



THE CITY OF KEY WEST
CITY MARINA AT GARRISON BIGHT
KEY WEST MOORING FIELD
MANAGEMENT PLAN

A. Management Plan Purpose

1. Objective of The City of Key West

The Management Plan addresses primary management concerns of The City of Key West (City) arising from the operations of Key West Mooring Field and its upland service facilities. The Key West Mooring field provides 149 mooring rigs for a safe means of mooring for public boaters while at the same time protecting our sensitive marine environment from the abuse of conventional type anchoring.

2. Concern's of Boaters

The Key West Mooring Field and Mooring Field Dockmaster will address the concerns of boaters by providing the following: safe anchorage, sewage pump out, dinghy dockage, laundry facility, trash disposal, environmental information, boating safety awareness, Potable water, Bathrooms.

3. Environment

The Key West Mooring field will help protect the environment from eliminating issues coming from wrongful discharge of sewage from moored vessels and also avoid damage done by conventional anchoring thru the use of Helix type screw in anchors and proper ground tackle that would minimize seagrass damage.

4. Provision for Management Flexibility

The City may modify the Management Plan as needed to address unanticipated issues arising from future authorizations of the State of Florida Department of Environmental Protection (DEP), U.S. Army Corps of Engineers (COE), and as deemed necessary by the City. Before any modification to this plan can take effect all permitting authorities must accept it.

B. Applicability of Management Plan

This Management Plan applies to any vessel or person entering the Key West Mooring Field permitted.

C. Definitions



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1. Commercial Vessel

Commercial vessel means any vessel, except a recreational vessel as defined in the Management Plan.

2. Dockmaster

Dockmaster means a business organization or other person under contract or employed with the City of Key West who is responsible for the daily operation of the Mooring Field.

3. Permittees

Permittees are persons that obligate themselves or another person to the terms of the Management Agreement including their agents or guests.

4. Lien

Lien means a security interest reserved or created by a written agreement recorded with the Department of Highway Safety and Motor Vehicles pursuant to F.S §328.15 that secures payment or performance of an obligation, and is generally valid against third parties.

5. Lien Holder

Lien holder means a person holding a security interest in a vessel, which interest is recorded with the Department of Highway Safety and Motor Vehicles pursuant to F.S. §328.15.

6. Marine Sanitation Device

Marine sanitation device means any equipment / device, approved by Coast Guard to hold sewage in Marine Environment, other than a toilet as defined in C.13, for installation on board a vessel, which is designed to receive, retain, treat or discharge sewage and any process to treat such sewage. Marine sanitation device Types I, II and III shall be defined as provided in 33 C.F.R. part 159.

7. Motor Vessel

It means vessel equipped with operable machinery for propulsion, irrespective of whether the propulsion machinery is in actual operation, or whether the machinery is the primary source of propulsion. All moored vessels are considered motorboats



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under the Management Plan, regardless of traditional classification of the vessel otherwise.

8. Operation of Vessel

Operation of a vessel means to be in charge of or in command of or in actual physical control of a vessel, or to exercise control over or to have responsibility for a vessel's navigation or safety while the vessel is underway, or to control or steer a vessel being towed by another vessel, while on the waters of the State of Florida specifically including the waters of the East Mooring Field.

9. Owner

Owner means a person, other than a lien holder, having the property in or title to a vessel. The term includes a person entitled to the use or possession of a vessel subject to an interest in another person, reserved or created by agreement and securing payment of performance of an obligation, such as installment contract for purchase, however, the term excludes a lessee under a lease not intended as security.

10. Person

Person means an individual, partnership, firm, corporation, association, or other entity.

11. Registration

Registration means an operating license issued by the State of Florida. Applications for vessel registration and title certificates are to be filed by the vessel owner with the county where the vessel owner resides.

12. Sailboat

Sailboat means any vessel whose sole source of propulsion is the wind. This narrow definition of sailboat is necessary in order to effect the registration requirements of the State of Florida and the City.

13. Toilet

Toilet means a device consisting of a lid, seat, containment vessel, and support structure that is specifically designed to receive, retain, and discharge human waste.

