



**Notice of Moorage Tariff No. 6 BHM Changes  
Effective January 1, 2019  
at Bell Harbor Marina**

**(Approved Nov. 19, 2018)**

**1. Change Titles for Tracy McKendry & Kenneth Lyles**

PRESENT:

ITEM 1 - TITLE PAGE

**ALTERNATE ISSUING AGENT**

Tracy McKendry  
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**ALTERNATE ISSUING AGENT**

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CHANGE:

ITEM 1 - TITLE PAGE

**ALTERNATE ISSUING AGENT**

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# DEFINITIONS

## **2. Reorder “Definitions” to Alphabetical Order**

PRESENT:

ITEM 1100  
DEFINITIONS

In random order

CHANGE:

ITEM 1100  
DEFINITIONS

In alphabetical order

## **3. Move all Definitions Regarding Charter Boats, Tribal and Commercial Fishing Vessels to Their Own Section**

Pulled from Definitions, compiled into:

ITEM 4000  
CHARTER, TRIBAL AND COMMERCIAL FISHING VESSELS

## **4. Remove Sunday from Definition of Peak Weekend**

PRESENT:

ITEM 1100  
DEFINITIONS

N. PEAK WEEKENDS

Friday, Saturday, and Sunday during the months of June, July, August and September.

CHANGE:

ITEM 1100  
DEFINITIONS

N. PEAK WEEKENDS

Friday and Saturday during the months of June, July, August and September.

**5. Add Definition of Seaworthiness**

PRESENT:

ITEM 1100  
DEFINITIONS

None

R. SMALL CRAFT - moved down by 1 bullet point to become point S, along with all points following.

CHANGE:

ITEM 1100  
DEFINITIONS

R. SEAWORTHINESS

Vessels moored in a Port harbor must, at all times, be completely seaworthy; meaning that it is operable and ready for immediate cruising in local waters. Vessels must be able to safely maneuver under their own power, using a propulsion system that is consistent with the vessel's original design plans, from its slip to another port of call and back to its slip. In cases where a vessel does not appear to have left its mooring for a long period of time and the question of operability arises, Marina Management may require a demonstration of the vessel's operability. Affixing tow ropes, outboard engines or other power workarounds does not satisfy the propulsion requirement and may result in a notice of termination.

## RULES & REGULATIONS

**6. Move all Rules Regarding Charter Boats, Tribal and Commercial Fishing Vessels to Their Own Section.**

Pulled from Rules & Fees, compiled into:

ITEM 4000  
CHARTER, TRIBAL AND COMMERCIAL FISHING VESSELS

**7. Revise Statement of Port Rights to Board Vessels in Item 2100 A, Pt. 18** *(This change must be made in two places in Rules; here and at Item H)*

PRESENT:

ITEM 2100  
RULES AND REGULATIONS

A. Bell Harbor Marina

18. A vessel owner who denies permission when requested for an on-board inspection of his/her vessel by Port Management, Port Police Department, U.S. Coast Guard Boarding Officer, U.S. Coast Guard Auxiliary Boat Examiner, City of Seattle Harbor Police or authorized King County Deputy Sheriff shall be deemed in non-compliance with Port of Seattle regulations.

CHANGE:

ITEM 2100  
RULES AND REGULATIONS

A. Bell Harbor Marina

18. To avoid injury or damage to persons, property or the environment, vessels moored at Bell Harbor Marina must be properly maintained in a safe and hazard free condition. A vessel owner who denies permission when requested for an on-board inspection by Port Management, and/or city, county, state or federal representatives, for purposes of determining or verifying the condition of a vessel shall be deemed in non-compliance with Port of Seattle regulations.

The foregoing notwithstanding, the Port is under no obligation to undertake the inspection of any vessel, and by undertaking such an inspection; the Port assumes no responsibility for the vessel's condition or safekeeping.

**8. Add Examples of Permitted Watercraft.**

PRESENT:

ITEM 2100  
RULES AND REGULATIONS

A. 18

Move current point 18, and all following points down by one.

