

**San Diego Unified Port District – Port Code****Section No. 4.09****SECTION NO. 4.09 – REGULATION OF VESSELS – G STREET MOLE MOORING**

- (a) No person shall moor a vessel at the G Street Mole commercial fishing facility without first having obtained a permit from the Executive Director or his authorized representative. The Executive Director shall have the authority to determine the terms and conditions of any such permit, including without limitation restrictions as to safety, traffic, congestion, protection of persons and property and the environment, in addition to the requirements contained herein. Only commercial fishing vessels are eligible to moor at said facility.
- (b) The owner/operator of an in-transit commercial fishing vessel may apply for a temporary permit and may be authorized to moor at the facility for a period of time not to exceed Twenty (20) days within any continuous Thirty (30) day time span. An in-transit commercial fishing vessel is defined as a commercial fishing vessel which is not permanently home-ported in San Diego Bay. A temporary permit may be issued subject to the following requirements:
  - 1. The owner/operator of each in-transit commercial fishing vessel shall submit a completed permit application form provided by the Port District.

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2. The owner/operator of each in-transit commercial fishing vessel shall pay, in advance, the dockage for in-transit commercial fishing vessels as provided in Port of San Diego Tariff 1-G, Item 0570(B).
  3. A violation of any of these mooring and permit provisions shall constitute a misdemeanor. In addition, the Executive Director is authorized to remove any vessel from the permit area to the nearest vessel impound or other place when any vessel is moored in violation of any applicable law or regulation, including without limitation this Sec. 4.09 and any permit issued pursuant thereto. In the event of removal, the registered owner shall be informed promptly of the impound location and be provided an opportunity to remove the vessel.
- (c) Except for a temporary permit as provided for in (b), above, in order to be eligible for a permit for commercial fishing vessel mooring, which will be subject to the dockage privileges and rates as provided in Port of San Diego Tariff 1-G, Item 0570(A), the owner/operator of each fishing vessel shall comply with all of the following requirements, prior to April 30th of each calendar year, and submit verification of such requirements to the Port District in such form as is acceptable to the Executive Director:
1. The owner/operator of each vessel shall submit a completed permit application form provided by the Port District. The permit, if issued,

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shall be for a period of time not to exceed Twelve (12) months, subject to termination at any time upon Thirty (30) days prior written notice.

2. Each vessel shall have a valid certificate of registration from the California Department of Fish and Game for the forthcoming year, and the owner/operator shall present the certificate for inspection by the Port District.
3. Each vessel shall have and likewise present a valid commercial fishing license from the California Department of Fish and Game for the forthcoming year.
4. The owner/operator of each vessel shall submit written documentation to the Port District that the vessel is assessed at the commercial fishing vessel rate by some county within the State of California.
5. The owner/operator of each vessel shall submit proof of fishing activity for the previous year in the form of completed and accurate Fish and Game receipts, which shall be legible and in a form verifiable by the California Department of Fish and Game, as follows:
  - a) Vessels of Thirty (30) Feet length overall and below – Five Thousand Dollars (\$5,000.00). A vessel exceeding said

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Thirty (30) Feet may be made subject to this provision, rather than (b), below, if said vessel is granted a waiver by the Executive Director because of its configuration and capacity to engage in commercial fishing. Such waiver shall be discretionary and shall be supported by reasoning in writing, which shall be filed with the Office of the District Clerk.

b) All other vessels exceeding Thirty (30) Feet length overall – Ten Thousand Dollars (\$10,000.00).

6. The dockage for a Six (6) month period shall be paid in full, in advance, at the time a permit is issued for mooring of the vessel. The dockage shall be based from the permit area to the nearest vessel impound or other place when any vessel is moored in violation of any applicable law or regulation, including without limitation this Sec. 4.09 and any permit issued pursuant thereto. In the event of removal, the registered owner shall be informed promptly of the impound location and be provided an opportunity to remove the vessel.
7. A violation of any of these mooring and permit provisions shall constitute a misdemeanor. In addition, the Executive Director is authorized to remove any vessel from the permit area to the

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nearest vessel impound or other place when any vessel is moored in violation of any applicable law or regulation, including without limitation this Sec. 4.09 and any permit issued pursuant thereto. In the event of removal, the registered owner shall be informed promptly of the impound location and be provided an opportunity to remove the vessel.

8. Upon application, the Executive Director may, in his judgment, find that unavoidable accident, unusual occurrences, including but not limited to medical incapacity of the operator, temporary inoperability of the vessel, or other unusual circumstances may relieve the boat owner/operator from the active fishing vessel proof requirements. In such cases, a temporary permit may be issued on a month-to-month basis during the continuation of such unusual circumstances, for a total period not to exceed Six (6) months.

*(Enacted March 6, 1984 – Ordinance No. 1064)*

*(Amended December 19, 1995 – Ordinance No. 1785)*