

ORDINANCE NO. 298  
CITY OF DEPOE BAY

**AN ORDINANCE AMENDING ORDINANCE NO. 292, THE CITY OF DEPOE BAY HARBOR  
ORDINANCE; ADDING AN EXCEPTION TO NON-TRANSFERABILITY OF MOORAGE USE PERMITS  
FOR RESERVED MOORAGE USE PERMITS; AND DECLARING AN EMERGENCY**

WHEREAS, the City of Depoe Bay has adopted rules for the control and management of the harbor properties and facilities of the City of Depoe Bay (Ordinance No. 292); and

WHEREAS, the City Council of the City of Depoe Bay has determined that for the benefit of the harbor there is a need to add an exception to the non-transferability of moorage use permit rule for reserved moorage use permit holders to substitute a vessel of same or smaller size while the permitted vessel is under repair; and

WHEREAS, the Depoe Bay Harbor Commission has recommended revision to Section 11.070 of Ordinance No. 292 by adding an exception for reserved moorage use permit holders to substitute a vessel of same or smaller size while the permitted vessel is under repair;

NOW, THEREFORE, The City Council of the City of Depoe Bay hereby ordains as follows:

1. Ordinance No. 292, The City of Depoe Bay Harbor Ordinance, is amended by adding the following subsection to Section 11.070 NON-TRANSFERABILITY OF PERMITS:

"(g) If a vessel owner/moorage use permit holder of a reserved moorage space removes the permitted vessel from the assigned moorage space to conduct repairs on said vessel, the vessel owner/moorage use permit holder may use the assigned moorage space for a same class size, or smaller class size, vessel owned or controlled by the vessel owner/moorage use permit holder until the permitted vessel is repaired. Prior to mooring the alternate vessel, the vessel owner/moorage use permit holder shall obtain and maintain a valid use permit for the alternate vessel pursuant to Section 11.090 of this Ordinance.

WHEREAS, the adoption of this ordinance is necessary to preserve the peace, health, safety and welfare of the citizens of the City of Depoe Bay, an emergency is declared to exist and this ordinance shall be in full force and effect immediately upon its adoption by the City Council of the City of Depoe Bay and approval by the Mayor.

Introduced and passed the first reading in a regular meeting of the City Council of the City of Depoe Bay, Oregon, on this 20<sup>th</sup> day of August, 2013.

Passed at the second reading, placed on final passage, and adopted by the City Council of the City of Depoe Bay, Oregon, on this 3<sup>rd</sup> day of September, 2013.

Approved by the Mayor of the City of Depoe Bay, Oregon, this 4<sup>th</sup> day of September, 2013.

CITY OF DEPOE BAY

  
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Mayor A. J. Mattila

ATTEST:   
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City Recorder