



## **PORT OF SILVERDALE**

### **Rules and Regulations Resolutions**

**Adopted 2025-05**

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## ARTICLE I DEFINITIONS

**“Abandoned Vessel”** refers to a vessel that has been left, moored, or anchored in the same area without the express consent, or contrary to the Port Rules or on which the vessel is located for either a period of more than thirty consecutive days or for more than a total of ninety days in any three hundred sixty-five-day period, and the vessel's owner is: (a) Not known or cannot be located; or (b) known and located but is unwilling to take control of the vessel. For the purposes of this subsection (1) only, "in the same area" means within a radius of five miles of any location where the vessel was previously moored or anchored on aquatic lands.

**“Aquatic Lands”** refers to all tidelands, shorelands, harbor areas, and the beds of navigable waters, including lands owned by the state and lands owned by the Port.

**“Derelict Vessel”** means the vessel's owner is known and can be located, and exerts control of a vessel that:

- (a) Has been moored, anchored, or otherwise left in the waters of the state or on public property contrary to RCW [79.02.300](#) or rules adopted by an authorized public entity;
- (b) Has been left on private property without authorization of the owner; or
- (c) Has been left for a period of seven consecutive days, and:
  - (i) Is sunk or in danger of sinking.
  - (ii) Is obstructing a waterway; or
  - (iii) Is endangering life or property.

**“Fee Schedule”** is an adopted schedule of rates, fees, and tariffs by the Port Commission as prescribed by Port Resolution.

**“Moorage Customer”** refers to any person, firm, partnership, corporation, association, organization or agent thereof, who contracts for use of any Port facilities.

**“Moorage Facility”** refers to Port moorage facilities, including but not limited to the pier, floats, buoys, and the boat launch.

**“Moorage Fees”** refers to charges for moorage, and all other charges or fees owing or to become owing between a Moorage Customer and the Port, which may include without limitation, utility charges.

**“Owner”** refers to any natural person, firm, partnership, corporation, association, government entity, or organization that has a lawful right to possession of a vessel by purchase, exchange, gift, lease, inheritance, or legal action whether or not the vessel is subject to a security interest.

**“Port”** refers to the Port of Silverdale, a Washington municipal corporation.

**“Port Commission or Board of Commissioners”** refers to the three elected officials who make policy and oversee Port operations.

**“Port Manager”** refers to the individual designated by the Port Commission to oversee the safe and efficient running of the Port and its properties on a day-to-day basis.

**“Port Property”** refers to any real property owned or operated by the Port, including without limitation, Department of Natural Resources aquatic lands managed by the Port under a Port Management Agreement.

**“Service Animals”** means any dog or miniature horse, as discussed in [RCW 49.60.214](#), that is (individually trained to do work or perform tasks for the benefit of an individual with a disability), including a physical, sensory, psychiatric, intellectual, or other mental disability.

**“User”** refers to any person, including boat owners/operators, Moorage Customers, and the public entering and/or using Port Property.

**“Vehicle”** refers to a car, truck, bus, motorcycle, motorhome, travel trailer, and/or scooter used for transporting people or goods.

**“Vessel”** refers to every manner of watercraft or other artificial contrivance, powered or unpowered, intended to be used for transporting people or goods on water, or goods on water or for floating marine construction or repair and which does not exceed two hundred feet in length. Vessel includes any trailer used for the transportation of watercraft, or any attached floats or debris. See RCW 79.100.010.

## ARTICLE II GENERAL PROVISIONS

### 2.1 PURPOSE

To promote a safe, secure, and efficient operation of the Port of Silverdale (the “Port”) and to provide equitable service to all boaters and the public.

### 2.2 SCOPE

The policies, rules, and regulations contained in these Port of Silverdale Rules and Regulations (the “Port Rules”) apply to all persons, Users, Vehicles, Vessels, tenants, and licensees on Port Property. For the purposes of these Port Rules, “Port Property” includes:

- Port moorage facilities, including but not limited to the pier, floats, buoys, and the boat launch (the “Moorage Facilities”);
- Port owned or managed beach and park areas (the “Port Parks”);
- Port leased or managed tidelands and aquatic lands (“Aquatic Lands”);
- Port owned parking lot (“Port Parking”); and
- other public facilities maintained by the Port.