14. Vessel



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Vessel includes every description of watercraft, barge, and air boat, other than a seaplane, used or capable of being used as a means of transportation on water.

15. Vessel, Abandoned

Abandoned vessel means any unoccupied licensee vessel located in the Mooring Field on the thirtieth (30) day after written notice of account delinquency is placed in the U.S. mail to the Owners' last known address; or any non-licensee vessel occupying space in the Mooring Field without the express permission of the Dockmaster.

16. Vessel Derelict

Any vessel that is left, stored, sunk, or abandoned:

- (a) In a wrecked, junked or substantially dismantled condition.
- (b) In the Mooring Field without the consent of the Dockmaster.

17. Vessel, Recreational

Recreational vessel means any vessel (a) manufactured and used primarily for noncommercial purposes, or (b) leased, rented, or chartered to a person for the person's noncommercial use.

D. Management of the Mooring Field

1. Types of Vessels Allowed

Recreational vessels may be allowed to moor in the Key West Mooring Field subject to the Management Plan and the rules and discretion of the Dockmaster. Reference the definition of motorboat under the Management Plan in paragraph C.7 above.

2. Types of Vessels Prohibited

Any vessels other than recreational type vessels.

3. Permit Agreement Required

In order to moor a vessel, a Mooring Permit Agreement must be entered into between the Owner of the vessel and the City of Key West.

4. Enforcement of Rules



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The Dockmaster is authorized to make and enforce rules that are reasonably necessary to the day-to-day administration of the Key West Mooring Field and are in accordance with the Management Plan.

5. Sealing of Overboard Discharges

The Dockmaster is authorized to seal any wrongful overboard discharges by the most cost effective method reasonable under the circumstances in the absence of the Permit. The Dockmaster's action under this paragraph specifically constitutes an emergency repair and triggers the Permit's duty to pay pursuant to the Mooring Permit Agreement.

6. Boarding of Vessels

The Dockmaster is authorized to board vessels to check for conformance with the Management Plan and applicable state or federal law safety and sanitation requirements; except, the qualifications for the boarding and inspection of vessels provided under F.S. §327.56 must be followed by the Dockmaster.

7. Liaison with Authorities

The Dockmaster is authorized to report any known, suspected or reported violations of the Management Plan or any other restriction, condition or rule arising under federal or state law or any permit issued pursuant to the Mooring Field to the appropriate authorities.

8. Emergency Relocation of Vessels

The Dockmaster is authorized to relocate at the Licensee's expense any unattended vessel in the event of a major storm and it is reasonably deemed necessary by the Dockmaster to relocate the vessel. The relocation will be accomplished in the most economical way reasonable under the circumstances and triggers the Permit's duty to pay pursuant to the Mooring Permit Agreement. There is no duty for the Dockmaster or the City to relocate the vessel.

9. Emergency Repairs of Vessels

The Dockmaster is authorized to affect the repair of an unattended vessel at the Permittee's expense when reasonably necessary to protect life or property. The repair will be accomplished in the most economical way reasonable under the circumstances and triggers the Permit's duty to pay pursuant to the Mooring Permit Agreement. There is no duty for the Dockmaster or City to repair the vessel.



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10. Reassignment of Moorings

The Dockmaster is authorized to reassign anchorages when it is reasonable to do so and 24 hours advance notice is provided to the Permit.

11. Assignment of Mooring Permit Agreement

In the event of a sale of the vessel, the Dockmaster is authorized to approve a Permit's request to assign the Mooring Permit Agreement to the new owner for use of the sold vessel at their existing mooring. The authorization shall not be unreasonably withheld.

12. Authorization of Vessel Repairs

The repair of vessels in the water is prohibited except under certain emergency situations.

13. Pursuance of Remedies Against Permittees

The Dockmaster is authorized to pursue any remedy against a Permittee in violation of the Management Plan or any other legal obligation arising from the Permittees use of the Mooring Field.

14. Dinghy/Day Dockage

Dinghy Dockage is available for customers permitted in the Mooring Field. The maximum length for dinghy at the Dinghy Dock is twelve (12) feet.

