

City of Clearwater Marina Rules

COMPLIANCE WITH RULES & REGULATIONS:

- a. There are multiple wake zones within Clearwater Harbor. The marina basins are no wake zones and all vessels operating in the marinas shall be operate accordingly.
- b. Written procedures and directives issued by the Harbormaster from time to time shall be considered as addenda to and have full force and effect as these Rules and Regulations.
- c. The City Manager, has the authority, as established by the Code of Ordinances; to take such action as may be necessary in the handling, policy and management of the public in attendance at the marinas.
- d. All vessel activities within the marina shall be conducted in compliance with the current applicable U.S. Coast Guard Navigation Rules, City of Clearwater ordinances, and county and state regulations.
- e. No commercial operation, or business venture (Charters, Rentals, Airbnb and the like) of any kind shall be conducted at the city marinas unless specifically authorized by the Harbormaster's Office.
- f. All persons involved in any accident on the Municipal marinas, resulting in personal injury or damage to vessels, or infrastructure, shall immediately report such accident to the Harbormaster's office.
- g. All applicable provisions of the laws of the State of Florida and ordinances of the City and/or County now in existence or hereafter promulgated are hereby adopted by reference as part of the Rules and Regulations of the marinas.

INSURANCE CERTIFICATES:

- a. A valid certificate of insurance, or copies of it, shall be kept on file at the office of the Harbormaster by all tenants holding a valid lease, license, contract, or permit executed with the City.
- b. A valid certificate of insurance shall also be on file for any contractor, subcontractor, or construction company functioning on or in marina property. Amounts of liability are determined by the City's Office of Risk Management.

ACCIDENT REPORTING & RESPONSIBILITY:

A damage inspection of any marina facility involved in an accident or incident shall be made by the Harbormaster's office with the vessel owner or operator to determine the extent of damages to both public and private property. Persons causing damage to, or

destroying, public property of any kind, whether through violation of these Rules and Regulations, or through any act or omission, shall be fully liable to the City.

Any person involved in an accident, whether personal or vessel occurring on the marina property shall make a full report to the Harbormaster within ten days. The report shall include, but not be limited to, the names and addresses of all principals and witnesses, if known, and a statement of the facts.

NON-VESSEL STORAGE OF EQUIPMENT:

Unless otherwise provided for by a license, lease or other contractual agreement, no person shall use any area of the marina, for the storage of property or equipment.

HOURS OF OPERATION:

- a. Fuel Dock is open from 6:30 am to 6:30 pm daily, except Christmas (Dec 25th).
- b. Harbormaster Office Hours: 8:00 am to 4:30 pm Monday – Friday.

SECURITY:

- a. The marinas provide nightly security.
- b. The gates to the main dock at the beach marina will be secured each evening.
- c. Security cameras exist throughout the marina property. Data is generally stored for 30 days until recorded over. If a tenant has a security issue, a request to review data for the time of an incident may be accommodated.

ADVERTISING AND DISPLAY:

- a. No person for any reason shall post, distribute, or display signs, advertisements or any other forms of printed or written matter anywhere on the marina property.
- b. All commercial vessels shall display a sign, providing the name of the vessel, owner/captain and type of operation. Community Development Code Section 3-1805 allows for two signs, one (8) ft² and one (6) ft², per slip which do not require a city sign permit. A portable sign may be placed on the dock while the vessel is underway. While in port that sign shall be moved back onto the vessel.
- c. Upon returning to the marina, operators may display and dress fish as a service to patrons. Fish may also be hung until the end of the day.
- d. Any monitor or screen displaying commercial services is considered a moving sign by Code and therefore prohibited.
- e. Signs carried, waved or otherwise displayed by persons intended to draw attention for commercial purposes are also prohibited.

- f. a business shall only conduct business relating solely to the vessel in the slip, in an effort to maintain a fair and competitive business environment at the Marina.

COMPLIANCE WITH POSTED SIGNS:

The public shall observe and obey all posted signs, fences, and barricades prohibiting entry upon the marina docks or restricted areas or governing the activities and demeanor of the public while at the marina.

BOAT OWNER'S RESPONSIBILITY & MAINTENANCE:

- 1) Vessels shall be kept in a seaworthy/operating condition, and shall not create any hazards, or become an eyesore.
- 2) If a vessel is observed in an unsafe condition, the owner(s) will be directed by the marina staff to correct or remove the vessel from the marina.
- 3) Owner(s) agree to remove the vessel upon notification by the City of an unsafe condition(s) and to be held responsible for any damage caused by the vessel to marina docks, pilings and structures.
- 4) The owner shall always keep the vessel properly moored and dry within. Routine maintenance and minor repairs necessary for the preservation and seaworthiness of the vessel such as mechanical adjustment, minor painting, leak seals and rot prevention may be performed within the marina. Such repairs are generally considered to be those which:
 - Do not disturb the public within and or those using the marina.
 - Do not contribute to a disorderly or unsightly appearance during the process of repair or maintenance.
 - Are capable of accomplishment with hand tools or certain portable power tools normally carried aboard the vessel.
 - Are confined to the vessel.
 - Do not pollute or put wastes in marina waters.

