

MOORING PERMIT TRANSFER

(Per NBMC Title 17, as amended or superseded)
CITY OF NEWPORT BEACH, CALIFORNIA



MOORING PERMIT NUMBER: _____

CURRENT MOORING PERMITTEE ("Transferor"):

MOORING LENGTH: _____

Mooring Permittee 1:

Full Legal Name

Address

City State Zip

Phone Email

Mooring Permittee 2 (If Applicable):

Full Legal Name

Address

City State Zip

Phone Email

CURRENT MOORING PERMITTEE DECLARATION

By signing below, I declare that I am the current Permittee of the Mooring Permit mentioned above. I wish to cancel the Mooring Permit listed above, and wish to transfer my interest in the mooring to person named below. All rent and fees are paid and current; all mooring inspections are current; all required maintenance and repairs are complete; and there are no derelict or unauthorized vessel(s) on the mooring. I have permanently vacated the mooring, have reported the price paid for the Mooring Permit to the City of Newport Beach, and have paid the required transfer rental charge to the City of Newport Beach. I further represent that I did not discriminate Transferee or any prospective transferee because of race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, sex, sexual orientation, age or any other impermissible basis under law.

Executed this _____ day of _____, 20____, at _____, California.

By: _____
[Signature must be notarized]

By: _____
[Signature must be notarized]

NEW MOORING PERMITTEE ("Transferee"):

Transfer Mooring Permittee 1:

Full Legal Name

Address

City State Zip

Phone Email

Emergency Contact Name

Emergency Contact Phone Email

Transfer Mooring Permittee 2 (If Applicable):

Full Legal Name

Address

City State Zip

Phone Email

Emergency Contact Name

Emergency Contact Phone Email

By signing below, Mooring Permittee agrees to be held responsible for compliance with all rules, regulations, and conditions set forth in Newport Beach Municipal Code Title 17, as amended or superseded, including but not limited to the terms and conditions on the reverse.

Executed this _____ day of _____, 20____, at _____, California.

By: _____
[Signature must be notarized]

By: _____
[Signature must be notarized]

Transfer Fee: \$_____ Non-Refundable. 75% of annual mooring rent. Exceptions in NBMC Section 17.60.040(I).

Transfer Sale Price: \$_____

Mooring Permit Transfer Approved by: _____ Date: _____



MOORING PERMIT TRANSFER TERMS AND CONDITIONS

- A. Mooring Permit shall not be transferred without the prior written approval of the City of Newport Beach.
- B. The City of Newport Beach may approve the transfer of a Mooring Permit under the procedures outlined in NBMC Section 17.60.040, as amended or superseded. Upon confirmation of compliance with this section, the City of Newport Beach must find all of the following conditions to approve the transfer of a Mooring Permit:
 1. The Mooring Permittee no longer owns the Assigned Vessel or has retained ownership of the Assigned Vessel and has permanently vacated the mooring;
 2. The Transferee has met all the qualifications and conditions for issuance of a permit in subsection (B) of this section.
 3. The Transferor or Transferee has reported to the City of Newport Beach the price paid for the Mooring Permit, and has paid to the City of Newport Beach the required transfer rental charge.
- C. The transfer request shall be denied unless Mooring Permit fees are paid current; required mooring inspections are current; required maintenance and repairs are complete, and there are no derelict or unauthorized vessel(s) on the mooring. Except when transferred to immediate family, Mooring Permit may only be transferred up to one time in any twelve (12) month period.
- D. The Mooring Permittee and Transferee shall provide a written agreement to defend and indemnify the City of Newport Beach in any dispute with a third party over Transferee's right to be the Mooring Permittee or in any dispute with a third party over the Mooring Permittee's right to transfer the Mooring Permit.
- E. Transferee agrees to:
 1. To defend and indemnify the City of Newport Beach and any other government entity with jurisdiction against any claims or losses arising out of, or related to the use of, the Mooring Permit, except where the claim or loss arises from the Mooring Sub-Permittee's damage of the mooring, or out of negligence and/or misconduct of a person assigned the mooring as a Mooring Sub-Permittee under NBMC Section 17.60.040(G) and/or (H).
 2. To provide valid government issued identification for Permittee.
 3. To provide proof of insurance for the vessel.
 4. To provide registration or other proof of ownership of the vessel assigned to the mooring. Vessels on Mooring Permit must be registered to Permittee and the mooring through the City of Newport Beach.
 5. To pay fair market value rent on a rent schedule established by the City of Newport Beach.
 6. This Mooring Permit does not entitle Mooring Permittee to any ownership interest in the underlying Tidelands.
 7. To authorize the City of Newport Beach, or its designee, to move the vessel on the mooring to another location when deemed necessary by the City of Newport Beach.
 8. To notify the City of Newport Beach with fifteen (15) days of any change in contact information of the Permittee.
 9. That it is **illegal to rent** mooring to anyone. A Mooring Permit may only be transferred with a valid Permit Transfer from the City of Newport Beach.
 10. That it is **illegal to loan** mooring to anyone without the prior written approval of the City of Newport Beach. Written approval by the City of Newport Beach will limit the "loan" period to no more than 30 consecutive days and no more than 60 days within a 12 month period.
 11. Only one (1) Assigned Vessel allowed on a mooring at a time.
 12. Spreader lines must be adequately marked and buoyed at all times.
 13. Mooring buoys must be clearly marked with the mooring number.
 14. Live-aboards are prohibited on moorings except as noted in NBMC Section 17.40, as amended or superseded. Live-aboards may be temporarily permitted as Mooring Sub-Permittees pending vessel inspection, for a period not to exceed 15 days in any 12 month period.
 15. Shore mooring posts must be painted white with the mooring number attached and clearly visible.
 16. Mooring pendants must be kept in good condition at all times.
 17. Shore moorings are **not allowed** for vessels over 18' in length. Shore mooring vessels shall be self-righting on an incoming tide without flooding the vessel.
 18. Vessels on moorings are subject to regular inspections and/or boarding by the City of Newport Beach.
 19. To take any and all necessary action to employ and maintain appropriate sea lion deterrent measures.
 20. It is unlawful and a public nuisance for any vessel to operate its mechanical or electrical system which creates excess noise, odors, vibrations, fumes, discharges or emissions that constitute an impact on public health and safety.
 21. To be responsible for any related towing charges associated with the Assigned Vessel.
 22. Mooring Permit may be revoked upon any of the grounds outlined in NBMC Section 17.60.040(K), as amended or superseded.

VIOLATION(S) OF MOORING PERMIT TERMS AND CONDITIONS, OR NBMC TITLE 17 AS AMENDED OR SUPERSEDED MAY RESULT IN THE CANCELLATION OF MOORING PERMIT.

Questions concerning the Mooring Permit should be directed to the Permit Technician
Mvitarelli@newportbeachca.gov or 949.718.3429.