15. No Anchoring

The Seaplane Basin is entirely within the Management Agreement Area. This agreement calls for the City of Key West to enforce the basin wide no-anchoring requirement within this designated area. There will be no anchoring of any vessel within the Seaplane Basin except at designated mooring locations in the mooring field as directed by the Harbor Master at Garrison Bight Marina. Anchoring within the Seaplane Basin will be prohibited at all times other than during a declared emergency. The no anchoring restriction will be enforced by the City of Key West. Prior to implementation of this ruling the public will be notified through local news media defining the purpose and reason for the mooring field and the management changes as they pertain to anchoring within the Seaplane Basin.

E. Duties of Dockmaster



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1. Administration of the Management Plan

The Dockmaster shall administer the Management Plan as necessary to ensure the effective operation of the Key West Mooring Field. The Dockmaster's administrative duties shall include, but are not limited to, record keeping and the collection of fees.

2. Monitoring of Key West Mooring Field

The Dockmaster shall monitor and control activities occurring within the Key West Mooring Field to ensure adherence to rules, applicable regulations and safe boating practices.

3. Maintenance of Records

The Mooring Field Dockmaster shall prepare and maintain various records or reports including, but not limited to; budgets for the operation of Key West Mooring Field; receipts for the collection of fees and other revenues; copies of repair and maintenance authorizations issued to Permittees; copies of all Caution Statements, Warning Notices, and Termination Notices issued to Permittees and notations recording the circumstances surrounding the violation; receipts for all purchases on the Key West Mooring Field's account; records and notations of any maintenance of the Key West Mooring Field; vessel registrations; Permittee's proofs of dates of occupation; proofs of vessel sewage pump-outs; current rules promulgated by the Dockmaster and a copy of the current Management Plan for Permittees use.

4. Assignment of Moorings

The Dockmaster shall assign moorings. The Dockmaster's prior approval is necessary before a vessel can occupy any mooring, except as provided for in Section B.1 of the Key West Mooring Field Rules and Regulations.

5. Supervision of Personnel

The Dockmaster shall supervise all personnel providing services to the Key West Mooring Field including, but not limited to, security, maintenance, or construction.

6. Assistance to General Public

The Dockmaster shall provide assistance to the general public regarding the waterways in the Key West Mooring Field. Assistance includes, but is not limited to providing the inquiring public with the rules and regulations of the Key West



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Mooring Field, weather and water condition reports and information on safe boating practices.

7. Inspection of Vessels and Facilities

The Dockmaster shall inspect vessels, anchorage devices, and the facilities of the Key West Mooring Field for adherence to established safety regulations and to prevent accidents or harm to persons or property within the Key West Mooring Field.

8. Maintenance of VHF Communications

The dockmaster shall operate and maintain the Key West Mooring Field's VHF radio equipment during regular business hours to provide open communications with, and respond to the boating needs of the public.

9. Reporting on Hazardous Material Discharges

The Dockmaster shall report all wrongful discharges to the appropriate local, state or federal authorities according to any applicable statutes or regulations.

10. Coordination with Authorities in the Event of Severe Weather

The Dockmaster shall coordinate the Severe Storm Plan, outlined in Section G herein, with the City to ensure that the Severe Storm Plan is current and can be immediately implemented when necessary.

11. Repair of Key West Mooring Field

The Dockmaster shall keep the Key West Mooring Field in good repair and perform any alteration or repairs to docks, piers, moorings, signage or other common area structures of the Key West Mooring Field.

12. Enforcement of Management Plan

The Dockmaster shall enforce the provisions of the management Plan, Key West Mooring Field Rules and Regulations, and all FDEP and ACOE Authorizations/Submerged Lands Lease/Permits.

F. Sewage, Waste and Gray Water Discharge Handling

1. Requirements



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Florida Statute 327.53 is incorporated by reference into this management Plan and provides the minimum requirements for the handling of sewage including waste from Marine Sanitation Devices or toilets in the Key West Mooring Field. Additionally, Florida Statute 327.53 provides the basis for additional rules that may be enforced by the Dockmaster. To provide incentives for boaters to comply with clean vessel requirements, sewage pump-out service is included in the mooring fee. The use of shoreside facilities are encouraged to reduce the impacts associated with gray water discharges from vessels (increased phosphates, reduced dissolved oxygen, and other water quality problems).