ENVIRONMENTAL POLLUTION & SANITATION:

- a. Any spills shall be immediately reported to the Harbormaster's office who in turn will forward on and report to the appropriate agencies.
- b. Waste Oil – available at the beach marina, all waste oil must be deposited in the waste oil tank, located in the marine service shop area. Sewage pump-out facilities are available at the fuel dock and the at the downtown Clearwater Harbor marina. These services are currently available to all users at no charge.
- c. Potable water at the docks shall not be wasted. The Florida Administrative Code 40D-22 allows washing boats and boat motors, if a shut-off nozzle or other water

efficient device is used. Washing of personal or business vehicles in the marina is prohibited.

- d. Garbage and trash shall be deposited in the dumpsters and trash cans provided.

ANIMALS:

- a. No person shall enter any part of the marina with a domestic animal, unless such animal is restrained by a leash or is so confined as to be completely under control and with the responsibility and ability to clean up after the animal.
- b. No person shall feed or do any other act to encourage the congregation of birds or other animals on the marina.

LOST AND FOUND OR ABANDONED PROPERTY:

- a. Any person finding lost articles in the public areas at the marina can deposit them with the marina office. Articles unclaimed by their proper owner within 90 days thereafter shall, upon request, be turned over to the finder in accordance with Chapter 705, Florida Statutes.
- b. No person shall willfully abandon any personal property on the marina.
- c. Any property, which has been determined by the City to be abandoned, will be removed, stored, and/or disposed of at the Owner's expense and in accordance with appropriate Florida Statutes.

CONDUCT:

- a. Public intoxication, disorderly conduct, threats, profanity or abusive language directed at anyone by the vessel owner, operator, its agents, servants, employees, guest, invitees will not be tolerated and will be subject to immediate removal from the marina.
- b. No person shall throw, shoot, or propel any object in such a manner as to interfere with or endanger the safe operation of any vessel.
- c. No person under the influence of alcoholic beverages or drugs shall operate a vessel from or within the marina basins or Clearwater Harbor.
- d. No person shall skateboard, cycle, rollerblade or use other non-human propulsion on the sidewalks, docks, or seawalls within the marina property.
- e. No person may destroy, injure, deface, or disturb any building, sign, equipment, marker or other structure, tree, flower, lawn, or other property on the marina.

FIRE & SAFETY:

- a. All persons using the marina shall exercise the utmost care to guard against fire and injury to persons and property.
- b. All applicable City, County, State and NFPA codes, standards and recommended practices of the City now in existence or hereafter promulgated are hereby adopted by reference as part of the Rules and Regulations of the Marina. In the event of conflict, NFPA codes shall prevail, as determined by the City Fire Marshall.
- c. Smoking Restrictions: No person shall smoke in any public building of the marina. Smoking shall be prohibited and "No Smoking" signs shall be posted in all areas where fuels and other flammable liquids are stored or dispensed, in all covered or enclosed boat storage areas, in battery rooms, and in other such locations.

FUELING AND FUEL DOCK PROCEDURES:

- 1) Stop all engines and auxiliaries.
- 2) Shut off all electricity, open flames, and heat sources.
- 3) Check bilges for fuel vapors.
- 4) Extinguish all smoking materials.
- 5) Close openings that could allow fuel vapors to enter the boat's enclosed spaces.
- 6) Remove all personnel from the boat except the person handling the fueling hose.
- 7) Ensure a complaint fire extinguisher is readily accessible at the point of fueling.
- 8) Know where shut off values are located, in the event of fire or emergency.
- 9) Fueling shall not be conducted during periods of dangerous thunderstorm activity, or when thunderstorms are within five statute miles of the marina.

DURING FUELING:

- 1) Maintain nozzle contact with fill pipe.
- 2) Attention paid to fuel-filling nozzle at all times.
- 3) Clean up spills immediately.
- 4) Avoid overfilling.

AFTER FUELING AND BEFORE STARTING ENGINES:

- 1) Inspect bilges for leakage or fuel odors.
- 2) Ventilate until odors are removed.

STORAGE AND HANDLING OF FUELS FOR PERSONAL WATERCRAFT:

- a. The use of approved D.O.T. portable containers by commercial licensees in the dispensing of fuel into personal watercrafts shall only be performed with the approval of the City Fire Marshall. *As per current NFPA code. This approval to be kept on file with the Harbormaster.*
- b. Signs prohibiting smoking shall be posted within sight of all fueling operations.
- c. One or more inspected fire extinguishers with a minimum classification of 40-B:C must be available during all fueling operations.
- d. D.O.T. containers containing gasoline product must be removed from the dock and surrounding area at the close of business daily.