

## NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION

### Notice of Public Hearing and Opportunity to Comment on Proposed Rules

**What are we proposing?** The Department of Parks and Recreation (“Parks Department”) is considering changing its rules to establish procedures and fees for the operation of Dyckman Marina.

**When and where is the Hearing?** The Parks Department will hold a public hearing on the proposed rule. The public hearing will take place at 12:00pm on July 8, 2019. The hearing will be in the Parks Department’s hearing room in Thomas Jefferson Recreation Center at 2180 1st Avenue, New York, NY 10029.

This location has the following accessibility option(s) available: wheelchair accessible.

**How do I comment on the proposed rules?** Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the Department of Parks and Recreation through the NYC rules Web site at <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments to [rules@parks.nyc.gov](mailto:rules@parks.nyc.gov).
- **Mail.** You can mail written comments to:  
  
Darci Frinquelli, Assistant Counsel  
The New York City Department of Parks & Recreation  
The Arsenal, Central Park  
830 Fifth Avenue  
New York, NY 10065
- **Fax.** You can fax written comments to Darci Frinquelli, Assistant Counsel, at 917-849-6742.
- **By Speaking at the Hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling Darci Frinquelli 212-360-1383. You can also sign up in the hearing room before the hearing begins on July 8, 2019. You can speak for up to three minutes.

**Is there a deadline to submit written comments?** You must submit written comments by July 8, 2019.

**Do you need assistance to participate in the Hearing?** You must tell the Office of General Counsel if you need a reasonable accommodation of a disability at the Hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at 212-360-1383. You must tell us by July 2, 2019.

**Can I review the comments made on the proposed rules?** You can review the comments made online concerning the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days

after the hearing, a recording of the hearing and copies of the written comments will be available to the public at the Office of the General Counsel. Please call 212-360-1383 for more information.

**What authorizes the Parks Department to make this rule?** Sections 389, 533(a)(9), and 1043 of the City Charter authorize the Parks Department to make this proposed rule. This proposed rule was not included in the Parks Department's regulatory agenda for this Fiscal Year because it was not contemplated when agencies needed to submit an agenda.

**Where can I find the Parks Department's rules?** The Parks Department's rules are in title 56 of the Rules of the City of New York.

**What rules govern the rulemaking process?** The Parks Department must meet the requirements of Section 1043 of the New York City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043 of the City Charter.

## Statement of Basis and Purpose

The Department of Parks and Recreation (“Parks Department”) is considering changing its rules to establish procedures and fees for the operation of Dyckman Marina.

The purpose of this proposed rule is to:

- Publish the Department’s requirements and procedures for operation and use of the Dyckman Marina, if it is not operated under a concession agreement.
- Establish the Department’s fees for use of the Dyckman Marina, if it is not operated under a concession agreement.
- Clarify Article 3 of the Department’s rules.

The Parks Department’s authority for these rules is found in Sections 389, 533(a)(9), and 1043 of the New York City Charter.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

### **Section 1. Section 3-01 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:**

Chapter 3: [Rules Governing the West 79th Street Boat Basin, the Sheepshead Bay Piers and the World's Fair Marina] Marinas Operated by the Department

§ 3-01 Application.

These rules apply to the permissible use of the marinas operated by the Department, including but not limited to the West 79th Street Boat Basin which is located in Riverside Park on the east bank of the Hudson River at West 79th Street in Manhattan[. They also govern]; the Sheepshead Bay Piers adjacent to Emmons Avenue in Brooklyn[.]; the World's Fair Marina in Flushing Bay [which is located ]in Flushing Meadows Corona Park, Queens\_[and any other marina acquired by the Department and which is] provided they are not covered by a concession agreement with the Department. These special rules supplement the general rules which govern the use of City parkland set forth in chapters one and two of this title. To the extent that they are not inconsistent herewith, the rules set forth in chapters one and two of this title apply to the use of the [marina, piers and boat basin] Department’s Marinas.

### **Section 2. Section 3-02 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:**

§ 3-02 Definitions.

**Boat Basin.** “Boat Basin” means the West 79th Street Boat Basin located in Riverside Park on the east bank of the Hudson River at West 79th Street in Manhattan.

**Boat Launch.** “Boat Launch” means any location designated by the Commissioner for the launching of [vessels] Vessels of any kind via the use of an automobile or other motorized vehicle down a fixed ramp.

**Chief Dockmaster.** “Chief Dockmaster” means the person appointed by the Commissioner that is responsible for the overall administration of the [marina division facilities] Marinas and enforcement of Department policies and rules [under the direction of the marina manager or administrator].

**Commercial Permit.** “Commercial Permit” means a permit to store, dock or launch a [vessel] Vessel used for commercial operations.

**Commissioner.** “Commissioner” means the Commissioner of the Department of Parks and Recreation or the chief executive officer of any successor agency.

**Department.** “Department” refers to the Department of Parks and Recreation of the City of New York or any successor agency.

**Dinghy.** “Dinghy” means a [vessel] Vessel with a total length of fourteen feet or less.

**Dockmaster.** “Dockmaster” refers to the person who administers, manages or maintains the [marina, piers and boat basin] Marinas at the direction of the [supervisory or chief dockmaster] Supervisory Dockmaster or Chief Dockmaster.

**Dyckman Marina.** “Dyckman Marina” refers to the Dyckman Marina on the east bank of the Hudson River at Dyckman Street

**Emergency.** “Emergency” means any situation which the [dockmaster] Dockmaster determines threatens imminent personal injury, property damage or environmental damage.

**[Facility.** “Facility” means any or all of the [boat basin, marina, and piers] Marinas.]

**Garage.** “Garage” means the underground parking garage at the rotunda in the [boat basin] Boat Basin.

**Guest.** “Guest” means a person who enters the [marina, piers or boat basin] Marinas at the invitation of a [permittee] Permittee to board the [permittee’s] Permittee’s [vessel] Vessel.

**Houseboat.** “Houseboat” means any [vessel] Vessel which has been designed primarily for use as a dwelling place as opposed to active recreational use, including but not limited to boats unable to operate in open water when subject to moderate winds and strong currents and boats designed with a rectangular main deck and full or square-shaped underwater hull as opposed to the tapered bow of a conventional recreational [vessel] Vessel.

**Marina.** “Marina” means the [World’s Fair Marina in Flushing Bay, located in Flushing Meadows Corona Park, Queens.] World’s Fair Marina, Sheepshead Bay Piers, West 79th Street Boat Basin, and any other marina operated by the Department.

**[Marina Division.** “Marina Division” means the Department's division responsible for managing, operating and maintaining recreational and commercial vessel usage at, but not limited, to the division facilities and mooring fields.]

**[Marina Manager or Marina Administrator.** “Marina Manager” or “Marina Administrator” means the manager or administrator of the Department's Marina Division. The person appointed by the Commissioner that is responsible for the overall administration of the marina division facilities and enforcement of Department policies and rules.]

**Parking Permit.** “Parking Permit” means a dated written permission to park at the [marina] World’s Fair Marina parking lot or [boat basin garage] Boat Basin Garage.