The Port Rules herein adopted shall supersede all previous versions of the Port’s Rules and Regulations concerning use of Port property.

### 2.3 STATEMENT OF POLICY

The Port provides recreational access, including, without limitation, the use of the Moorage Facilities, for the boating community, Port constituents, and the general public. The Port Property is provided for by public funds, all facilities are open to everyone, and Users of Port

Property are expected to respect and protect the public's interest in the Port Property. When there are limitations in the availability of the public facilities on Port Property, the Port will operate on a first come, first served basis. All Users of Port Property are expected to respect the rights of others and be particularly vigilant concerning the control of pets, safety of children, and the prevention of vandalism and theft.

## **2.4 NOTIFICATION AND CONSENT TO PORT RULES**

2.4.1 It is the Port's responsibility to formally adopt and publish the Port Rules.

2.4.2 It is the User's responsibility to obtain a copy of the Port Rules from the Port. The Port Rules are available online on the Port's website [www.portofsilverdale.com](http://www.portofsilverdale.com) or by request to the Port Office for all interested persons.

2.4.3 By their use alone, any User of Port Property consents to and is required to follow the Port Rules.

2.4.4 The Port reserves the right to change the Port Rules by formal amendment or resolution. Any changes will be enacted at a scheduled Port Commission meeting.

## **2.5 APPLICATION OF OTHER LAWS**

All Users of Port Property shall comply with all County, state and federal regulations and laws, including, without limitation, generally accepted safety standards and requirements promulgated by the United States Coast Guard or other agencies with jurisdiction within the Port. A violation of any other County, state, or federal regulation or law shall be considered a violation of the Port Rules.

## **2.6 SIGNS AND PUBLIC ASSEMBLY ON PORT PROPERTY**

**2.6.1 Intent and Purpose.** The purpose and intent of this Section is to:

- (i) promote the public health, safety, and welfare through a system of reasonable, effective, consistent, content-neutral, and nondiscriminatory standards and requirements for the placement of temporary signs or public assembly on Port Property in traditional public forum areas; and
- (ii) accommodate the need for orderly expression in traditional public forum areas, such as streets, parks, and sidewalks. The Port herein adopts by reference and complies with local, state and federal laws concerning signage and public assembly, including, without limitation, the definitions of a traditional public forum and speech.

**2.6.2 Signage.** Any person may request the Port to place temporary signs on Port Property. For the purposes of this Section, temporary signs are any signs, excluding signs placed by a government agency (including the Port) or authorized to be placed on Port Property as part of a lease or written license agreement. Placement of temporary signs on Port Property may occur only after approval. Port approval is evaluated based on content-neutral and nondiscriminatory time, place, and manner restrictions. Persons may place temporary signs only in the designated or approved areas by the Commission or Port Manager. Placement of temporary signs must not obstruct travel of pedestrians or traffic, must not block or impede free

ingress and egress from any doors, windows, or exits of buildings required by building or fire codes. Signs must not damage Port Property. Any person that causes damage to Port Property by the placement of a temporary sign shall be responsible to pay the Port for any repair or replacement costs. The Port may immediately remove temporary signs that are obstructing travel or causing damage. For the purposes of this rule, causing damage includes signs with posts in the grass areas, temporary signs that are disintegrating, falling apart, or otherwise littering on Port Property. Temporary signs shall be limited to a maximum aggregate area of thirty-five (35) square feet. Except where a longer duration is approved by the Port Manager or Commission, temporary signs must be clearly dated and removed after thirty (30) days from placement. Undated signs are subject to immediate removal by Port. Signs in violation of Kitsap County Sign Code (Chapter 17.510 SIGN CODE) may be immediately removed by the Port to comply with county code

**2.6.3 Public Assembly.** Any persons seeking to hold an event or assemble crowds of people on Port Property in traditional public forum areas should first seek the approval of the Port Manager or Commission. The Port may impose restrictions on the time, place, and manner of the assembly of any person or person(s) on Port Property in traditional public forum areas. No person or person(s) are permitted to assemble in a manner that obstructs, interferes, or otherwise prevents the free use by the public of the Moorage Facility, sidewalks, streets, driveways or other public ingress and egress areas.