CHANGE

ITEM 2100  
RULES AND REGULATIONS

A. 18

Permitted Watercraft are boats/vessels designed for navigation on open waters, capable of being used as a means of transportation and used for recreational or commercial boating. Permitted vessels/boats are of a class or a type designated by convention as a self-propelled boat/vessel, an auxiliary boat/vessel, or a sailboat/powerboat.

**9. Modify the Language Regarding Supervision of Children.**

PRESENT:

ITEM 2100  
RULES AND REGULATIONS

A. Bell Harbor Marina

27. Children under twelve (12) years of age are not permitted on piers unless accompanied by a parent or other responsible adult.

CHANGE:

ITEM 2100  
RULES AND REGULATIONS

A. Bell Harbor Marina

27. Keeping children safe is a priority at Bell Harbor Marina. Children under twelve (12) years of age are not permitted on the docks at any time without a parent or other responsible adult. Life jackets are recommended for children on the docks as well as all non-swimmers. Bell Harbor Marina is part of the Boat US Foundation Life Jacket Loaner for Kids program. Moorage customers and marina visitors may check out a free child life jacket for a day at the Marina Office. Valid photo ID is required.

**10. Clarify Details Regarding Guest Reservations. Remove Reference to Group Reservations, as They are Now Handled as Yacht Clubs**

PRESENT:

ITEM 2100  
RULES AND REGULATIONS

D. RECREATIONAL VESSEL REGISTRATION AND PROCEDURES

5. Reservations

a) Individual

Individual reservations shall be taken for boaters who wish to reserve a slip for an overnight stay or longer. Beginning the 2nd Monday of each year, reservations will be taken through the end of the

following year. Beginning July 1st of each year, reservations will be taken for the following Off-Peak Season. See Items 3200(H) and 3100(A). Bell Harbor Marina Management reserves the right to change berth assignments as needed to allow for the best use of the facility and comfort of the customers. A reservation does not necessarily guarantee in and out privileges and all vessels, reserved or not, are subject to rafting during peak occupancy levels.

b) Group

Group reservations shall be taken for organized groups of 8 or more vessels. Exceptions may be made during the Off-Peak Season subject to availability and occupancy. Group reservations must be made at least 14 days in advance.

c) General

- I. Reservations made at least 24 hours in advance will qualify for the guest moorage reservation rate.
- II. Payment for the initial day of moorage must be paid at the time of the reservation and is non-refundable.

All reservations are considered non-refundable and non-transferable unless with Management's approval.

CHANGE:

ITEM 2100

RULES AND REGULATIONS

D. RECREATIONAL VESSEL REGISTRATION AND PROCEDURES

5. Reservations

Individual reservations shall be taken for boaters who wish to reserve a slip for an overnight stay or longer. Beginning the 2nd Monday of each year, reservations will be taken through the end of the following year. Beginning July 1st of each year, reservations will be taken for the following Off-Peak Season.

Marina Management reserves the right to change berth assignments as needed to allow for the best use of the facility and comfort of the customers. A reservation does not necessarily guarantee in and out privileges and all vessels, reserved or not, are subject to rafting during peak occupancy levels.

Yacht Club reservations shall be taken for organized groups of eight (8) or more vessels. Exceptions may be made during the Off-Peak Season subject to availability and occupancy. Each individual Yacht Club member's vessel moorage reservation must be made at least 14 days in advance.

- Reservations made at least 24 hours in advance qualify for the guest moorage reservation rate.
- Payment for the initial day of moorage must be made at the time of the reservation and is non-refundable and non-transferrable.
- Refunds and transfers must be approved by marina management.

**11. Revise Statement of Port Rights to Board Vessels in Item 2100 H** *(This change must be made in two places in Rules; here and at Item A)*

PRESENT:

ITEM 2100  
RULES AND REGULATIONS

H. SEAWORTHINESS

Vessels moored at Bell Harbor Marina must, at all times, be completely seaworthy and ready for immediate navigation in local waters.

A vessel owner, charterer, or operator must grant permission when requested for an onboard vessel inspection by Bell Harbor Marina Management, U.S. Coast Guard, Seattle Fire Department, Port Police, Municipal Police, King County Deputy Sheriff, and others possessing legal authority. Refusal to grant boarding for inspection is deemed in non-compliance with the above article.