**Permit.** “Permit” means a permit to store, dock, moor or launch a [vessel] Vessel at the [marina, piers or boat basin] Marinas. Such term includes, but is not limited to, seasonal dockage permits issued for the 6 month summer season or 12 month terms, transient dockage permits issued on a daily basis, permits to launch kayaks or canoes at the [marina, piers or boat basin] Marinas, permits for commercial [vessel] Vessel operations and special permits for educational research events and special events, including filming. Such term does not include [parking permits] Parking Permits.

**Permittee.** “Permittee” means the person whose name appears on a permit.

**Permittee Family.** “Permittee Family” means the members of a [permittee's] Permittee’s immediate family, which is restricted to husband, wife, son, daughter or domestic partner, listed on the front page of the [permit] Permit application. Permittee family members are not designated as guests and do not have any interest in the permit, except for spouses or domestic partners who jointly hold permits.

**Personal Watercraft.** “Personal Watercraft” or “PWC” or “Jet Ski” means any small power-driven [vessel] Vessel where by design the operator and passengers stand or sit astride the watercraft as opposed to sitting within the hull of a conventional boat. Personal Watercraft traditionally are gasoline-powered and can be propeller-driven or propelled by water jet.

**Sheepshead Bay Piers.** “Sheepshead Bay Piers” means the piers located on the northern side of Sheepshead Bay, adjacent to Emmons Avenue in Brooklyn.

**Supervisory Dockmaster.** “Supervisory Dockmaster” means the individual responsible for the administration of the marina division facilities and enforcement of Department policies and rules under the direction of the [chief dockmaster] Chief Dockmaster.

**Vessel.** “Vessel” means a floating craft of any kind, including but not limited to a boat, sailboat, motorboat, dinghies, canoe and kayak.

**Waiting list.** “Waiting list” means a list maintained by the Department of persons interested in obtaining seasonal dockage permits and mooring permits at the [boat basin] Boat Basin. This list is the sole method of obtaining a dockage or mooring permit at the [boat basin] Boat Basin.

**World’s Fair Marina.** “World’s Fair Marina” means the World's Fair Marina in Flushing Bay, located in Flushing Meadows Corona Park, Queens.

**Section 3. Section 3-03 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:**

**§ 3-03 Access.**

(a) The [marina, piers and boat basin] Marinas are open to [permittees, a permittee's family, guests] Permittees, Permittee Family, Guests, contractors and other persons who have obtained the permission of the [dockmaster or] Department to enter. All private contractors must be properly licensed and insured, proof of which shall be registered with the [marina division] Department. In addition, the [dockmaster] Department shall establish and post regular hours during which the public shall have access to specified portions of the [marina and boat basin] World's Fair Marina and Boat Basin.

(b) Keys are issued to the [marina and boat basin] World's Fair Marina and Boat Basin piers each year for [permittees] Permittees. To receive a key, [permittees] Permittees must have paid for the full seasonal dockage or mooring and have no other outstanding charges, and must sign an agreement regarding the Department's key policy. Permittees must also have completed a dockage or mooring permit application and provided all required [vessel] Vessel insurance and registration as required by 56 RCNY § 3-06 (d) and (q).

**Section 4. Section 3-04 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:**

**§ 3-04 Guests.**

Access to the [marina, piers and boat basin by guests] the Marinas by Guests is subject to the following conditions:

(a) All [guests and members of a permittee's family] Guests and Permittee Family must comply with these rules. Anyone who fails to comply with such rules may be expelled from the [facility] Marinas. Anyone who repeatedly fails to comply with the rules may be permanently barred from the [facility] Marinas. Permittees are responsible for the conduct of their guests and family members. Violations of these rules by [guests and/or a permittee's family] Guests and/or Permittee Family can be grounds for termination of the [permittee's permit] Permittee's Permit in accordance with § 3-06(g) of this chapter.

(b) In the interest of safety, the [dockmaster] Dockmaster may limit the number of [guests] occupants on a [vessel] Vessel. In no cases shall the number of persons on board a [vessel] Vessel exceed the manufacturer's builders plate.

(c) A [permittee] Permittee must notify the [dockmaster] Dockmaster in writing of any person who will be boarding his or her [vessel] Vessel when the [permittee] Permittee is not in the [marina or boat basin] relevant Marina. [Guests may not stay overnight on a vessel when the permittee is not on board without a guest pass issued by the dockmaster. The dockmaster may refuse or terminate such permission where he or she has reason to believe that there has been a transfer of the right to occupy the vessel by the permittee to the guest.]

(d) If a [permittee] Permittee intends to have a [guest] Guest remain overnight on his or her [vessel] Vessel while the [permittee] Permittee is not on board, a [guest] pass must be obtained from the [dockmaster] Dockmaster. Guests may not stay overnight on a Vessel when the Permittee is not on board without a pass from the Dockmaster. The Dockmaster may refuse or

terminate the pass if he or she has reason to believe there has been a transfer of the right to occupy the Vessel by the Permittee to the Guest. This pass may be issued for up to one month. No [guest] Guest may remain in the [marina or boat basin] World's Fair Marina or Boat Basin for longer than one month while the [permittee] Permittee is absent, although the [dockmaster] Dockmaster has discretion to extend this limit for good cause. [Any guest who has not been authorized to remain overnight in the marina or boat basin will be denied access.]

**Section 5. Section 3-05 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:**

§ 3-05 Inspections.

All [vessels] Vessels in the [marina, piers and boat basin] Marinas may be boarded by authorized officers and employees of the Department or other City, State and federal agencies if necessary to respond to an emergency or urgent health or safety hazard, as part of the general health or safety inspection or as otherwise permitted by applicable law. It shall be a violation of these rules for a [permittee] Permittee to refuse to allow, prevent or interfere with such boarding.

**Section 6. Section 3-06 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:**

§ 3-06 Permits.

(a) No person shall dock, store or launch a [vessel] Vessel at a [facility] Marina without an appropriate [permit] Permit from the Department and without payment of all required fees.

(b) All payments must be in the form of money order, credit card, or check in a form acceptable to the Department.

(c) All recreational [vessels] Vessels must be personally owned and such ownership reflected on registration or U.S. Coast Guard documentation. Permits for recreational [vessels] Vessels shall be issued to a natural person and not to a business or corporate entity.

(d) For security and emergency purposes, [permittees] Permittees must provide State or federal issued photo identification to the [marina division] Department for photocopying and retention in the customer folder [in the marina or boat basin office].

(e) A [permit] Permit shall not be issued for a [vessel which] Vessel that is unsafe or likely to cause injury to people or damage to property as determined by the [dockmaster] Dockmaster.