G. Severe Storm Plan

1. Evacuation of Vessels

In the event of the approach of a severe storm and at the discretion of the Dockmaster of Law Enforcement, all Permittees may be counseled to evacuate from their vessels and/or move their vessels to safer waters.

2. Vessel Assignment

The Dockmaster shall not assign mooring sites within 48 hours before a severe storm that is predicted to be within 400 miles of Key West. For the purpose of this section “severe storm” is defined as a Tropical Storm Category B (50-73mph maximum sustained wind speed).

3. Preparation of Vessels

Permittees shall properly secure and tie down their vessels by the eighth (8th) hour that the Dockmaster or Law Enforcement determine the approach of a sever storm warrants the securing of all vessels in the Key West Mooring Field and communicate that to the permittees by direct contact or public posting at the Dockmaster’s office.

4. Damage to Mooring System

Permittees shall be liable for damages to the mooring system resulting from their vessels if they remain during the storm.

H. Lien on Vessel for Non-Payment of Fees



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The Dockmaster may place a lien pursuant to Chapter 328.15 F.S. against abandoned vessels. Accordingly, the remedy of “Nonjudicial Sale of Vessels” as outlined in Chapter 328.17 F.S is specifically incorporated into the Management Plan and may be affected by the Dockmaster in order to collect monies owed by the Permittees to the Key West Mooring Field. This is an alternative remedy when Permittee is non-responsive or cannot be located and forced to remove the vessel.

I. Removal and Sale of Abandoned Vessels

Nothing in this Management Plan limits any alternative remedy arising under Chapter 705 F.S concerning the disposition, lien, or removal from public waters of abandoned property within the Key West Mooring Field specifically including, but not limited to, vessels. The definition of “Abandoned Property” provided in Chapter 705.101 (3) is incorporated into the Management Plan by reference.

CITY OF KEY WEST, FLORIDA
MOORINGFIELD RULES AND REGULATIONS

A. Duties of Licensee in the Use of the Key West Mooring Field

1. Obedience of Laws

Permittee shall not conduct any illegal activity within the Key West Mooring Field, and ancillary amenities.

2. Use of Key West Mooring Field

Permittee shall not conduct commercial activities or moor vessels engaged in commercial activities in the Key West Mooring Field. Permittees shall not advertise from, or solicit services on any vessel within the Key West Mooring Field except for “For Sale by Owner” signs not to exceed one square foot in size. “For Sale by Owner” signs must be limited two signs per vessel.

3. Safe Operation of Vessels



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Permittees shall operate any vessel under their control in a safe manner so as to avoid unreasonable risk of harm to any person or property within the Key West Mooring Field. Safe operation consists of, but is not limited to, maintaining minimum headway to facilitate control of the vessel while at the same time minimizing wake and maintaining adequate distance for other vessels or structures to avoid contact due to wind or tidal drift.

4. Maintenance of Vessels

Permittees shall maintain their vessels in compliance with the United States Coast Guard regulations and safety standards and Chapter 327, Florida Statutes. Proper maintenance consists of, but is not limited to, maintaining all mechanical and electrical systems in good operational condition, maintaining all required safety gear in good condition and handily available, and maintaining a current registration of the vessel. Permittees shall maintain all marine sanitation devices in strict conformance with the Management Plan and applicable state and federal law.

5. Use of Sewage Pump out Facilities

Upon entering the Key West Mooring Field or upon registering with the Dockmaster, all vessels shall have their sewage holding tanks inspected and emptied into an approved sewage pumpout facility. Absolutely no dumping of sewage in any area within the premises shall be allowed except at the approved upland pumpout station or by the authorized pumpout vessel. All occupants will be required to have their tanks pumped at the approved station or by an approved vessel not less than every seven (7) days without fail.

6. Conduct of Permittees

Permittees shall conduct themselves reasonably at all times while in the Key West Mooring Field giving attention to both (1) risks of harm, danger and annoyance to other Permittees and (2) ways of ensuring that the risks do not materialize.