## **2.7 NON-DISCRIMINATION**

The Port expects that all Users of Port Property are treated equally without regard to their race, color, religion (creed), sex (gender), disability, age, or national origin.

## **2.8 ASSUMPTION OF RISK**

Any person on Port Property, including the use of Port equipment or facilities, does so at their own risk. The Port does not assume any responsibility for loss or damage of property or personal injury except as otherwise required by law. Without limiting the foregoing, any person using Moorage Facilities is responsible for the safekeeping of their Vessel, and is responsible for ensuring that their Vessel does not damage other vessels, Moorage Facilities, or other Port Property.

## **2.9 ADMINISTRATION AND ENFORCEMENT**

**2.9.1 Interpretation** The Port Manager has been authorized by the Port Commission to interpret and enforce the Port Rules.

**2.9.2 Termination** The Port Manager or designee may require persons who violate these Port Rules to leave the Port Property. In this respect, the Port Manager or designee has the authority to terminate any transient moorage early, regardless of payment or reservation for additional days of moorage.

**2.9.3 Enforcement** In enforcing the Port Rules, the Port Manager or designee may employ any legal means the Port Manager deems appropriate, including, without limitation, obtaining the assistance of the Port's legal counsel or contacting law enforcement agencies.



**2.9.4 Denial** The Port Manager or designee may deny the use of any of the Port Property, including all facilities, to any person when such use would be in violation of the Port Rules or would otherwise constitute a threat to the life, safety or property of the Port or other persons.

**2.9.5 Additional Enforcement** Further enforcement provisions are provided in Section 5 of these Port Rules.

## **2.10 SEVERABILITY OF REGULATION**

If any term or provision of the Port Rules or the application thereof to any person or circumstance shall to any extent be invalid or unenforceable, the remainder of the Port Rules shall not be affected thereby and shall continue in full force and effect.

## **ARTICLE III PORT PROPERTY USER RULES**

### **3.1 VEHICLE TRAFFIC / CAMPING / PARKING**

**3.1.1 Enforcement** Port Manager may establish reasonable traffic and parking regulations as may be required for orderly handling of motorized vehicles on Port Property, including the posting of “No Parking” areas and such other regulations as may be required. A Vehicle parked in violation of any such signs or regulations may be towed away and impounded at owner’s expense.

**3.1.2 Use of Parking** The vehicle parking areas are only to be used for temporary, non-overnight, vehicular parking in connection with the use of the Port’s facilities. Parking should be limited to only marked stalls. Unless otherwise approved in advance by the Port Manager, and after advanced payment to the Port of the applicable overnight parking fees, no overnight Vehicle parking is permitted on Port Property. This restriction includes, without limitation, parking of vessel trailers, recreational vehicles, campers, travel trailers, and ATVs. This restriction does not apply to mooring Vessels in approved mooring slips or areas.

**3.1.3 Parking Limits** Users of the Vehicle-only parking lot are limited to four (4) hours of parking per day.

**3.1.4 Trailer Parking Lot** Users of the boat trailer parking area must adhere to the following:

- Limit their use to day-use, from dawn to dusk, unless otherwise approved in advance by the Port Manager;
- Park only Vessel or boat trailers in this lot; and
- Only park Vehicles in this parking lot provided the Vehicle remains attached to a boat or Vessel trailer.

**3.1.5 Overnight parking** Unless otherwise approved in advance by the Port Manager, no overnight parking by any person is permitted on any Port Property. This restriction

does not apply to Moorage Customers provided the Moorage Customer is sleeping on their Vessel.

**3.1.6 Unlicensed Vehicles** Any Vehicle parked on Port Property with expired or invalid registration may be towed at owner's expense.