(f) (1) Dockage permits shall only be issued for [vessels] Vessels that the [chief dockmaster] Chief Dockmaster determines are capable of operating in open water. All [vessels] Vessels (transient, seasonal, mooring or year round) must be and remain in safe operational condition. Any existing [permittee] Permittee with an operational and seaworthy [vessel] Vessel must continuously maintain an operational and seaworthy [vessel] Vessel. All [vessels that are] Vessels brought to any Department [facility] Marina must be seaworthy and must meet operational requirements to the original manufacturer's specifications. The [chief dockmaster] Chief Dockmaster shall require a demonstration of a [vessel's] Vessel's seaworthiness and compliance with the manufacturer's specifications, and shall require that any modifications to the [vessel] Vessel be approved by a certified naval architect to ensure compliance with original

manufacturers' specifications. Before issuing a [permit] Permit and otherwise upon reasonable notice, the [chief dockmaster] Chief Dockmaster may inspect a [vessel] Vessel and/or require a demonstration of the [vessel's] Vessel's operational capability in open water.

(2) For the [boat basin] Boat Basin only, the Department may offer up to 52 winter season permits at any time (less any existing winter permits) first, to existing summer season permit holders in seniority order and second, to individuals on the [waiting list] Waiting List in list order, creating 12 month or year-round dockage permits. The location of winter season slips will be determined by the [chief dockmaster] Chief Dockmaster and allocated by seniority order. However, the [chief dockmaster] Chief Dockmaster may change the location and/or number of these slips as necessary to ensure the safety of [vessels] Vessels and the [boat basin] Boat Basin.

(3) Except for [vessels] Vessels permitted to dock at the [boat basin] Boat Basin prior to November 1, 2010, no permit, summer or winter, shall be issued to a [houseboat] Houseboat.

(g) Dockage permits shall not be issued unless the applicant presents evidence of hull and liability insurance, either New York State registration or documentation by the U.S. Coast Guard and successful completion of a U.S. Coast Guard boating safety course or sufficient nautical experience as determined by the [dockmaster] Dockmaster. In addition, the [vessel] Vessel for which the [permit] Permit is to be issued must be well maintained and seaworthy.

(h) A [permit] Permit shall be issued to the named [permittee] Permittee for a particular [vessel] Vessel and is not transferable. A [permit] Permit can be held jointly by spouses or domestic partners. If a [permittee] Permittee replaces a [vessel] Vessel, the [dockmaster] Dockmaster may only approve the new [vessel] Vessel after a suitable slip has been found before it may be docked pursuant to the permit. The [dockmaster] Dockmaster shall reject a replacement [vessel which] Vessel that is not capable of operating in open water, not properly insured or which is neither New York State registered nor documented by the U.S. Coast Guard. The [dockmaster] Dockmaster may inspect and/or require a demonstration of the replacement [vessel's] Vessel's operational capability in open water.

(i) All completed [permit] Permit applications [shall] must be submitted to the Department. All outstanding fees, charges, fines or civil penalties must be paid before a renewal application will be considered.

(j) The [supervisory dockmaster] Supervisory Dockmaster may revoke, terminate or refuse to renew any [permit] Permit issued pursuant to this section:

[(k)](1) where the [permittee] Permittee or applicant for the renewal has been found liable in a proceeding before the [Environmental Control Board of the City of New York (ECB)] Office of Administrative Trials and Hearings (OATH) or in a court of three or more violations of these rules set forth in 56 RCNY Chapters 1 and 2 of this title;

(2) where the applicant for renewal or [permittee] Permittee has failed to pay any outstanding fees, charges, fines or civil penalties within 15 days of the date of mailing of a written notice of such outstanding amount;

(3) where the [permittee] Permittee or applicant for renewal has been found liable in a proceeding before the [ECB] OATH or in a court of engaging in disorderly behavior as defined in 56 RCNY [§ 1-04(i), paragraphs (6), (7), and (9) of 56 RCNY Chapter 1 of this title] § 1-04(1); or

(4) as provided in subdivision o of this section, in accordance with the needs or requirements of the Department or the interests of the City as determined by the supervisory [dockmaster] Dockmaster.

(k) Reserved.

(l) The [supervisory dockmaster] Supervisory Dockmaster shall mail or hand deliver notice of the intention to revoke, refuse to renew or terminate a [permit] Permit and the reasons therefor. [In the event that] If a mailing address is unknown or mail is returned undelivered, such notice may, in lieu of mailing or hand delivery, be posted in a conspicuous place on the [vessel] Vessel.

(m) (1) [A permittee,] If a permit is revoked or terminated or a renewal is refused, a Permittee or applicant for renewal may file written objections with the [chief dockmaster] Chief Dockmaster within 10 days from the date of such mailing, delivery or posting. The objections must set forth the reasons why the [permit] Permit should not be terminated or revoked or should be renewed, and include any evidence supporting the objection. The filing of objections will not prevent the [chief dockmaster] Chief Dockmaster from barring the [permittee] Permittee from the [facility] Marina if the [chief dockmaster] Chief Dockmaster specifically finds that it is in the public interest to do so. After considering any objections raised by the applicant or [permittee] Permittee, the [chief dockmaster] Chief Dockmaster shall make a determination whether to revoke, refuse to renew or terminate the [permit] Permit and shall provide notice of such determination to the [permittee] Permittee or applicant for renewal in the above manner.

(2) A [permittee] Permittee or applicant for renewal may file written objections with the Commissioner within 10 days from the date of the written decision of the [chief dockmaster] Chief Dockmaster. The objections must set forth the reasons why the [permit] Permit should not be terminated or revoked or should be renewed, and include any evidence supporting the objection. After considering any objections raised by the applicant or [permittee] Permittee, the Commissioner shall make a final determination whether to affirm or reverse the [chief dockmaster] Chief Dockmaster's determination to revoke, refuse to renew or terminate the [permit] Permit and shall provide notice of such determination to the [permittee] Permittee or applicant for renewal in the above manner.

(n) Nothing in this chapter shall be construed to create a property right in any [permit] Permit. All permits issued by the Department are by their nature terminable at will by the Commissioner in accordance with the needs or the requirements of the Department or in the interest of the City as determined by the Commissioner.

(o) An applicant for renewal or a former [permittee] Permittee who has been found liable in a proceeding before [the Environmental Control Board] OATH or in a court violating any provisions of these rules or the rules set forth in chapters 1 and 2 of this title or who has delinquent payment record may be required to provide current credit card information and/or make a security deposit before a renewal application will be considered. Such [permittee's] Permittee's credit card shall be charged for any balances accrued by the [permittee] Permittee that remain unpaid after 45 days of mailing of such outstanding charges. Any security deposit received from the [permittee] Permittee will be returned to the [permittee] Permittee without interest upon departure from the [marina, piers, or boat basin] Marinas, provided the [permittee] Permittee has settled all outstanding charges.

(p) All [permittees] Permittees must maintain hull and liability insurance policies naming the City as an additional insured on the policy for docked [vessels] Vessels and provide the [dockmaster] Dockmaster with a copy of the insurance certificate. Proof of such insurance must be submitted to the [dockmaster] Dockmaster by May 1 of each year. The insurance must be valid for the length of the [permit] Permit and any lapse in coverage will be considered automatic grounds for termination of the permit.