CHANGE:

ITEM 2100  
RULES AND REGULATIONS

H. SEAWORTHINESS

Vessels moored at Bell Harbor Marina must, at all times, be completely seaworthy and ready for immediate navigation in local waters.

To avoid injury or damage to persons, property or the environment, vessels moored at Bell Harbor Marina must be properly maintained in a safe and hazard free condition. A vessel owner who denies permission when requested for an on-board inspection by Port Management, and/or city, county, state or federal representatives, for purposes of determining or verifying the condition of a vessel shall be deemed in non-compliance with Port of Seattle regulations.

The foregoing notwithstanding, the Port is under no obligation to undertake the inspection of any vessel, and by undertaking such an inspection; the Port assumes no responsibility for the vessel's condition or safekeeping.

**12. Rework Guideline on Posting of Tariff**

PRESENT:

ITEM 2100  
RULES AND REGULATIONS

N. REMOVAL OF VESSELS FOR NON-PAYMENT OF CHARGES

6. The Port shall at all times conspicuously post this tariff, and the regulations authorized under this section shall be enforceable only if the Port has had its tariff containing such regulations conspicuously posted at its moorage facilities at all times.

CHANGE:

ITEM 2100  
RULES AND REGULATIONS

N. REMOVAL OF VESSELS FOR NON-PAYMENT OF CHARGES

6. The Port shall at all times conspicuously post this tariff. Posted, in this instance, means that the tariff is available online and a copy is available in the Marina office.

**RATES**

**13. Move all Rates & Fees Regarding Charter Boats and Fishing Vessels to Their Own Section**

Pulled from Rates & Fees, compiled into:

ITEM 4000  
CHARTER, TRIBAL AND COMMERCIAL FISHING VESSELS

**14. Increase Guest Moorage Rates by 7%. Remove 3/8 Rule, Sunday as a Weekend Day, and References to Charter Rates and Regulations.**

PRESENT:

ITEM 3100  
RATES

A. DAILY GUEST MOORAGE RATES PER FOOT OF EXTREME LENGTH OF VESSEL (ELOV) BY VESSEL TYPE

Guest Moorage	0 - 49 ft.		50 - 99 ft.		>100 ft.	
	Regular Rate	Reservation Rate	Regular Rate	Reservation Rate	Regular Rate	Reservation Rate
Peak Season	\$1.75	\$1.50	\$2.00	\$1.75	\$2.50	\$2.25
Off Peak Season	\$1.50	\$1.25	\$1.50	\$1.25	\$2.50	\$2.25
All Weekends (Fri, Sat, & Sun)	\$1.85	\$1.60	\$2.25	\$2.00	\$2.50	\$2.25
Holiday Rates	\$2.50	\$2.25	\$2.50	\$2.25	\$2.50	\$2.25
Charter Vessels	\$2.50	\$2.25	\$2.50	\$2.25	\$2.50	\$2.25
Kayak – Per Day	\$20.00					

To achieve maximum utilization of marina space, the Interagency Committee for Outdoor Recreation



Off-Peak Season definition has been applied to low-usage days during the Peak Season (Monday through Thursday.)

Any vessel with a beam exceeding 3/8 its overall length shall be charged two (2) times the moorage rate.

Charter vessels requesting a reservation shall be charged the moorage rate in accordance with Item 2100(D). The total moorage charge, including the non-refundable reservation fee for each round trip visit reserved, must be received or arranged for at least 72 hours prior to the reservation date. The moorage charge is refundable only if the reservation is canceled at least 72 hours prior to arrival.

CHANGE:

ITEM 3100

RATES

A. DAILY GUEST MOORAGE RATES PER FOOT OF EXTREME LENGTH OF VESSEL (ELOV) BY VESSEL TYPE

Guest Moorage	0 - 49 ft.		50 - 99 ft.		>100 ft.	
	Regular Rate	Reservation Rate	Regular Rate	Reservation Rate	Regular Rate	Reservation Rate
Peak Season	\$1.87	\$1.61	\$2.14	\$1.87	\$2.68	\$2.41
Off Peak Season	\$1.61	\$1.34	\$1.61	\$1.34	\$2.68	\$2.41
All Weekends (Fri & Sat)	\$1.98	\$1.71	\$2.41	\$2.14	\$2.68	\$2.41
Holiday Rates	\$2.68	\$2.41	\$2.68	\$2.41	\$2.68	\$2.41
Kayak – Per Day	\$21.40					

To achieve maximum utilization of marina space, the Interagency Committee for Outdoor Recreation Off-Peak Season definition has been applied to low-usage days during the Peak Season (Monday through Thursday.)