**3.1.7 Camping** Overnight camping in vehicles, tents, restrooms, compounds, recreational vehicles, and campers is not permitted. Overnight camping includes any person staying inside their Vehicles parked in the Port's parking lot.

## **3.2 GARBAGE**

**3.2.1 Receptacles** Receptacles are provided for the collection of refuse generated during use of Port Property. Nothing shall be deposited in the water, on any floats or piers, or on any land areas of Port Property.

**3.2.2 Illegal Dumping** If the Port determines that an individual has caused the Port to spend money to clean up any waste or debris, including if an individual disposes of personal waste not generated during the use of Port Property, the Port may assess such costs against the individual and seek to collect those costs. The Port's rights to seek reimbursement of costs as provided in this Section is in addition to any other rights the Port may be afforded to under the law, including, without limitation, reporting an individual to proper authorities for littering or illegal dumping.

**3.2.3 Restricted Items** Users shall not deposit any of the following items in the garbage container:

- Tires
- Oversize items (larger than six and one-half (6 1/2) feet in length)
- Waste generated from boat or Vessel maintenance, including, without limitation, oil, fuel, filters, or absorbent from bilge cleanup
- Boat fixtures (fuel or water tanks, etc.) or appliances
- "Moderate risk," "Dangerous Wastes," "Hazardous Substances," "Hazardous Waste," or "Extremely Hazardous Waste," as defined in Model Toxics Control Act (MTCA) Chapter 70A.305 RCW; or "Pesticide" as defined in Washington Pesticide Control Act, Chapter 15.58 RCW

## **3.3 RECREATIONAL SWIMMING, FISHING, AND DIVING**

**3.3.1 Swimming** Recreational swimming and recreational diving from floats and piers in the Moorage Facility is prohibited.

**3.3.2 Diving** No diving or jumping from the Port's piers or floats is permitted.

**3.3.3 Waterskiing** No waterskiing or boat wake within 500 feet of the Moorage Facilities is permitted.

**3.3.4 Children** Children under the age of 14 must wear personal floatation devices or be accompanied by an adult at all times when on the Port's piers or floats.

**3.3.5 Fishing** Fishing on Port Property is only permitted in areas designated by the Port for public fishing.

**3.3.6 Wheeled Vehicles** Recreational use of wheeled vehicles, including, without limitation, bikes, skate boards, and scooters, is prohibited on the pier and floats.

## **3.4 CONDUCT AND BEHAVIOR**

**3.4.1 Alcohol/Drugs** No alcohol or drug use, including, without limitation, marijuana, is permitted on Port Property.

**3.4.2 Commercial Use** No commercial activity is permitted on Port Property, except as approved by the Port in writing in advance of such activity. Any permitted commercial activity may be subject to reasonable regulations by the Port.

**3.4.3 Conduct** The Port does not allow, condone, or excuse:

- Offensive or harmful conduct by Moorage Customers or Users toward other persons using Port Property;
- Disorderly conduct, depredations, or indecorous conduct by any person on Port Property;
- Unreasonably loud noise, or alcohol or drug induced conduct or behavior which disturbs use of the Port Property by others; and
- Any other activity that is illegal under local, state, or federal law.

## **3.5 PETS AND SERVICE ANIMALS**

**3.5.1 Animals** Pets and Service Animals must be in the control of the owner at all times and kept on a handheld leash, carried, or confined on the owner's Vessel or Vehicle while on Port Property.

**3.5.2 Cleanup** Owners of pets and Service Animals are responsible for activities of their pets and for immediate and proper clean up and disposal of animal wastes.

**3.5.3 Unattended** Any animal found wandering unattended within Port Property and/or judged to be treated inhumanely will be turned over to local authorities and/or animal control.

## **3.6 PRESERVATION OF PORT PROPERTY**

**3.6.1 Wildlife Feeding** Users should not feed wild animals, including, without limitation, birds, while on Port Property. Feeding wildlife creates health and safety hazards.

**3.6.2 Damage** Users should take care that their activities do not damage Port Property, including any habitat areas or areas reserved for shoreline restoration.