(q) The [dockmaster] Dockmaster may impose other reasonable conditions on the issuance or renewal of a [permit] Permit to protect public safety or to safeguard the interests of the City.

(r) (1) Where a [permit] Permit expires or is revoked, terminated or not renewed, the [vessel] Vessel must be removed from the [facility] Marina within 10 days after written notice by the [supervisory dockmaster] Supervisory Dockmaster to remove it is mailed or hand-delivered to the applicant or [permittee] Permittee. [In the event that]If a mailing address is unknown or mail is returned undelivered, such notice may in lieu of such mailing be posted in a conspicuous place on the [vessel] Vessel. Where the [vessel] Vessel is not removed within 10 days, the Department may remove the [vessel] Vessel or cause the [vessel] Vessel to be removed from the [facility] Marina. Except where a [vessel] Vessel enters [the facility] a Marina due to an emergency, the [dockmaster] Dockmaster may immediately and without notice remove any [vessel] Vessel which enters or remains in [the facility] a Marina without an appropriate permit.

(2) The [permittee] Permittee or owner shall be liable for the costs of removal and storage of the [vessel] Vessel, payable prior to release of the [vessel] Vessel. Any [vessel] Vessel removed from [the facility] a Marina which is not claimed within 30 days shall be deemed to be abandoned and shall be treated in accordance with applicable law.

(s) Every applicant and [permittee] Permittee must provide the [dockmaster] Dockmaster with a day and evening telephone number as well as an e-mail and/or mailing address in writing at which he or she may receive notice required by these rules or other applicable law. Any change in telephone number, e-mail, or mailing address must be reported in writing to the [dockmaster] Dockmaster within 10 days.

(t) Upon accepting a [permit] Permit to dock at the [boat basin] Boat Basin, [permittee] the Permittee must within two years, dock a [vessel] Vessel, meeting all the requirements of this chapter. If an existing [boat basin permittee] Boat Basin Permittee removes his or her [vessel] Vessel for any reason, the [permittee] Permittee must dock a [vessel] Vessel, meeting all the requirements of this chapter, within two years from the date they removed their [vessel] Vessel. The minimum dockage fee will be charged for each permitted season until a [vessel] Vessel is brought in. If no [vessel] Vessel is docked within two years, the [permit] Permit will be revoked as per 56 RCNY § 3-06(1).

(u) A [permittee] Permittee may choose to postpone keeping a [vessel] Vessel at the [boat basin] Boat Basin for any particular season without payment only once in the life of the permit. Permittees must submit a letter to the [chief dockmaster] Chief Dockmaster at least 90 days prior to the start of the season in question stating that they will be opting to keep the [vessel] Vessel out of the [boat basin] Boat Basin.

(v) Permits will be immediately revoked for any of the following reasons:

(1) Conduct endangering the safety of any person.

(2) Fire aboard a [vessel] Vessel that is determined to be caused by improper upkeep of the [vessel] Vessel.

(3) The improper use of heating equipment, including the storing of kerosene, installation or repair of electrical equipment by other than a qualified electrician.

(4) A violation of 56 RCNY § 3-13.

(5) Trespassing aboard another [vessel] Vessel docked or moored at a [marina division facility] Marina.

(6) Violation of this subdivision by guests or immediate family members of a [permit] Permit holder.

(7) Renting or subletting of permits.

(8) Any other action which interferes with the safe operation of [division] Department facilities, including but not limited to violations of 56 RCNY § 3-08.

(w) Any person who docks or abandons a [vessel] Vessel at the [boat basin, marina or piers] Marinas without authorization and who refuses to remove the vessel immediately upon written notice, will not be eligible to request or receive a [permit] Permit or berth of any type for any [facility] Marina for a minimum of 24 months. Objections to [of ]the denial of [permit] Permit eligibility shall be available under subdivision n of 56 RCNY § 3-06.

**Section 7. Section 3-07 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:**

§ 3-07 Waiting List

The Department shall maintain and utilize a [waiting list] Waiting List for the issuance of Boat Basin seasonal dockage permits and mooring permits, which shall be available upon request from the Department. Applications [for the waiting list] to be added to the Waiting List must be mailed to the Department of Parks & Recreation, [Legal] Revenue Office, The Arsenal, 830 5th Avenue, NY, NY 10065 att: Boat Basin Waiting List via return receipt U.S. mail on forms supplied by the Department and accompanied by a processing fee of \$75. Only natural persons shall be eligible for Boat Basin permits. No person already holding a [permit] Permit may apply for a Boat Basin [permit] Permit.

**Section 8. Section 3-08 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:**

§ 3-08 Conduct and Clean Boating.

(a) No person shall urinate or defecate into the water or along the docks and walkways of [the facility] a Marina. No person shall use a toilet [in the facility] which discharges into the water without marine sanitation devices approved by the New York State Department of Environmental Conservation.

(b) Composting toilet systems are not permitted.

(c) All [vessels] Vessels with waste holding tanks must discharge waste through the pump out station or by other methods approved by the New York State Department of Environmental Conservation.

(d) No person shall discharge into the water or on the docks and walkways any oil, spirits, drift, debris, inflammable liquids, rubbish or refuse.

(e) No person shall bring or park a motor vehicle on the promenade or docks without the prior written approval of the [dockmaster]Dockmaster.

(f) No person shall make or cause or allow to be made unreasonable noise [in the facility] so as to cause public inconvenience, annoyance, or harm. Unreasonable noise means any excessive or unusually loud sound that disturbs the peace, comfort, or repose of a reasonable person of normal sensitivity or injures or endangers the health or safety of a reasonable person of normal sensitivity. The [dockmaster]Dockmaster may restrict the outdoor use of radios, record players, compact disc players, television receivers, tape recorders, digital music players and other sound

reproduction devices after 10 p.m. Sunday through Thursday and after midnight on Friday and Saturday.

