND THE PERMIT SHALL AUTOMATICALLY FORFEIT TO THE CITY.
- D. No mooring permit is transferable without the approval of the Harbormaster. A request for the transfer shall be submitted by the original applicant and the transferee shall acknowledge acceptance of the conditions under which the original permit was issued. Transfers may be approved between current mooring permit holders for the purpose of relocation, but in no case shall a transfer be approved between a person who has come up through the waiting list and holds a current permit, and a person who has not and who does not hold a current permit.

E. FOR PURPOSES OF THIS SECTION, "PERMITTED VESSEL" SHALL MEAN THE VESSEL SPECIFICALLY NAMED AND DESCRIBED IN THE APPLICABLE HARBORMASTER ANNUAL MOORING PERMIT APPLICATION, AND SHALL EXPRESSLY NOT INCLUDE ANY OTHER VESSEL OR ANY DINGHY.

SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this ordinance shall take effect from the date of its passage.

Explanation:

UPPERCASE indicates matter added to existing law.

~~Strikethrough~~ indicates matter stricken from existing law.

Underlining indicates amendments.