**15. Increase Short Stay Rate by 7%. Remove Exclusion on Weekends. Remove 3/8 Rule and the Assessment for Commercial Vessels**

PRESENT:

ITEM 3100

RATES

B. SHORT STAY RATES

All Vessel Lengths

*Up to 6 Hours –  
No Weekends.  
Available Only on Week Days During Off-Peak Season*

\$1.00 per foot

Any vessel with a beam exceeding 3/8 its overall length shall be charged two (2) times the moorage rate.

Commercial vessels authorized by Bell Harbor Marina Management to use Bell Harbor Marina shall be assessed two (2) times the recreational vessel daily moorage rate. See Item 2100(C).

CHANGE:

ITEM 3100

RATES

B. SHORT STAY RATES

All Vessel Lengths

<i>Up to 6 Hours –</i>	\$1.07 per foot
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**16. Increase Non-Commercial Monthly Moorage Rates by 7%**

PRESENT:

ITEM 3100

RATES

C. MONTHLY MOORAGE RATES

Berth Sizes	Rate/Vessel Ft (ELOV) Per
Up to 30 ft.	\$12.72
31 ft. to 40 ft.	\$13.65
41 ft. to 50 ft.	\$15.47
51 ft. to 64 ft.	\$16.24
65 ft. and over	\$16.82

CHANGE:

ITEM 3100

RATES

C. MONTHLY MOORAGE RATES

Berth Sizes	Rate/Vessel Ft (ELOV) Per Month
Up to 30 ft.	\$13.61
31 ft. to 40 ft.	\$14.61
41 ft. to 50 ft.	\$16.55
51 ft. to 64 ft.	\$17.38
65 ft. and over	\$18.00

**17. Increase Commercial Monthly Moorage Rates by 7%**

PRESENT:

ITEM 3100

RATES

D. COMMERCIAL MONTHLY MOORAGE RATES

Rate per vessel foot by extreme length of vessel (ELOV) per month.

Berth Sizes	Rate/Vessel Ft. (ELOV) Per Month
Up to 30 ft.	\$14.79
31 ft. to 40 ft.	\$16.09
41 ft. to 50 ft.	\$17.01
51 ft. to 64 ft.	\$17.82
65 ft. to 69 ft.	\$18.79
70 ft. and over	\$19.24

Leasehold tax is in addition to named rates.

CHANGE:

ITEM 3100  
RATES

D. COMMERCIAL MONTHLY MOORAGE RATES

Rate per vessel foot by extreme length of vessel (ELOV) per month.

Berth Sizes	Rate/Vessel Ft. (ELOV) Per Month
Up to 30 ft.	\$15.83
31 ft. to 40 ft.	\$17.22
41 ft. to 50 ft.	\$18.20
51 ft. to 64 ft.	\$19.07
65 ft. to 69 ft.	\$20.11
70 ft. and over	\$20.59

Leasehold tax is in addition to named rates.

**18. Increase Small Craft Overnight Moorage Rates by 7%**

PRESENT:

ITEM 3100  
RATES

E. SMALL CRAFT

At times, Bell Harbor Marina Management may designate certain areas of the Marina suitable for small craft moorage at the following rate: Overnight - \$10.60

CHANGE:

ITEM 3100  
RATES

E. SMALL CRAFT

At times, Bell Harbor Marina Management may designate certain areas of the Marina suitable for small craft moorage at the following rate: Overnight - \$11.34

**19. Increase Event Rates by 7%**

PRESENT:

ITEM 3100  
RATES

G. EVENT RATES

Persons and/or organizations interested in reserving large areas of the Marina for the purpose of

holding an event must submit an Application for Special Events packet to Bell Harbor Marina Management at least ninety-days (90) prior to the move-in date.