- (g) Garbage [shall] must be placed in plastic bags and deposited in designated receptacles.
- (h) No person shall make an open flame or operate a barbecue grill in [the facility] a Marina, on the docks or walkways or on any [vessel] Vessel.
- (i) No person shall store or use any machinery or equipment for welding or burning where such storage or use is prohibited by the fire code or other law or rule.
- (j) No person shall ride or store a bicycle or other vehicle on the walkways and docks.
- (k) No person shall run or skate on the dock.
- (l) No person shall swim, dive, or fish from [vessels] Vessel, docks, or finger piers, except in areas specifically designed for such purposes.
- (m) No person shall leave any entrance gate to the [marina or boat basin] World's Fair Marina or Boat Basin open or unlocked.
- (n) No person shall admit someone unfamiliar to themselves into the [marina or boat basin] World's Fair Marina or Boat Basin. Any unfamiliar person is to be directed to the [marina or boat basin] World's Fair Marina or Boat Basin office.
- (o) No person shall advertise from a [vessel] Vessel while docked or moored at a Department [facility] Marina.
- (p) [The New York waters of the Hudson River are an Environmental Protection Agency (EPA) designated "No Discharge Area" (NDA).] No person shall discharge any [boat sewage from a holding tank or portable toilet or use a direct discharge toilet anywhere in the river, from the Battery to Troy Dam. All sewage must be emptied at a pump out station.] sewage in "No Discharge Zones" (NDZ) designated by the Environmental Protection Agency, including the Hudson River and Jamaica Bay.
- (q) On water bodies that are not designated [NDA] NDZ, boaters must discharge treated sewage from a Type I or Type II United States Coast Guard certified Marine Sanitation Device (MSD) unless at least three nautical miles or more from shore.
- (r) No person shall transport cans of fuel on [marina, piers, or boat basin] docks or piers at the Marinas unless authorized by the [dockmaster] Dockmaster in the [dockmaster's] Dockmaster's reasonable discretion. Vessels must fuel at gas docks.
- (s) As per New York State Department of Environmental Conservation regulations, [vessel] Vessel owners must receive pre-approval from the [dockmaster] Dockmaster before applying anti-fouling paint to their [vessel] Vessel. Paint scrapping must be disposed of in designated areas. Containment systems must be used and boat maintenance may not be performed near water or sewer drains.
- (t) Hoses and water lines must be turned to the closed position upon completion of use. Water lines must never be left running unattended or for extended periods of time.
- (u) Any person who engages in disorderly behavior as defined in [section 1-04(i), of chapter 1] § 1-04(i) of this title may, in addition to any other applicable penalties, be expelled immediately from the [marina, piers, or boat basin] Marinas.
- (v) No person may offer or provide any form of tip, money, gift or any other gratuity to any City employee [at any facility]. No person may procure any services from Department staff except as specifically allowed under these rules. Violations of this provision will result in termination of any [permit] Permit and will bar the violator from any Department [facility] Marina for a minimum of 24 months. Objections to termination of a [permit] Permit or denial of [permit] Permit eligibility shall be available under subdivision n of 56 RCNY § 3-06.

**Section 9. Section 3-10 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:**

§ 3-10 Condition of Vessels.

(a) All [vessels] Vessels in the [facility] Marinas and all equipment thereon [shall] must be maintained in good order and free of any hazard to persons, [vessels] Vessels or facility structures. In addition, all [vessels] Vessels docked at the [piers or the marina] Sheepshead Bay Piers or the World's Fair Marina must be seaworthy.

(b) No structural modifications may be made to the superstructure of a [vessel] Vessel docked at [the facility] a Marina and/or permitted to use [the facility] a Marina without the express written consent of the [dockmaster] Dockmaster. Prior to any modification, the Department may require an evaluation from an experienced certified marine surveyor in good standing with a national recognized marine surveying society or association, or from a New York State licensed naval architectural engineer. Such evaluation shall be performed at the [permittee's] Permittee's expense and a detailed report of such evaluation shall be provided to the Department. No modifications shall be made which will in any way limit the movement of the [vessel] Vessel, change the center of gravity to the extent that the [vessel] Vessel is unseaworthy, restrict the navigation by removal of the helm station, inhibit the line of sight forward from the helm, increase the height of the [vessel] Vessel or extend the [vessel] Vessel over water beyond the existing hull, or increase the load beyond the manufacturer's hull design capacity.

(c) The [dockmaster] Dockmaster may refuse dockage of any [vessel] Vessel that does not meet the above requirements.

**Section 10. Section 3-11 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:**

§ 3-11 Operation of Vessels.

(a) All [vessels] Vessels entering, leaving or moving within the [facility shall] Marinas must be operated under mechanical power, not sail, except in an emergency. [All vessels in the facility shall] All Vessels in the Marinas must be operated at speeds so as not to create a wake.

(b) [When a vessel enters the marina or boat basin, it shall] A Vessel that enters the World's Fair Marina or Boat Basin must be berthed or moored only where ordered and maneuvered as directed by Department staff.

(c) Vessels entering the [marina, piers, or boat basin] Marinas under emergency conditions [shall] must promptly be reported by their owners to Department staff.

(d) A [permittee] Permittee holding a seasonal dockage permit must notify the [dockmaster] Dockmaster in writing prior to removing a [vessel from the facility] Vessel from a Marina for more than 48 hours. [In order to maximize access to the marina or boat basin, the dockmaster] To maximize access to the World's Fair Marina or Boat Basin, the Dockmaster may issue a transient dockage permit for the [permittee's] Permittee's assigned slip during such absence. A [permittee] Permittee who fails to notify the [dockmaster] Dockmaster of his or her scheduled

return time or who returns before his or her scheduled return time may be required to remain outside the [marina or boat basin] World's Fair Marina or Boat Basin until a vacant slip is available.

(e) In the event of an emergency, including unsafe condition on a ship, mooring, or [vessel] Vessel, the Department may order a [permittee] Permittee to take specific remedial measures within a reasonable period of time, as determined by the [dockmaster]Dockmaster. A [permittee] Permittee who fails to take such measures within the specified time period shall be subject to the penalties set forth herein.

**Section 11. Section 3-13 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:**

§ 3-13 Utilities.

(a) Vessels docked at the [marina and boat basin] Marinas may only be supplied with electricity through the metered electrical hook up at its assigned slip. All electrical or utility connections must be free of defects. No person shall tamper or interfere with an electric meter. A [permittee] Permittee must pay all metered charges for electricity. Electrical lines shall not be rigged or positioned so as to obstruct walkways or docks.

(b) Electricity shall not be used for heating a [vessel] Vessel. The [dockmaster]Dockmaster may issue orders limiting or restricting the installation and use of appliances which he or she determines require quantities of electricity that may disrupt electrical service at the [marina or boat basin] Marinas.

(c) [At those times when]If the Department does not supply fresh water to [vessels docked at the marina and boat basin, permittees] Vessels docked at the Marinas, Permittees may fill on-board tanks from a water line at the head of the dock. Hoses shall not be rigged or positioned so as to obstruct walkways and docks, or to cause leakage or ice accumulation.

**Section 12. Section 3-14 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:**

§ 3-14 Maintenance and Use of Docks.

(a) Except as hereinafter provided, personal property shall not be stored on piers, docks or walkways. Personal property may be stored by a [permittee] Permittee in a dock box no larger than 30 cubic feet and no higher than 30 inches located on a fixed pier. At the [marina] World's Fair Marina, personal property may also be stored in dock boxes on floating docks if permission is granted by the [dockmaster]Dockmaster. The name of the [permittee shall] Permittee must be clearly posted on the dock box. The dock box [shall]must be positioned so as not to obstruct the walkway or impede access to the [vessels] Vessels. The location of the dock box shall be subject to the approval of the [dockmaster]Dockmaster. No dock boxes shall be permitted on floating piers at the [boat basin] Boat Basin.

(b) Personal property left unattended on a pier in violation of this provision, including noncomplying dock boxes, shall be subject to removal by the [dockmaster]Dockmaster. The

[dockmaster]Dockmaster shall give notice to the owner of the property prior to such removal if the identity of and an address for such person are reasonably ascertainable or to the [permittee of the vessel] Permittee of the Vessel docked in the slip adjacent to the place from which the property was removed. The cost of the removal and storage of such property shall be charged to the owner or [permittee] Permittee and shall be payable prior to release of the property. Any personal property which is unclaimed after thirty days shall be deemed to be abandoned and shall be turned over to the police property clerk for disposal pursuant to law.