### **3.7 BICYCLES, SKATEBOARDS, ETCETERA.**

The use of bicycles, skateboards, roller blades, roller skates, mopeds, or similar Vehicles on any walkway, sidewalk, dock, or pier on Port Property is prohibited.

### **3.8 FIRES**

**3.8.1 Recreational fires** No recreational fires are permitted except for in locations designated by the Port.

**3.8.2 Pier/Floats** No open flames or barbeques are permitted on the pier or floats.

**3.8.3 Smoking** No smoking or vaping is allowed on the pier or floats.

### **3.9 RESTROOM FACILITIES**

**3.9.1 Availability** Restroom facilities are available to all Users of Port Property during daylight hours.

## **ARTICLE IV MOORAGE FACILITIES RULES**

### **4.1 REGISTRATION AND PAYMENT OF MOORAGE RATES**

**4.1.1 Registration.** Any User mooring a Vessel at the Moorage Facilities shall register the Vessel on the forms provided by the Port and pay the applicable moorage rates as adopted by the Port's Fee Schedule. All moorage fees are non-refundable. Payment shall be made within one (1) hour of mooring and cover the full costs of moorage and nightly electric charges for the duration of the Vessel's stay within the Moorage Facility. Should a Moorage Customer desire to extend their stay, within the allowed timeframes in these Port Rules, that Moorage Customer must pay for those additional nights in advance. No partial payments will be accepted. Amount owed must be paid in full by cash, money order or certified check. Payments should be made at the paybox by the Moorage Facilities, or such other location as designated by the Port. The Port may impound or take custody of any Vessel moored in the Mooring Facilities for more than twenty-four (24) hours without registering and paying the applicable moorage fees.

**4.1.2 Collection of Moorage Fees.** In the event that a Moorage Customer or User of the Moorage Facilities does not pay the fees and/or other charges which are accrued in favor of the Port, the Port may take legal action including, without limitation, initiating collection proceedings or seeking recovery under the processes provided for in RCW 53.08.310 and 53.08.320 or as otherwise provided by law. Any cost associated with collection of monies owed will be added to amount owed by the Moorage Customer. Failure to pay the moorage fees could result in the Port impounding or taking custody of a Vessel, and if not timely paid, result in the sale of such Vessel at public auction or otherwise disposed of by the Port as authorized by law.

## **4.2 MAXIMUM STAY FOR TRANSIENT MOORAGE**

**4.2.1 Transient Moorage** The Port only offers transient (temporary) moorage within its Moorage Facilities. Except as otherwise provided for by the Port, moorage slips are available on a first come, first serve basis. Moorage is limited to a maximum of three (3) consecutive nights in any seven (7) day period. Any Vessel that stays beyond the maximum nightly moorage is subject to a daily financial penalty as set forth in the adopted Port Fee Schedule and may be impounded or taken into the custody of the Port as authorized by RCW 53.08.320 or Chapter 79.100 RCW.

## **4.3 VESSEL IDENTIFICATION**

Any User mooring a Vessel at the Moorage Facilities shall have current registration for their Vessel and be able to produce proof of the current registration upon request by the Port Manager or designee. If current registration is not provided, the Port may refuse to allow moorage. State registered and/or Coast Guard documented vessels shall display valid registration decal on the hull. Failure to display the current registration decal on the hull may be cause for termination of moorage.

## **4.4 VESSEL INSURANCE**

Any User mooring a Vessel at the Moorage Facility shall have their Vessel properly insured with a boat/marine insurance policy or similar insurance policy for their Vessel and be able to produce proof of insurance upon request by the Port Manager or designee. If proof of insurance is not provided, the Port may refuse to allow moorage.

## **4.5 SEAWORTHINESS**

**4.5.1 Own Power** Vessels moored at the Moorage Facility must be seaworthy and ready for immediate relocation in case of emergencies. Seaworthy means at a minimum that the Vessel can move under its own power.

**4.5.2 Towed Vessels** Transient moorage will not be provided to any boat towed into the marina without the permission of marina management.

**4.5.3 Removal** If a Vessel is non-operational, not seaworthy, abandoned, or derelict, the Port Manager or designee may require the immediate removal of the Vessel and commence appropriate legal actions as authorized under these Port Rules, RCW 53.08.320, and/or Chapter 79.100 RCW.