7. Use of Key West Mooring Field

Permittees shall properly use the Key West Mooring Field and exercise the degree of care that reasonable persons exercise when dealing with their personal property.



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Permittees shall not destroy or damage any property or equipment of the Key West Mooring Field through any intentional or negligent act or failure to act.

8. Restrictions on Noise

While in the Mooring Field, vessel occupants shall use the utmost discretion in using any noise creating devices, including but not limited to TV sets, radios and stereos or participating in boisterous or rowdy conduct so as not to create a nuisance.

9. Time restrictions on Use of Noisy Tools and Equipment

Noisy generators, blowers, or other machinery shall not be operated between the hours of 9:00 PM and 7:00 AM.

10. Use of Charcoal Burners

The use of devices that burn solid fuels (coals, charcoal, wood) or emit an uncontrolled open flame are prohibited on any vessel secured in the mooring field. Cooking stoves, either portable or installed, must be Underwriters Laboratories approved.

11. Swimming and Diving Restrictions

Permittees shall not swim or dive from moored vessels or the Key West Mooring Field facilities, except in order to inspect, maintain or repair their vessel.

12. Cleaning Vessels

Washing vessels with detergents containing phosphates or chlorine or cleaning them with petroleum distillates is prohibited within the Mooring Field.

13. Discharge of Waste

Permittee shall not dump sewage in the mooring field waters under penalty of immediate eviction and prosecution in court of law. Permittee shall comply with Chapter 82-41 of the Code of Ordinances regarding operation in the No Discharge Zone of the City's jurisdictional waters. The cost of collecting and pumping out waste holding tanks is included as part of the mooring fee.

14. Discharge of Hazardous Materials

Permittee shall not discharge any hazardous materials as defined by federal or state law specifically including but not limited to, fuel, oils, lubricants, paints, varnishes, or bilge waters mixed with any hazardous material, into the waters of the Key West



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Mooring Field. In the event of an Oil spill incident, whatever the cause, must be reported immediately to the City Manager or authorized agent at (305) 809-3981, in addition to the U.S. Coast Guard (305) 292-8727 and the Florida Fish and Wildlife Conservation Commission, Department of Law Enforcement, at (800) 342-5367.

15. Repairs of Vessel

The repair of vessels in the water is prohibited except under emergency situations.

16. Feeding of Wildlife

Permittees shall not feed or leave food for any wildlife, particularly birds or threatened or endangered species, such as manatees.

17. Non-Permittee Use of Assigned Mooring

Permittee shall not rent out or otherwise allow non-permittee use of their assigned mooring without the prior authorization of the Dockmaster.

18. Placement of Anchors

Pursuant to the Mooring Field Management Plan DSL-59, anchoring in the mooring field is prohibited. The use of additional individual anchors by moored vessels in the mooring field is also prohibited.

19. Rafting of Vessels

Permittees shall not raft or moor more than one vessel to any mooring buoy, except with the prior approval of the Dockmaster. This shall not apply to tenders.

20. Boarding by the Dockmaster or Law Enforcement

Permittees shall allow the Dockmaster or his representative or any local, state or federal law enforcement personnel acting within their jurisdiction, full access to board or inspect their vessel as reasonably necessary to enforce the Management Plan or any other applicable local, state, or federal rule, regulation that has the force of law.

21. Storage of Materials or Equipment

Permittee shall not store personal property in the Key West Mooring Field's common areas.

22. Alteration or Construction on the Key West Mooring Field



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Permittees shall not perform any alterations or repairs to docks, piers, moorings or other common area structures of the Key West Mooring Field.

23. Operation of Motorized Vehicles

Permittee shall not drive, store or otherwise use any motorized vehicle on the Key West Mooring Field's upland common area except by permission of the Dockmaster or in areas clearly designed for the use of parking of motorized vehicles. The parking lots of the marina are "Public" lots and therefore no assigned or reserved parking is allowed.

24. Pets

All pets must be leashed or contained when off the vessel. Loud, disruptive or nuisance pets will not be allowed. It is the responsibility of pet owners to manage and direct all pet feces and associated waste for proper disposal to either waste holding tanks or sealed securely for refuse disposal.