(c) It shall be unlawful to construct, reconstruct, alter, add to, extend or physically alter in any manner any slip, dock or pilings without the prior written approval of the [dockmaster] Dockmaster. Permittees may utilize boarding steps approved by the [dockmaster] Dockmaster.

(d) A [permittee shall] Permittee must keep the dock adjacent to his or her [vessel] Vessel, including the finger pier, free of refuse, rubbish and litter at all times.

**Section 13. Section 3-15 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:**

**§ 3-15 Sunken, Abandoned or Delinquent Vessels, Dinghies and Trailers; Trailer Storage.**

(a) The [dockmaster] Dockmaster may require that any [vessel or dingy] Vessel which sinks be removed from [the facility] a Marina until appropriate repairs are made. A sunken [vessel or dingy shall] Vessel must be removed from the [facility] Marina within 48 hours after oral or written notice by the [dockmaster to remove the vessel or dinghy] Dockmaster to remove the Vessel. Upon request of the [permittee or owner, the dockmaster] Permittee or owner, the Dockmaster may in writing extend the time for removal of the [vessel or dingy] Vessel. If the [vessel or dingy] Vessel is not removed within the allowed time, the [dockmaster may remove the vessel or dingy] Dockmaster may remove the Vessel or cause it to be removed and may recover the cost of the removal and storage or disposal of the [vessel or dingy from the permittee] Vessel from the Permittee or owner of the [vessel or dingy] Vessel. If the [dockmaster] Dockmaster determines that a sunken [vessel or dingy] Vessel is discharging pollutants into the water or causing any other kind of emergency, the Department may take action to stop the cause of pollution and may remove or cause the [vessel or dingy] Vessel to be removed, without prior notice to the [permittee] Permittee or owner of the [vessel] Vessel, and recover all costs associated with the containment, removal and storage or disposal of the [vessel or dingy from the permittee] Vessel from the Permittee or owner of the [vessel or dingy] Vessel.

(b) [ In the event that the permittee or vessel] If a Permittee or Vessel owner fails to pay for a [permit] Permit or the repair and service of [such vessel] a Vessel and equipment, the Department may detain the [vessel] Vessel until such sum is paid. [In the event that] If such outstanding sum is not paid in full within 90 days, the Department may secure [such vessel] the Vessel with chains and/or locks, or cause [such vessel] the Vessel and equipment to be moved to a non-active slip or pier, be disposed of as abandoned property, or be sold at auction. The [permittee] Permittee will be responsible for all costs related to storage, disposal, and sale of the Vessel [of the vessel, disposal,] and all outstanding obligations.

(c) The [marina] World's Fair Marina will assess a fee for [vessels or dinghies] Vessels that remain in the [marina] World's Fair Marina boat yard [for a duration longer than] after the published winter season or after work on such [vessel or dinghy] Vessel has been completed.

This fee shall be determined by the daily transient dockage rate in effect at the [marina] World's Fair Marina at the time of yard storage.

(d) Vessel [or dinghy] trailers may be used for delivery and removal of owner's [vessel or dinghy from the marina] Vessel from the World's Fair Marina and/or storage of the [vessel at the marina] Vessel at the World's Fair Marina during the winter season only. All trailers brought to the [marina] World's Fair Marina must be identified by the owner to [marina office] Department staff. Empty trailers may not be stored at the [marina] World's Fair Marina and must be removed within 24 hours of launch of [vessel] Vessel. The yard manager will coordinate with owners of [vessels or dinghies] Vessels that are to be hauled out and placed on trailer. Any empty trailer remaining at the [marina] World's Fair Marina for more than 24 hours will be disposed of as abandoned property, salvaged as scrap metal, or sold at auction. The [permittee] Permittee will be responsible for all costs related to the removal, disposal and/or sale of the trailer.

(e) The Department may designate a limited number of storage spaces for trailers belonging to [marina permittees] World's Fair Marina Permittees. Such storage shall be offered via waitlist, first to customers receiving winter land storage and then to customers receiving winter water storage. The [marina] World's Fair Marina accepts no responsibility for the security or condition of trailers stored on [marina] World's Fair Marina property. Permittees must secure their own trailers with a lock. Trailers must have valid Department of Motor Vehicles registration and must be clearly labeled with [vessel] Vessel registration number printed on the trailer to be considered for storage. The Department reserves the right to cancel this arrangement for operational or safety needs at any time.

**Section 14. Section 3-17 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:**

§ 3-17 Parking of Motor Vehicles.

(a) No person shall park at the [garage at the boat basin or the marina] Boat Basin Garage or the World's Fair Marina parking lot without a [parking permit] Parking Permit issued by the Department. The Department shall seek to accommodate year-round and seasonal [permittees] Permittees first in providing parking at the facilities. At the [boat basin] Boat Basin, spaces will be assigned first to [permittees] Permittees seeking year-round parking, followed by those seeking seasonal parking, then by [permittees] Permittees who hold kayak permits. [Non-permittees] Non-Permittees shall be eligible for parking spaces on a [month to month] month-to-month basis, subject to availability. If there are more [permittees] Permittees than available spaces, the Department shall maintain a waiting list of the [permittees eligible for parking permits] Permittees eligible for Parking Permits, which shall be available upon request. Parking [permits] Permits are issued to the person named on the permits and are valid only for the registered vehicle or vehicles identified on the permit. Parking [permits] Permits are not transferable. Any assignment or attempted assignment of a [garage parking permit] Garage Parking Permit shall result in the cancellation of such permit.

(b) No person shall remain overnight in the [garage] Garage or parking lot or in a vehicle parked in the [garage] Garage or parking lot. The Department may remove or cause to be removed any vehicle which is parked in the [garage] Garage or parking lot without a current

[parking permit] Parking Permit or without payment of all required fees. The cost of towing and storage of the vehicle shall be charged to the [permittee] Permittee or owner of the vehicle and shall be payable prior to release of the vehicle. Any vehicle which is unclaimed after thirty days shall be deemed to be an abandoned vehicle and shall be disposed of pursuant to the procedures set in § 1224 of the Vehicle and Traffic Law.

**Section 15. Section 3-18 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:**

§ 3-18 Pets.

(a) It is a violation of these rules to keep an animal as a pet [at the facility] where the keeping of such animal is prohibited by the City Health Code or any other City, State or federal law or rule.

(b) The owner or other person in charge or control of a pet [shall expeditiously] must without delay, remove, clean or clear all feces or vomit deposited by the pet from the walkways and docks.

(c) The [dockmaster]Dockmaster may order the removal of a pet from [the facility] a Marina where the owner or other person in charge or control of the pet has failed or refused to prevent the pet from harassing or harming other persons, or has failed or refused repeatedly to remove, clear or clean feces or vomit deposited by the pet on the walkways or docks.