The rate for such usage is as follows: \$.0400 per square foot per day.

Interagency Committee for Outdoor Recreation approval may be required for event to occur.

Rates reflect rental of space only, and do not include charges for labor, staff, utilities and other services necessary to accommodate the event.

CHANGE:

ITEM 3100

RATES

G. EVENT RATES

Persons and/or organizations interested in reserving large areas of the Marina for the purpose of holding an event must submit an Application for Special Events packet to Bell Harbor Marina Management at least ninety-days (90) prior to the move-in date.

The rate for such usage is as follows: \$.0430 per square foot per day.

Interagency Committee for Outdoor Recreation approval may be required for event to occur.

Rates reflect rental of space only, and do not include charges for labor, staff, utilities and other services necessary to accommodate the event.

**20. Increase Kayak Monthly Storage Rates by 7%**

PRESENT:

ITEM 3100

RATES

H. KAYAK MONTHLY STORAGE RATE

\$46.97 per month.

Leasehold tax is in addition to named rate.

CHANGE:

ITEM 3100

RATES

H. KAYAK MONTHLY STORAGE RATE

\$50.26 per month.

Leasehold tax is in addition to named rate.

## FEES

### **21. Include Dinghies in Boat Pumping Fee**

PRESENT:

ITEM 3200

FEES

F. BOAT PUMPING

\$100.00 per hour with a minimum of one (1) hour.

CHANGE:

ITEM 3200

FEES

F. BOAT PUMPING

\$100.00 per hour with a minimum of one (1) hour. This fee applies to any vessel, including dinghies.

### **22. Adjust Late Fees on Past Due Invoices.**

PRESENT:

ITEM 3200

FEES

M. LATE FEES ON PAST DUE INVOICES

Invoices or statements covering fees in this tariff, as issued by the Port, are due and payable on the due date. Any statement or invoice issued for any fee or fees that are past due (See Item 1100(S) for definition) may be subject to a late fee of 1.5% per month on the overdue amount (18% APR), or a \$5.00 flat fee, whichever is greater. If past due balance is less than \$5.00, no late fee will be applied.

CHANGE:

ITEM 3200

FEES

M. LATE FEES ON PAST DUE INVOICES

Statements covering fees in this tariff, as issued by the Port, are due and payable on the due date. Invoices listed on a statement that are past due may be subject to a late fee equal to the greater of \$25 or 10% per month on invoices \$100 or more.

**23. Increase Fee and Edit Language on Vessels Which Fail to Register or Leave Without Payment.**

PRESENT

ITEM 3200

FEES

Q. LATE REGISTRATION – GUEST MOORAGE

A late registration fee of \$25 may be charged to guest moorage customers who register with the office two hours or more after their vessel's arrival.

CHANGE

Q. LATE REGISTRATION – GUEST MOORAGE

A late registration fee of \$50 may be charged to guest moorage customers who fail to register with the office within two hours of their vessel's arrival, or who leave without payment.

**24. Organize Charter, Tribal and Commercial Fishing Vessel Definitions, Rules and Regulations Scattered Throughout the Tariff, and Combine Them into One Section.**

NEW

ITEM 4000

CHARTER, TRIBAL AND COMMERCIAL FISHING VESSELS

ITEM 4100

DEFINITIONS

A. ACTIVE TRIBAL FISHING VESSELS

Fishing vessels belonging to members of the Muckleshoot and Suquamish Tribes, including the Tribes' fisheries enforcement vessels, seeking moorage at Bell Harbor Marina during the Area 10A fishing season only, as defined by the fishing regulations of each tribe.

B. CHARTER VESSELS

Charter and excursion vessels are commercial vessels further defined as any vessels used for the transport of passengers for hire, whether for profit or non-profit.

C. COMMERCIAL FISHING

Engaging in fishing as a substantial means of livelihood, duly licensed and not for sport.

D. COMMERCIAL FISHING VESSEL

Any active commercial fishing vessel directly related to the activities with catching or harvesting of seafood.