**4.5.4 Boarding** Any User mooring a Vessel at the Moorage Facilities for a duration of time that triggers payment of a moorage fee to the Port consents to the Port entering the Vessel, at any reasonable time, for the purposes of ensuring compliance with the Port Rules. Nothing in this Section prevents or limits the Port's rights as otherwise provided in law including the Port's authority to board a vessel, and if necessary, obtain an administrative search warrant pursuant to RCW 79.100.140.

**4.5.5 Hazardous** Vessels which, because of their size, condition, or construction, are deemed by the Port to be hazardous to Port property or other Vessels may be denied moorage or have their moorage immediately terminated. In the event of moorage termination, the Owner must remove the Vessel from the Port immediately. Provided, however, that the Port may take, at the Owner's expense, all actions necessary, including hauling the Vessel out of the water, if the Port believes that the Vessel is in immediate danger of sinking or damaging other property. The Port may require the Moorage Customer to provide, at no cost to the Port, additional information (such as a marine survey) to establish seaworthiness.

**4.5.6 Rendering Aid** Although the Port shall have no obligation to maintain or monitor Registered Owner's Vessel, if the Port determines the Vessel is in peril, or has placed other Vessels or persons at a Port facility in peril, the Port may elect to render aid and require reimbursement by the Registered Owner for any costs incurred by the Port as additional fees. In the event that the Registered Owner's Vessel releases pollutants and/or sinks, Registered Owner will be responsible for cleanup and/or removal of the Vessel and restoration of the berthage slip in compliance with all applicable laws and regulations immediately upon demand by the Port.

**4.5.7 Access** Registered Owner grants the Port free access to the Vessel for the purpose of compliance with this Moorage Agreement. The Port does not assume any responsibility for the Moorage Customer's Vessel when reassignment of berthage space or emergency services are necessarily provided.

## **4.6 MANEUVERING AND MOORAGE OF VESSELS**

**4.6.1 Wake** Vessel operators must control their speed so as not to leave a damaging wake when operating near and in the Mooring Facilities.

**4.6.2 Damage** The registered owner and operator of a Vessel that causes any damage to the Port's Moorage Facilities shall be liable to the Port for such damage. Damage includes, without limitation, damage by vessel operated at excessive speeds or creating wake damage. Any Vessel operators involved in an incident on Port Property that includes personal injury or property damage, whether to vessels or facilities, must report this incident to the Port Manager or designee.

**4.6.3 Secure Moorage** When using Moorage Facilities, Vessel operators should ensure that their Vessel is safely and securely moored with adequate lines, fenders, cleats, and other appropriate equipment. No Vessel shall be moored without bowsprits, anchors, or other tackle protruding over the pier or walkways. No lines, hoses, electrical cords, or other tripping hazards shall be led across walkways or piers.

**4.6.4 Dock Storage** Vessel operators may not store any items on the piers or walkways. Rafts, nets, reels, and other items of equipment may be stored only aboard a vessel or in other areas designated by the Port.

**4.6.5 Halyards** Halyards and mast lines must be kept secured so as not to "flap" in the wind or make excessive noise when moored.

**4.6.6 Repairs** No User may make repairs or conduct maintenance work on any Vessel while in the Moorage Facility. The restriction to repairs and maintenance in this Section does not apply in the case of emergency work, which is any repairs or maintenance that is necessitated by unexpected events or circumstances and necessary to make the Vessel seaworthy. The scope of the emergency work is limited to that which is necessary to safely transport the Vessel to a boatyard or marina that is equipped for Vessel maintenance and repair. In the event a Vessel owner must conduct emergency work on their Vessel, that owner must notify Port personnel and take all necessary precautions to ensure such work does not damage Port Property, including, without limitation, ensuring no waste materials enter the waters of the State.