25. Garbage disposal

The vessel owner/tenant must take all refuse (garbage and accumulated trash) to the Key West City Marina at Garrison Bight or Key West Bight Marina for proper disposal. The cost of refuse collection is included as part of the mooring fee.

26. Manatees

Permittees and guests shall acquaint themselves with the publications and warnings available from the Dockmaster regarding safe operations in waters frequented by manatees and to abide by all laws, ordinances, rules and regulations governing the operation of watercraft in the presence of manatees. Harassment of protected wildlife is illegal and will not be tolerated in the Key West Mooring Field. Any incident relating to injured marine wildlife shall be reported immediately to the Florida fish and Wildlife Conservation Commission at 1-888-404-3922.

27. Seagrasses

Permittees shall not moor within any seagrass beds adjacent to the Key West Mooring Field.

28. Special Mooring Field Rules Pertaining to the U.S. Navy



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The City will provide a chart to each vessel registering at the mooring field identifying restricted U.S. navy Property at Fleming Key, Trumbo Point Annex, and Sigsbee Park Annex, along with a list of any other pertinent regulations enforced by Federal authority. Infraction of any regulations or trespass on property restricted by Federal authorities may result in immediate loss of one's mooring permit, in addition to Federal enforcement and legal action.

B. Mooring Field Procedures

1. Permit Application Procedures

Applicant: Any Person desiring to obtain a permit to moor a vessel shall make the application to the Dockmaster on the appropriate form supplied by the Dockmaster.

Space available: When a space becomes available, it shall be offered first to Monroe County registered vessels. Any person offered space shall have five (5) days from receipt of the offer in which to accept the space and make the required security deposits to the city. Failure to make the appropriate deposits and payments within the time specified shall constitute rejection of the offer of the space. Any space which becomes available and which can accommodate the vessel, considering the length, width, and draft of the vessel, shall be considered "suitable" space for that particular vessel.

2. Assignment of Permits

Each Permit is issued to a particular individual for a particular vessel. It is a personal contract and not assignable to another party, nor transferable to another vessel. Any attempt to assign, sub-lease, or transfer a Permit shall terminate the Permit Agreement

3. Assignment of Space

Any Permittee who removes his or her vessel from his or her assigned space for any period in excess of forty-eight (48) hours must notify the Dockmaster of such absence. During a notified absence from a mooring site, the Dockmaster may temporarily assign the mooring space to another vessel of the duration of the absence.

4. Tender Facilities

No person shall secure a tender or dinghy, no more than twelve (12) feet, within Key West City Marina at Garrison Bight at any location other than the designated dinghy dock.



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The city assumes no liability or responsibility for any vessel, or its contents, left at the marina facility or mooring field.

5. Inspections of Vessels

Moored vessels are subject to inspection by the Dockmaster upon registration and as scheduled below. Inspections will include but are not limited to the following.

- a) Sanitation equipment to ensure that the equipment complies with marine sanitation requirements of the City Code of Ordinances and the U.S. Coast Guard.
- b) Safety inspection of vessels that relates to the vessel's seaworthy condition, including checking the vessels bilges for excessive accumulations of water or fuel, and compliance with all State and Federal safety equipment regulations and requirements.

Schedule of Inspections

- a) Transient: Less than or equal to 3 days. No inspection but the operator certifies that the vessel complies with sanitation and seaworthiness safety standards.
- b) Short term: 4 days, but less than or equal to 14 days. Upon entry only
- c) Long term: 15 days, or less than or equal to 6 months. Upon entry and at 3 months.
- d) Emergency inspections of unattended vessels will be conducted whenever a vessel appears to be in, or is likely to create, distress or potential danger to other vessels or the environment.

6. Maintenance of Mooring System

The City of Key West will provide for the maintenance of the mooring system. Selected contractors must establish that they are licensed, and have experience in the installation and maintenance of commercial mooring fields.

All systems shall be inspected for damage and wear every one hundred-twenty (120) days. All repairs will be made to ensure safe conditions and a written record will be kept on each mooring's condition and repair history.