E. INACTIVE TRIBAL FISHING VESSELS

Tribal fishing vessels that cannot meet the active fishing vessel requirements.

F. PROCESS

To grind, can, pickle, salt, smoke, dehydrate, or otherwise cure, cook at any temperature, and engage in any other activity with respect to foods that modifies the natural state of such food.

G. RETAIL OPERATIONS

The activity of physically being present on the vessel selling seafood products directly to the consumer. Retail operations are limited to the hours of 8:00 a.m. to 6:00 p.m. Vessel owners and or crewmembers must be physically on the vessel actively selling fish for four (4) consecutive hours within Retail Operations hours each day the vessel is moored in the fish sales area or other area designated by marina management.

H. SEAFOOD

Dressed or processed seafood including but not limited to fin fish and shellfish.

ITEM 4200

RULES

A. CHARTER VESSEL REGISTRATION AND PROCEDURES

1. Registration

All charter vessel owners or operators shall pre-register at the Marina Office prior to arrival. Charter vessels shall moor in assigned areas only.

2. Declaration of Security

In compliance with [33 CFR 105](#) (Code of Federal Regulations), all passenger vessels certified to carry 150 passengers or more must have a Declaration of Security registered with the marina/terminal office of calling prior to arrival. Under no circumstances will such vessels be allowed to enter the marina/terminal without a valid Declaration of Security prior to arrival. A copy of all currently valid continuing Documents of Security must be kept with the Facility Security Plan.

3. Terms and Conditions

Charter vessels must sign a Charter Vessel Operator Agreement prior to authorization for moorage at Bell Harbor Marina. Failure to comply with the terms and conditions of the Charter Vessel Operator Agreement will result in termination of moorage privileges.

4. Time Limit

The maximum time allowed to load or unload at the charter float is one (1) hour. Management has the option to establish a contract for specialized moorage in extenuating and unusual circumstances.

B. TRIBAL VESSEL MOORAGE

The Port of Seattle shall provide eight (8) slips at Bell Harbor Marina; four (4) for the Muckleshoot Indian Tribe, and four (4) for the Suquamish Indian Tribe, for no fee and eight (8) parking permits in the Pier 66 Garage, in accordance with a Memorandum Agreement among Muckleshoot Indian Tribe, the Suquamish Indian Tribe and the Port of Seattle.

C. SEAFOOD SALES RATE

The rate for selling seafood products off the vessel by commercial fishermen at Bell Harbor Marina, shall be one-half (1/2) of the daily moorage rate at Fishermen's Terminal. (For the rate, see Fishermen's Terminal Moorage Tariff No. 6, ITEM 3150, SEAFOOD SALES RATE.)



#### D. TRIBAL FISHING VESSEL REGISTRATION AND PROCEDURES

1. Conditions - Bell Harbor Marina Management reserves the right to honor agreements entered into by the Executive Director and tribal partners.
2. Registration - Tribal vessels shall register and show proof of tribal affiliation upon arrival at Bell Harbor Marina.
3. Moorage - Active tribal fishing vessels shall be exempt from moorage fees during the tribal fishing season only. Moorage for tribal fishing vessels is limited to designated areas of Dock T unless authorized by Bell Harbor marina Management. Inactive tribal fishing vessels may be subject to moorage charges.

#### E. SEAFOOD SALES BY COMMERCIAL FISHERMEN

##### 1. Statement of the Policy

The Port of Seattle grants commercial fishermen the non-exclusive right to sell seafood from commercial fishing vessels at Bell Harbor Marina.

##### 2. Eligibility

- a. The Port reserves the sole right to interpret the Tariff, and the Port's interpretation is final.
- b. Fish products sold from a vessel will be required to have been caught by that vessel.
- c. Proof of eligibility may include, but is not limited to, documents associated with the retail commercial fishing vessel, such as current commercial fishing licenses, fish delivery tickets, and/or other proof that the seafood is in fact the applicant's catch.
- d. Vessel owners must register crew members when registering the vessel to sell fish.
- e. Immediate family members, defined as a spouse, child, parent, or domestic partner are authorized to sell from the vessel. Proof of relationship is required at time of vessel registration for fish sales.
- f. The commercial fishing vessel must comply with all applicable federal, state, county, Port of Seattle, and municipal laws, ordinances, and regulations including, without limitation, those relating to health and environmental matters.
- g. Processed fish is defined as ground, canned, pickled, salted, smoked, dehydrated, or otherwise cured, or cooked.

