O-2-22

Mooring Permits - Forfeiture

Amendments 1-3 – Savidge, Finlayson, Arnett

<u>Amendment 1</u>:

On page 1 in line 41 after "B." insert "EXCEPT AS PROVIDED IN THIS PARAGRAPH," and on page 1 in line 43 after "DISUSE" insert "BY THE PERMITTED VESSEL" and on page 1 in line 44 after "OCTOBER 1ST" strike the "period" down through page 2 line 3 and insert a "comma" followed by "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."

Paragraph "B" as amended:

B. ~~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.~~ EXCEPT AS PROVIDED IN THIS PARAGRAPH, A MOORING SHALL NOT BE IN DISUSE BY THE PERMITTED VESSEL FOR MORE THAN 30 CONSECUTIVE DAYS FROM JUNE 1ST THROUGH OCTOBER 1ST, 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. A PERMIT HOLDER WHO IS NOT IN COMPLIANCE WITH THIS SECTION SHALL AUTOMATICALLY FORFEIT THE PERMIT TO THE CITY.

<u>Amendment 2</u>:

On page 2 in line 4 after "C." insert "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." and sequentially reletter subsequent paragraphs.

<u>Amendment 3</u>:

On page 1 in lines 3 and 21 after the "semicolon" insert "providing a definition" followed by a "semicolon" and on page 2 after line 9 insert "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."