

**SECTION NO. 4.36 – REGULATION OF VESSELS – A-8 ANCHORAGE**

(a) Purpose

California law (San Diego Unified Port District Act, Harbors and Navigation Code, Appendix 1) requires the Board of Port Commissioner to regulate and control the anchoring, mooring, towing and docking of vessels, and to make and enforce all necessary rules and regulations governing the use and control of navigable waters within the District. The purpose of this Section of the San Diego Unified Port District Code is to implement that responsibility within the A-8 Anchorage.

(b) Definitions

Certain words and phrases used herein are defined as follows, unless the context requires a different meaning:

1. “A-8 Anchorage” – In Center San Diego Bay, the Sweetwater Anchorage, the water enclosed by a line beginning at latitude 32°39'12.2"N., longitude 117°07'30.1"W.; thence southerly to latitude 32°38'45.2' N., longitude 117°07'45.1" W.; thence northerly to the point of beginning.
2. “Anchoring” – Attachment or making fast of a Vessel or structure to the bottom of the shore of San Diego Bay using an anchor and proper ground tackle or by any other means.

3. “Vessel” – A watercraft designed to float upon the surface of a body of water for the purpose of transporting persons or property.

(c) A-8 Anchorage, Anchoring Regulated

1. Anchoring or mooring in the A-8 Anchorage, with the exception of military security and restricted areas, is prohibited during the environmental restoration and clean-up of the anchorage, subject to available funding, for the period from October 1, 2008, at 5:01 PM, through July 1, 2011
2. After completion of environmental restoration of the A-8 Anchorage, the anchorage will be reserved for aquatic sports activities, regattas, other small craft temporary usage subject to permit, or other uses as specified by amendment of this section by the Board of Port Commissioners.

(d) Uses Prohibited

1. No business or commercial enterprise shall be conducted at the A-8 Anchorage.
2. No barges or floating docks shall be allowed to moor or anchor at the A-8 Anchorage.
3. No Vessel more than sixty-five (65) feet in length shall be allowed to moor or anchor at the A-8 Anchorage.

(e) Abandonment of Vessel

Pursuant to Harbors and Navigation Code Section 522, et seq., no Vessel shall be left in the A-8 Anchorage with the intent to abandon such vessel, and if any vessel is abandoned, in addition to other legal remedies available to it, the District has the right to impound, tow, store, and/or demolish the Vessel at the expense of the owner.

(f) Invalidity

If any section, subsection, sentence, clause, phrase or portion of this Section 4.36 is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase or portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions.

*(Enacted August 22, 2000 – Ordinance No. 2107)*

*(Amended March 9, 2004 – Ordinance No. 2286)*

*(Amended September 5, 2006 – Ordinance No. 2413)*

*(Amended September 2, 2008 – Ordinance No. 2522)*