##### 3. Documentation

- a. Seafood sellers must obtain and present the following documents to the marine facilities management in order to conduct sales at the Port's facilities:
  - Wholesale Dealers' License, available from the State Department of Fisheries, Commercial Licensing Division.
  - Health Permit, available from the Seattle/King County Health Department, Environmental Health Division.
  - A signed Hold Harmless Agreement from the Port of Seattle indicating when the activity will be performed. Agreements are available at the marine facility offices.
  - The sale of shellfish requires a certified shellfish tag and number.
  - A state/province fish delivery ticket indicating species and quantity.
  - Retail seafood sales are restricted to the owner or crew that actually caught the fish. Owner/Captain and crew are required to provide a copy of their commercial fishing license from the state that the fish were caught.
  - Additional proof of crew member status may be required such as completed active 1099 tax report form and/or crew member payment check stubs.

- b. Fishermen who wish to sell processed fish aboard their own vessel must adhere to and provide the following:
    - Valid fish ticket from the state in which the fish were caught.
    - The vessel must have an approved Hazard Analysis and Critical Control Points Plan (HACCP).
    - Vessels must produce a “Fish Processing Vessel” license from the State in which the fish was caught.
  - c. Fishermen who wish to sell processed fish and use the services of an on-shore processor for the purposes of processing, freezing, and storing their catch must adhere to and provide the following documentation:
    - Valid fish ticket from the state in which the fish was caught.
    - An HACCP-approved cold storage/processing company’s assigned Lot # for the fishing vessel’s stored and portioned fish inventory.
    - A Bill of Landing from the cold storage/processing company. The Bill of Landing shall list the inventory Lot # from the company portioning, processing, freezing and/or storing the catch, and the fish ticket number under which the fish was landed.
    - Labeling will be required on each package of processed fish to be sold. Included in the label will be the name of the vessel the fish was caught and sold from, the on-shore processing plant and the fish ticket number.
4. Assignment of Moorage
- a. Moorage for the sale of fish must be arranged in advance and is limited to space available as designated by the Port for seafood sales.
  - b. Assignments will be made on a first-come, first-serve basis. Marine facilities management will assign moorage areas in which seafood may be sold from vessels.
  - c. Moorage space cannot be subleased.
  - d. Should there be no active sales in any designated fish sales area, management will reserve the right to utilize the area as needed for other use.
  - e. Where applicable, vessels will return to their assigned slip after they have completed selling each day, unless they plan to register and actively sell the following day, then the vessel will be allowed to stay overnight in the fish sales area.
  - f. Vessel owners, crew members, immediate family and/or domestic partners must be physically on the vessel actively selling fish for four (4) consecutive hours, between the hours of 8:00 a.m. and 6:00 p.m. each day the vessel is moored in the fish sales area.
  - g. Vessels wishing to sell must check in at the Port of Seattle office located at the facility each day they plan to sell in the fish sales location.
  - h. Failure to comply with the policy may result in the termination of the moorage agreement between the Port of Seattle and the moorage customer.
5. Business Operations
- a. Prior written approval from marine facilities management is required for the display of any signs. All information regarding signage such as language, size of signage, etc., must be provided in written request along with a drawing of proposed signage, to Marine facilities management (signage procedures can be obtained from each site.)