**4.6.7 Gear Impound** The Port has the right to impound any equipment or gear placed on the pier, in walkways, or otherwise not properly stored in the Moorage Facility. If the owner of the equipment or gear cannot be located, Port staff will make reasonable efforts to notify the owner, for example, by posting the Vessel that the gear is suspected to be associated with. The owner of the equipment or gear may claim the items from the Port by paying the Port the greater amount of one-hundred dollars (\$100.00) or the actual labor costs of the Port at the Labor Rates plus any storage fees. Labor Rates and storage fees are charged at the rates adopted by the Port's Fee Schedule. The Port will hold impounded equipment or gear for 30 days, after which time the Port may treat such items as abandoned and dispose of them in any commercially reasonable manner.

**4.6.8 Vessel Movement** The Port reserves the right to move any Vessel in the Mooring Facilities at any time for the protection of persons or property, if such Vessel is blocking navigation, or as otherwise permitted by law, including the Port's rights to impound or take custody of vessels under RCW 53.08.320 and Chapter 79.100 RCW.

## **4.7 DISCHARGE OF SEWAGE**

4.7.1 All Vessels in the Moorage Facility must be in compliance with all regulations established by the U.S. Coast Guard or other Federal, State, or County regulatory agencies regarding marine sanitation devices and waste discharge.

4.7.2 Sanitary waste disposal pump-out facilities are provided by the Port at no charge to Users. All Users are required to use these facilities for the disposal of sewage. The pump-out vacuum system is not designed to handle bilge water or solid materials.

4.7.3 Pump-out malfunctions should be reported immediately to the Port personnel at 360-698-4918.

4.7.4 Vessel operators should immediately report any and all sewage spills or discharges to Port personnel at 360-698-4918.

4.7.5 Upon request, pump out services can be accomplished by Port staff. Charges will be in accordance with adopted Port Fee Schedule.

## **4.8 BOAT LAUNCH RULES**

4.8.1 The Port maintains a boat launch for use by the public for no charge.

4.8.2 Vessel work/repairs are not permitted at the boat launch or in the parking areas.

4.8.3 The boat launch is for launching and trailering vessels. Loading or unloading of nets, crab pots, or similar gear is not permitted in the boat launch area.

#### **4.9 UTILITIES**

4.9.1 Moorage Customers shall pay for electrical service and any other utilities and services at the rates established in the adopted Port Fee Schedule. Payment of such fees shall be made at the same time the Moorage Customer pays for the other moorage fees.

4.9.2 Any damage caused to the Port's electrical distribution system by Moorage Customer's misuse or negligence will be repaired by the Port and charged to the Moorage Customer.

4.9.3 Electrical cords to any Vessel must be professionally manufactured and specified for marine use. Electrical cords must be a minimum of ten-gauge wire and SJ or SO rated insulation. 30-amp 125 volt cords are required.

#### **4.10 ABANDONED VESSELS (RCW 53.08.320 AND CHAPTER 79.100 RCW)**

4.10.1 Vessels are considered Abandoned when left on Port property for a period of more than 4 consecutive days or for more than a total of 90 days in any 365-day period without a proper Moorage Agreement with the Port and the Vessel's owner is either not known and/or cannot be located or known but unwilling to take control of the Vessel. (RCW 79.100.010).

4.10.2 The Port is authorized by RCW 79.100.030 to store, strip, use, auction, sell, salvage, scrap, or dispose of an abandoned Vessel found within the Moorage Facility. A Vessel that is not registered with the Port upon arrival may be deemed Abandoned.

4.10.3 At the time of being deemed Abandoned, the Port may impound and/or relocate the Vessel at the Vessel owner's risk and expense, and attach a notice stating moorage charges due with risk of Vessel being disposed of by the Port as authorized by statute.

4.10.4 If the Vessel remains unclaimed, the Port will tag the property with a Notice of Intent to obtain custody and dispose of the Vessel as authorized by per RCW 79.100.050, which may include selling the Vessel at a public auction.

### **ARTICLE V ENFORCEMENT OF PORT RULES AND GRIEVANCE PROCEDURES**

#### **5.1 ENFORCEMENT OF RULES**

5.1.1 The Port Manager or designee is empowered to enforce the Port Rules.



5.1.2 Any rights or enforcement procedures the Port may be afforded under the Port Rules are in addition to any rights the Port is otherwise provided under the law, including, without limitation to, the vessel seizure and impoundment rules provided for in RCW 53.08.320 and Chapter 79.100 RCW.

