

17.25.020 Anchorage, Berthing and Mooring Regulations.

I. Mooring, Anchoring and Vessel Condition Requirements.

In the event that the City of Newport Beach determines that a vessel is a public nuisance, the City of Newport Beach may commence public nuisance abatement per Chapter 10.50 of the Municipal Code.

4. If, based upon the appearance of the vessel, inspection by the City or Orange County Harbor Patrol or other facts, the Harbor Resources Manager determines that a sea lion has boarded a moored vessel, the Harbor Resources Manager shall provide the permittee with a notice of determination and the permittee shall take any and all necessary action to employ and maintain appropriate measures to deter sea lions from boarding the vessel within thirty (30) days of the mailing of the notice of determination. If the Harbor Resources Manager determines that appropriate deterrent measures have not been taken within thirty (30) days of the mailing of the notice of determination, the Harbor Resources Manager shall provide the permittee with a second notice of determination and the permittee shall: (a) take any and all necessary action to employ and maintain appropriate sea lion deterrent measures within seven days of the mailing of the second notice of determination; or (b) remove the vessel within seven days of the mailing of the second notice of determination. Appropriate deterrent measures shall be defined as the latest methodology permitted by National Marine Fisheries Service to minimize sea lion boarding of vessels assigned to a mooring.

17.50.100 Securing of Structures.

If, based upon an inspection by the City or Orange County Harbor Patrol or other facts, the Harbor Resources Manager determines that a sea lion has boarded a permitted structure and/or any vessel or other appurtenances attached to the structure, the Harbor Resources Manager shall provide the permittee with a notice of determination and the permittee shall take any and all necessary action to employ and maintain appropriate measures to deter sea lions from boarding the structure and/or any vessel or other appurtenances attached to the structure within thirty (30) days of the mailing of the notice of determination. If the Harbor Resources Manager determines that appropriate deterrent measures have not been taken within thirty (30) days of the mailing of the notice of determination, the Harbor Resources Manager shall provide the permittee with a second notice of determination and the permittee shall take any and all necessary action to employ and maintain appropriate sea lion deterrent measures within seven days of the mailing of the second notice of determination. Appropriate deterrent measures shall be defined as the latest methodology permitted by National Marine Fisheries Service to minimize sea lion boarding of a permitted structure and/or any vessel or other appurtenances attached to the structure. (Ord. 2008-2 § 1 (part), 2008)