7. Mooring Ball Attachment

All vessels must use the proper type and diameter line. Polypropylene is not permitted. Nylon is the preferred type of line. The following is a guide for the minimum line size for winds up to 60 mph. In higher winds, larger diameter lines are needed:

| | |
|-----------------------|---------------|
| Vessels up to 25' | 1/2 inch line |
| Vessels 25' up to 40' | 5/8 inch line |



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Vessels 40' and up

3/4 inch line

Vessel owners are responsible for maintaining mooring lines in good condition and tangle free. Pendants shall not be attached directly to the vessel. Vessels shall have at least 10 feet of line between the pendant and the vessel. The line should be wrapped several times around the pendant loop to eliminate chaffing. In large storms, back up lines with slack in them should go to the buoy shackle.

8. Vessel Requirements

For purpose of this Permit, the following requirements are necessary for a vessel to be considered a “seaworthy” vessel:

- a) Hull specifications: A skiff hull or flat sided bow surface is not acceptable. A traditional painted bow, cathedral, catamaran, or trimaran hull is acceptable.
- b) The deck house or cabin must be of the proper size and shape necessary to ensure stability in rough sea conditions.
- c) The vessel must be structurally strong enough to endure 4 foot waves and 75 mph winds. The vessel must have the appropriate equipment to secure the vessel in such conditions.
- d) The vessel shall contain all appropriate equipment required by the U.S. Coast Guard.
- e) The maximum length of any vessel permitted in the Mooring Field shall be 50 feet.
- f) Only vessels under their own power shall be permitted in the Mooring Field. Propulsion drive methods may be motor or sail.

9. Unlawful Moored Vessels Anchored within the Mooring Field

The City of Key West will impound any unlawfully moored or anchored vessel. The City shall not release the vessel until all charges for towing and storage fees have been paid. The charge for towing, removal, and storage shall be based on prevailing charges in the City for such services.

Whenever any vessel is taken into custody and impounded by authority of the City as authorized herein and the name and address of the owner of such vessel can be ascertained by the City, it shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reason therefore and the place to which such vessel has been removed.

Whenever such a vessel is removed from the prohibited area as authorized herein and



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the City or its agent does not know and is not able to ascertain the name and address of the owner of such vessel or for other reason is unable to give the notice to the owner, and in the event the vessel is not returned to the owner within a period of three (3) days after same has been taken into custody and impounded, the City shall immediately send or cause to be sent a written notice of such impoundment by mail to the Department of Highway Safety and Motor Vehicles, Vessel Titles, 2900 Apalachee Parkway, Tallahassee, Florida (850) 488-1195 and shall file a copy of such notice with the person who has been authorized to have custody of the impounded vessel for the purpose of storage. Such notice shall include a complete description of the vessel, the date, time and place from which it was removed, the reason for such removal and the name of the storage facility or place where the vessel is stored.

10. Termination of Permit

Monthly rentals, failure to pay fees: All payments are due and payable on the first of each month. Any PERMITTEE allowing mooring fees to become delinquent for a period of twenty (20) days shall be notified by mail at the last address given the City. If total payment is not received within fifteen (15) days of the date of the notice, the City shall have the right to summarily revoke the Permit and order that the vessel be removed. The City may pursue all legal remedies to obtain payment of charges due.

Any vessel mooring in contravention to these rules, or in neglect of any precaution which may be required by the ordinary practice of seamen, will be required to move immediately when requested to do so by the Dockmaster, and may be subject to termination of the mooring Permit as provided in the above section entitled "Termination of Permit." City may terminate this Permit Agreement with or without cause.

C. Communication with the Dockmaster

1. Use of VHF Channel 16

All persons operating a VHF radio within the Key West Mooring Field shall monitor channel 16 at all times. All persons shall use channel 16 as a hailing and distress frequency only. All persons shall switch to a different channel to converse after communications have been established on channel 16.

2. Content of Communications with Dockmaster



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All persons shall keep conversations on VHF radio brief and to the point. No person shall advertise on any VHF channel. Nothing herein shall be construed as prohibiting the establishment of a "Radio Net".

3. Use of Telephone

The dockmaster is available via telephone (305) 809-3981, seven days per week during normal business hours otherwise (7:00 A.M. till 5:00 P.M.); voicemail, answering machine or answering service will record incoming messages.