## **5.2 PURPOSE OF GRIEVANCE PROCEDURES**

To provide a procedure for the prompt review, impartial consideration and equitable disposition of any grievance presented by an individual.

## **5.3 GRIEVANCE PROCEDURE**

### **Step 1 – Port Manager**

- a. Individuals and groups shall present their grievances in writing to the Port Manager.
- b. Individuals and groups may select other persons at the individuals or groups own expense to represent them.
- c. Upon receiving written notice of the grievance, the Port Manager may wish to investigate the grievance further before meeting with the individual, group, and/or their representative(s). In any event, the Port Manager shall arrange to meet with the individual, group, and/or their representative(s) and others the Port Manager deems appropriate, within ten (10) business days after receipt of notification of the grievance.
- d. The Port Manager's decision shall be conveyed in writing to the individual, group, and/or their representative(s) either at the scheduled meeting or within five (5) business days following the conclusion of the meeting. If the grievance is settled at this step, no further action is taken.
- e. If the grievance is not settled or the individual or group is not satisfied with the Port Manager's decision, the individual or group may request a hearing before the Board of Commissioners. Such hearing shall be requested in writing within five (5) business days of receipt of the written decision from STEP 1 Item d.

### **Step 2 - Board of Commissioners**

- a. The Board of Commissioners (the "Board") shall consider the grievance appeal at their next regularly scheduled meeting.
- b. The Port Manager shall submit all information available from Step 1 to the Board. After review of this data, the Board may decide to further investigate the grievance and reconsider the decision of the Port Manager, or they may uphold the decision reached by the Port Manager.
- c. If the Board decides to investigate the grievance further, they may request the individual, group, and/or their representative and the Port Manager, plus other persons whom the Board deems appropriate, to appear at the next executive session convened to hear the grievances. A final decision of the Board shall be determined by a majority vote with a quorum present. The Board's decision shall be conveyed in writing to the individual, group, and/or their representative within ten (10) business days following the conclusion of the meeting in which disposition of the case is determined, with copies distributed to the Port Manager for inclusion in the official minutes and the Port office files.

- d. The Board's decision shall be considered as final, satisfying the obligation of the Port regarding the consideration of the grievance. If further action is desired, the individual, group, and/or their representative concerned may exercise their right to present their grievance before the appropriate state court having jurisdiction.

## 5.4 TRESPASS GRIEVANCE PROCEDURE

### Appeal of notice of no trespass.

A person to whom a notice of no trespass is issued shall have the right to appeal as follows:

- a. An appeal of the notice of no trespass must be filed, in writing, post marked within 10 calendar days of the issuance of the warning, and shall include:  
\*Required elements to be considered for review
  - i. Appellant's name, \*
  - ii. Address, \*
  - iii. Phone number,
  - iv. Copy of notice of no trespass, \*
  - v. Brief Statement why you are appealing, \*
  - vi. Your Signature and Date \*
- b. The appeal shall be mailed to the Port of Silverdale.
- c. Appeals shall be heard by the Port of Silverdale Board of Commissioners
- d. Upon receipt of the appeal, the matter shall be placed on the agenda of the next regularly scheduled Port of Silverdale board meeting.
- e. No appeal shall be heard within five or fewer business days of a regularly scheduled board meeting. If an appeal is received by the port office with five or fewer business days before the next regularly scheduled board meeting, the matter shall automatically be placed on the subsequent month's meeting agenda.
- f. If the appellant fails to attend the scheduled meeting, the board shall dismiss the appeal and affirm the notice of no trespass issued.
- g. Decision of the board shall be made by majority vote. Within ten business days of the meeting, the Port of Silverdale shall reduce the board's decision to writing, a copy of which shall be mailed U.S. first-class mail to the appellant at the address if provided.
- h. The notice of no trespass shall remain in effect during the appeal and review process.