- b. Commercial fishing vessels engaged in retail operations are responsible for maintaining a clean and sanitary area immediately adjacent to their vessel.
  - c. Canopies or other “structures” are not to be erected on the land adjacent to the vessel. All sales are to be conducted from the vessel; no canopies, tables, displays or other structures are allowed on the pier.
  - d. The disposal of garbage is the responsibility of the commercial fishing vessel. (Garbage procedures can be obtained from each site.)
6. Safety Considerations
- a. Seafood sellers are responsible for keeping the area in and around the moorage assigned for seafood sales clean and sanitary at all times while selling or preparing to sell seafood.
  - b. Seafood retail operators shall not allow the public to board or climb upon the vessel for the purposes of purchasing seafood.
  - c. The safety and well-being of the general public at any Port facility including Bell Harbor Marina is an overall priority of the Port of Seattle. The selling of seafood by commercial fishermen shall not in any way impair the Port’s duty to the public to maintain a safe facility. The Port reserves the right to temporarily or permanently stop the sale of seafood from vessels at any of these facilities if a determination is made that the safety of the public is at risk. This includes safe parking of private vehicles associated with private citizens wishing to purchase seafood, supervision of children in and around the point of seafood sales, fire code issues including the use of grills, barbeques or other cooking devices; electrical extension cords or other electrical devices, and the placement of any tents or structure on the docks adjacent to the seafood sales area.
  - d. Questions regarding safety relative to seafood sales shall be directed to:
    - Food Protection Program
    - King County Environmental Health Division
    - 401 – 5th Avenue, Suite 1100
    - Seattle, WA 98104-2333
    - Phone: 206-263-9556

F. INSURANCE REQUIREMENTS

- 1. Liability coverage in the amount of \$1,000,000 (one million dollars) is required for any charter or other vessel for commercial hire, including bare boat charters. Vessel dealers and brokers, sailing clubs, and events held on Port premises will be required to carry marine general liability coverage tailored to their operations and/or number of vessels. The Port is to be listed as an additional insured.
- 2. Any commercial fishing or other commercial vessel of an industrial nature such as a tug, dive, research or barge is required to carry a minimum of \$300,000 (three hundred thousand dollars) of liability insurance if moored for 30 days or more. Wreck removal and pollution prevention coverage is also required.
- 3. Liability insurance is to remain current and in effect at all times as a condition of moorage. Evidence of insurance may be requested by Marina Management at any time.

G. ENFORCEMENT OF POLICY

The following actions will be placed into effect should a violation occur:

- a. First violation, the violator will be asked to cease committing the violation, and given a copy of the policy. A written notice will be given to the vessel owner confirming the discussion, and a copy placed in the customer's file.
- b. Second violation, a second notice will be given to the vessel owner and he/she will be advised of the potential consequences if they continue to violate the policy. Failure to comply could result in any or all of the following actions: 1) revocation of vessel owner's right to use the fish sales area; 2) imposition of violation vessel charges; 3) termination of moorage agreement; 4) denial of use of, or access to, Port marine facilities; 5) removal and/or seizure of vessel owner's sole cost and risk; and/or 6) commencement of legal action to enjoin further violations.
- c. After second notice of violation of the policy, the vessel owner must remove the vessel immediately from the fish sales area. Failure to do so may result in removal of the vessel at owner's risk and expense.
- d. Upon a third (and any subsequent) violation, the Port of Seattle will generally pursue one or more of the following actions: 1) revocation of vessel owner's right to use the fish sales area; 2) imposition of violation vessel charges; 3) termination of moorage agreement; 4) denial of use of, or access to, Port marine facilities; 5) removal and/or seizure of vessel at the vessel owner's sole cost and risk; 6) commencement of legal action to enjoin further violations. The particular remedy pursued in any instance will depend on the severity of the violation, the likelihood or recurrence of the violation, the potential for a disturbance of the peace, and other factors.

#### ITEM 4300

#### RATES & FEES

##### A. CHARTER RATES

Regular Rate is \$2.68 per foot (ELOV). Reservation Rate is \$2.41 per foot (ELOV).

The total moorage charge, including the non-refundable reservation fee for each round trip visit reserved, must be received or arranged for at least 72 hours prior to the reservation date. The moorage charge is refundable only if the reservation is canceled at least 72 hours prior to arrival.

##### B. SEAFOOD SALES RATE

The rate for selling seafood products off the vessel by commercial fishermen at Bell Harbor Marina shall be one-half (1/2) of the daily moorage rate at Fishermen's Terminal.

The State leasehold tax of 12.84% will be applied in addition to these moorage and storage rates where appropriate.

All rules, regulations and changes conflicting with the changes are hereby repealed.