(d) All [dogs, cats and other] pets must be kept on a leash, or in appropriate carrying cases or cages, when not confined aboard a [vessel] Vessel.

**Section 16. Section 3-21 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:**

§ 3-21 Liability.

(a) Permittee agrees to maintain current [vessel] Vessel insurance, including hull and liability insurance, collision and fire, and extended coverage insurance. Insurance policies must name the City of New York as an additional insured. Each insurer shall waive subrogation. Each [permittee] Permittee will be held responsible for damage he or she causes to other boats in the [marina, piers or boat basin] Marinas or to the structure of facilities thereof. The Department assumes no responsibility for [permittee's] Permittee's boat or equipment.

(b) Permittee acknowledges that the Department makes no representation regarding the adequacy of water levels for egress and ingress. The Department is not responsible for damages resulting directly or indirectly from low water levels.

(c) The Department assumes no responsibility for the safety of any [vessel] Vessel at the [marina, piers or boat basin] Marinas and shall not be responsible for loss or damage or injury to persons or property due to wind, waves, theft, collision, chafing, vandalism, fire, low water levels, or any other cause except for the negligence of Department employees acting in the performance of their duties. The Department shall not be liable for any damage to the [vessel] Vessel occurring before, during, or after a severe storm, hurricane, or other emergency, for

services performed, or for the failure to provide services. Permittee [shall] must pay for all services performed, and for all goods or materials used in all work performed, in a reasonable effort to protect and safeguard the [vessel] Vessel, regardless of the success of such efforts.

(d) Permittee waives all claims against the City, its agents and employees for any damage to a [vessel] Vessel and its contents arising out of the removal, relocation, storage and/or disposal of a [vessel] Vessel by the Department pursuant to 56 RCNY §§ 3-06(o), 3-09(c) and 3-15, except for gross negligence or willful misconduct by the Department. In accordance with such rules, [permittee] Permittee shall be responsible for all costs incurred by the Department associated with such removal, relocating, storage and/or disposal.

(e) [Department permits] Permits are for dockage or moorage only, and no injury, loss or damage to the [permittee's vessel, or to the permittee] Permittee's Vessel, Permittee, members of his or her family, guests, employees or agents is assumed by the Department, nor will the Department be held liable for any loss or damage caused by weather, acts of [g] God, or other incidents beyond the control of the Department.

(f) Unless the [marina or boat basin] Department receives a specific written work order to do so and suitable charge is applied and paid for, the Department does not guarantee inspection of [vessel(s)] any vessel or equipment during any storage period and is not responsible for any damage an inspection may have prevented.

(g) The Department and its staff assumes no responsibility for delays in hauling, repairing, cleaning or launching of [vessels at the marinas] Vessels at the Marinas.

**Section 18. Section 3-22 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:**

§ 3-22 Commercial Permits.

(a) Commercial [permits] Permits may be issued at the [boat basin and marina] World's Fair Marina, Boat Basin, and Dyckman Marina to operators of commercial [vessels] Vessels upon terms to be determined by the Department. The [dockmaster] Dockmaster is authorized to exempt holders of these [commercial permits] Commercial Permits from certain rules set forth in this 56 RCNY Chapter 3. Vessels docked under non-commercial permits may not engage in commercial activity without the express written approval of the Department. This approval must be attained on an annual basis. Complete commercial plans must be provided to the Department and no advertising may take place at the [boat basin and marina] World's Fair Marina, Boat Basin, and Dyckman Marina. The Department may refuse such permission or terminate any authorization previously granted if it determines that such use may interfere with the public use or the operation of the facility or will not be in the best interest of the City. Approval will not be granted unless the [permittee] Permittee presents a valid United States Coast Guard Captain's license and evidence of insurance coverage for liability and property damage, which must be deemed sufficient by the [dockmaster] Dockmaster.

(b) Commercial trips [must involve] with 6 passengers or less [and] must pay the commercial pickup fee (6 passengers or less) for each trip in addition to regular dockage.

(c) [Any vessel] Vessels planning commercial trips involving more than 6 passengers must [apply for a commercial permit] obtain a Commercial Permit and may not operate under a non-commercial permit. [Operators must comply with all other Department rules and other applicable

rules and regulations for such vessels. The Sheepshead Bay Piers are managed for recreational charter boat and related purposes. Only commercial vessels involved in recreational charter boating, entertainment cruising, recreational fishing, or related recreational services will be offered dockage permits.]

**Section 19. Section 3-23 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:**

§ 3-23 Fees.

- (a) Permit fees are strictly in accordance with published schedules. Vessel length shall include all bowsprits, outboard brackets, swim platforms, pulpits, anchors, davit overhangs, and related. Permit fees at the World's Fair Marina and 79th Street Boat Basin [shall] must be paid in advance to cover the full boating season. Yearly dockage at the Sheepshead Bay Piers shall be billed in 12 monthly installments with dockage paid in advance of each month. All services must be paid in advance except for electric and emergency repairs. No refunds shall be made in any instance.
- (b) Charges for all services, which will be sent in writing to the address of the owner on file, [shall] must be paid within 15 days of receipt of billing or a 2% late fee will be assessed each month. If the [permittee] Permittee fails to pay for the rental of space or the repair and service of their boat and equipment, the agency may detain the boat until such sum is paid. If the outstanding sum[,] is not paid in full within 90 days, the Department may move the boat and equipment to a non-active slip or pier, disposed of it as abandoned property, or sell it at auction. The [permittee] Permittee will be responsible for all costs related to storage of the boat, disposal, and all outstanding charges.
- (c) No cash will be accepted for transactions. [All boat basin transactions must take place in the marina office. All marina transactions must take place in the marina office, with the exception of event dockage.] All financial transactions must take place in a Department office. No financial transaction may take place aboard a private boat.
- (d) Depending on available space, summer seasonal customers at the [marina and boat basin] World's Fair Marina, Boat Basin, and Dyckman Marina may be allowed to arrive prior to May 1 and/or depart after October 31. In such instances, a half-month pro-rate, based on the associated six-month summer permit, will be applied from April 15 to April 30 and/or from November 1 to November 15. Any seasonal [permittee] Permittee arriving prior to April 15 and/or departing after November 15 will be billed the daily transient rate for the period of time at the [marina or boat basin] relevant Marina prior to April 15 and/or after November 15. Extensions are solely at the discretion of [the dockmaster, marina manager or marina administrator] the Department.
- (e) Depending on available space, winter seasonal customers at the [marina] World's Fair Marina and Dyckman Marina may be allowed to arrive prior to November 1 and/or depart after April 30. In such instances, a half-month pro-rate, based on the associated six-month winter permit, will be applied from October 15 to October 31 and/or from May 1 to May 15. Any winter [permittees] Permittees arriving prior to October 15 and/or departing after May 15 will be billed the daily transient rate for the period of time at the [marina] World's Fair Marina and Dyckman Marina, prior to October 15 and/or after May 15. Extensions are solely at the discretion of the [dockmaster, marina manager or marina administrator] the Department.

(f) Pro-rated monthly dockage, moorage or storage services of three months or more may be authorized by the [dockmaster, marina manager or marina administrator] Department. All requests for pro-rated services are subject to Department approval. Pro-rated rates will not be applied for any services with a waiting list.

(e) The Department may, at its sole discretion, retain a [vessel] Vessel from being removed or released from the [marina, piers or boat basin] Marinas where there is an outstanding fee or fees owed to the Department associated with [vessel] Vessel storage, labor, and/or other services. Such notice of non-release will be provided in writing to the [permittee] Permittee.

(f) In addition to any penalties provided for in the chapter, violations of these rules shall be punishable as provided in 56 RCNY § [1-07](#).

[(a)](g) West 79th Street Boat Basin [(May 2012 and subsequent years)]

Seasonal Dockage [(Sizable waiting list, as of 2012)]	Summer (May 1 to October 31)	\$120/linear foot or \$3000, whichever shall be greater
	Winter (November 1 to April 30) – Current Winter [permittees] <u>Permittees</u> only	\$105/linear foot or \$2,625, whichever shall be greater
Transient Dockage (Non-commercial boats only)		\$3.50/linear foot per day for up to 14 days \$42.00/linear foot for stays of 15 to 29 days \$75.00/linear foot for stays over 29 days
Passenger Pickup/Drop off (Non-commercial boats only)	40 feet or less 41 feet or more	\$25 \$40
Dinghy Landing Only Non-permit holders, non-transient dockage	14 feet or less	\$26/day
Dock & Dine (4 hour maximum)		\$1.25/linear foot
Commercial Landing Fee	30 minutes for loading and 30 minutes for unloading maximum	\$4/linear foot
Commercial Pickup (Non-commercial boats only)	6 passengers or less	\$32/trip

Mooring (Moorings available, as of 2012)	Daily Weekly Entire Season (May 1 to Oct 31)	\$30 \$180 \$1550
Electricity	For permit holders only	Billed monthly based on rate paid by Department
Transient Electricity	30 amp 50 amp 100 amp	\$10/day \$20/day \$35/day
Labor Rate		\$75/hour
Sanitation Waste System Pump Out	Commercial [vessel] <u>Vessel</u> s only	\$80 plus labor
Water Pump Out	Per pump provided	\$65 plus labor
Towing Outside Marina	Non-commercial boats only	\$150/hour
Kayak/Canoe Storage (Storage available, as of 2012)	Yearly, per [vessel] <u>Vessel</u> (May 1 to April 30)	\$350
Team Canoe Storage (Storage available, as of 2012)	Summer only, competition canoes, per [vessel] <u>Vessel</u>	\$750
Dinghy/Motor Storage (November 1 to April 30 only)	No auxiliary fuel tanks allowed	\$175/winter
Key Deposit or Replacement		\$10
Slip Dockage Waiting List	Application	\$75
Parking Pass	Daily	\$10
Parking (Waitlist for parking, as of 2012)	Rotunda parking garage; permit holders only	\$275/month

[(b)](h) World's Fair Marina [(May 2012 and thereafter)]

Summer Dockage [(Limited dockage available, as of 2012)]	20 feet or less 21 to 26 feet 27 to 35 feet 36 to 45 feet	\$1325 \$70/linear foot \$73/linear foot \$78/linear foot \$95/linear foot
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	46 to 65 feet	\$118/linear foot
	66 feet or greater	>
Commercial Charter Boat [(Limited dockage available, as of 2012)]	May 1 to October 31	\$135/linear foot
	November 1 to April 30	\$52/linear foot
Winter Storage Water storage available	Water	\$35/linear foot or \$700, whichever shall be greater
	Land (Waitlist as of 2012)	\$50/linear foot or \$1,000, whichever shall be greater
Transient Dockage	Non-commercial boats only	\$2/linear foot/day (24 hours)
	Sporting events/concerts in the park (event duration only)/dock & dine	\$1/linear foot
	Commercial [vessel] <u>Vessel</u> (does not include passenger loading/unloading fee)	\$2.50/linear foot/day (24 hours)
Passenger Pickup/Drop off (Non-commercial boats only)	40 feet or less	\$20
	41 feet or more	\$30
Dinghy Landing Only (Non-permit holders, non-transient dockage)	14 feet or less	\$22/day
Commercial Landing Fee	30 minutes for loading and 30 minutes for unloading maximum	\$3/linear foot
Commercial Pickup (Non-commercial boats only)	6 passengers or less	\$28/trip
Electricity	For permit holders only	Billed monthly based on rate paid by Department.
Transient Electricity	30 amp	\$7/day
	50 amp	\$12/day
	100 amp	\$40/day
Team Canoe Storage (Storage available, as of 2012)	Summer	\$500/boat
	Winter	\$250/boat
Hydrohoist Wet Storage (No [vessel] <u>Vessel</u> )	Winter	\$500

Vessel or Dinghy Trailer Storage (Limited space via waitlist, winter [permittees] <u>Permittees</u> only)	Summer	\$400
Key Deposit or Replacement		\$10

**WORLD'S FAIR LABOR RATES**

A fifty percent deposit must be pre-paid for any work order estimated by the [dockmaster] Dockmaster or yard manager to be greater than \$400. In addition, the following fees must be paid in full in advance of services being rendered: Haul Out, Launch, Move One Way, Block, Load on Trailer, Pressure Wash Bottom, Step or Unstep Mast.

Labor Rate		\$75/hour
Parts (Parts sold over-the-counter in the marina must be paid for in full prior to receipt)	Boat repair, maintenance	Sold at Manufacturer Suggested Retail Price (MSRP)
Sanitation System Pump Out	Commercial [vessel] <u>Vessel</u> s only	\$80 plus labor
Water Pump Out	Per pump provided	\$45 plus labor
Crane Service		\$100/hour
Travel Lift		\$100/hour
Forklift		\$90/hour
Haul Out		\$2.50/linear foot
Launch	Using travel lift	\$2.50/linear foot
Move One Way		\$2.50/linear foot
Block		\$2.50/linear foot
Load On Trailer	Using travel lift	\$2.50/linear foot
Pressure Wash Bottom		\$2.50/linear foot
Step or Unstep Mast		\$5/linear foot
Towing Inside Marina		\$75.00/hour
Towing Outside Marina		\$150.00/hour
Bottom Painting	30 feet or less	\$13.75/linear foot
	31 feet or more	\$14.75/linear foot

[(c)](i) Sheepshead Bay Piers [(May 2012 and subsequent years)]

Yearly Dockage		\$125.00/linear foot
Transient Dockage	Non-commercial boats only Up to 24 hours	\$2 /linear foot/day



Electricity  
(permit holders only)                      \$0.30 per kWh

Transient Electricity                      \$10 per day for 30 amp  
   \$20 per day for 50 amp  
   \$35 per day for 100 amp

Dinghy Storage                              November 1 to April 30                      \$425

Kayak/Canoe/SUP Storage    May 1 to April 30                      \$600 per [vessel] Vessel per year

Labor Rate                                      \$95 per hour