

ORDINANCE NO. ()

An Ordinance of the Board of Supervisors of the County of Sonoma, State of California, Amending Chapter 20 Article VIII of the Sonoma County Code

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

Section I. Chapter 20, Article VIII of the Sonoma County Code is amended as follows (text to be added is shown in ***bold italics***, text to be deleted is shown in ~~strike through~~):

- A. **Amendment to Title.** The following subsection is hereby amended and deleted to read as follows:
- a. Section 20-41 is amended to read as follows: ~~Spud Point Marina~~ ***County of Sonoma Marinas.***
- B. **Amendments to Definitions.** The following subsections are hereby amended and deleted to read as follows:
- a. Section 20-42 (h) is amended to read as follows: Marina ***or Marinas:*** the marina and all auxiliary land and facilities owned and operated by ***County of Sonoma*** ~~County~~ at Spud Point, ***Mason's Marina, and the Sonoma County Sport Fishing Center,*** Bodega Bay, California, and the waterways immediately adjacent thereto.
 - b. Section 20-42(i) is amended to read as follows: Marina Supervisor: the person designated by the Parks Authority to be responsible for the operation and maintenance of the ~~Spud Point Marina~~ ***County of Sonoma Marinas.***
- C. **Amendments to Duties of Park Authority and Marina Supervisor.** The following subsections are hereby amended and deleted to read as follows:
- a. Sec. 20-43(a) (3) (i) is amended to read as follows: The Park Authority shall have full authority to enforce this Article and any rules and regulations affecting the Marina. His powers and duties include, but are not limited to: (1)managing the operations of the Marina, including executing berthing permits, approvals and agreements and assigning berths; (2)posting or restricting areas of the Marina for certain uses; (3)boarding and moving, or ordering the owner or person in charge of any vessel to move, any vessel to another position as he determines necessary: to prevent harm to persons or property, including but not limited to, when necessary to reduce risks due to fire, sinking, ***spillage,*** breakaway or collision; or
 - b. Section 20-43 (a)(4) is amended to read as follows: The Park Authority shall have full authority to enforce this Article and any rules and regulations affecting the Marina. His powers and duties include, but are not limited to: (4) removing and impounding any vessel

which has been abandoned, sunken, ~~or~~ presents a hazard **or nuisance** to persons or property;

D. **Amendments to Violation of Article.** The following subsection is hereby amended and deleted to read as follows:

- a. Section 20-44 (c) is amended to read as follows: Every ~~day~~ **24-hour period** any violation of this Article shall continue constitutes a separate and distinct offense.

E. **Amendments to Owner's Responsibility to Pay.** The following subsection is hereby amended and deleted to read as follows:

- a. Section 20-45 is amended to read as follows: **Any and all** vessel owners, or any person in charge of a vessel shall **be responsible to the County for the following:** ~~pay the County for:~~ (a) all berthing fees, dockage services, rents and other charges; (b) all reasonable expenses incurred by County in attempts to secure or protect vessels or their contents from harm; (c) all damage to County property caused by such owner or person; (d) all costs **arising from** ~~of~~ raising, moving, impounding and storing any vessel or vehicle. Failure to pay all such charges shall subject **owners**, persons and vessels to legal action including, but not limited to, vessel impoundment and sale as provided for by State and Federal law.

F. **Amendments to Time-of-day Restrictions.** The following subsections are hereby amended, deleted and added to read as follows:

- a. Section 20-46 (a) is amended to read as follows: No person shall use a vessel moored or berthed within the Marina as a residence except as specifically authorized by the Park Authority, in writing, pursuant to Sections (1), (2), (3), **(4), (5), or (6)** below: (1) Commercial fishing vessel: Such a vessel may be used as a residence if it is determined by the Park Authority to be actively engaged in fishing activity during a legally established fishing season; except such a vessel may not be so used for more than ninety (90) days in any three hundred sixty five (365) day period; ~~Transient vessel: A vessel may be used as a residence for not more than fourteen (14) days in any sixty (60) day period if it is determined by the Park Authority to be in transit from one location to another.~~ **(2) Transient vessel: A vessel may be used as a Residence (as defined above) for no more than fourteen (14) days within any sixty (60) day period. This allowance is generally granted by the Park Authority when it is determined that the vessel is in transit between locations. The Park Authority may authorize a limited extension of this residency period under exigent circumstances, such as inclement weather or mechanical failure, which temporarily prevent the vessel from safely departing the Marina. In such cases, the vessel owner or operator must demonstrate an intent to leave the transient berth by a specific date and show reasonable progress toward resolving the issue as determined by the Park Authority in its sole discretion.** (3) Marina security: ~~One (1) vessel per dock~~ **20 total vessels** may be used as a residence when determined by the Park Authority to be necessary for the purposes of Marinas security; (4) Emergency conditions: A vessel may be used as a residence when necessary during a storm or other emergency but only for the duration of the storm or emergency as determined by the Park Authority; and in no event for more than ninety (90) days in any three hundred sixty five (365) day period. **(5)**

Berth holders may sleep aboard their vessels for up to 3 days a week and no more than 90 days in any 365-day period. (6) Short-term, lower-cost visitor serving lodging of up to thirty (30) berths may be approved by the Park Authority, subject to terms and conditions set by the Park Authority to ensure Marina operational needs are met.

- b. Section 20-46 (d) is hereby added as follows: ***No riding or storage of bikes or other personal transportation devices on docks.***

G. **Amendments to Pollution control restrictions.** The following subsection is hereby amended as follows:

- a. Section 20-48(b) is hereby amended to read as follows: No person shall bring any dog, cat or other animal into the Marina unless such animal is on a leash and in the immediate control of such person at all times. Any person bringing such an animal into the Marina shall clean up any excrement left by such animal. ***Park Authority has the discretion to prohibit any nuisance or aggressive animal.***

H. **Amendments to Specific use and area restrictions.** The following subsections are hereby amended as follows:

- a. Section 20-49(g) is amended to read as follows: No person shall use kayaks, ***paddleboards***, sailboards, canoes, rubber inner tubes, foot-propelled water crafts, vessels powered solely by sail, jet skis and any non-self-propelled water craft in the Marina ***unless in a designated area authorized by Park Authority.***
- b. Section 20-49(h) is amended to read as follows: No person shall possess any loaded weapon within the Marina. This prohibition does not apply to a law enforcement officer in the performance of official duties. The Marina is hereby designated a prohibited area within the meaning of California Penal Code ***Sections 12031 and 25850.***

I. **Amendments to Operation, maintenance and docking of vessels.** The following subsections are hereby amended and deleted as follows:

- a. Section 51(j)(2) is amended to read as follows: No person shall use welding or burning equipment within the Marina unless: (2) all such work is performed only at the ***Spud Point*** Marina work dock.
- b. Section 51(l)(3) is amended to read as follows: Diver maintenance of a vessel is prohibited unless: (3) diving complies with all ***applicable laws and regulations including provisions of the*** ~~of Chapter 1, Division 4, Title 14,~~ California Administrative Code.

J. **Amendments to Use of Parking Area.** The following subsection is hereby amended as follows:

- a. Section 20-52(b) is amended to ready as follows: No vehicle or trailer shall be occupied overnight, ***except with written consent of the Park Authority and in designated areas.***

Section II. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section III. The Board of Supervisors finds and determines that this proposed ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA Guidelines, as it constitutes an organizational and administrative action of government that will not result in a direct or reasonably foreseeable indirect physical change in the environment.

Section IV. A summary of this ordinance shall be published at least once five (5) days before adoption and at least once before the expiration of fifteen (15) days after its passage with the names of the Supervisors voting for or against the same, in *The Press Democrat*, a newspaper of general circulation published in the County of Sonoma, State of California. This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage

In regular session of the Board of Supervisors of the County of Sonoma, introduced on the 4th day of _____ 2025, and finally passed and adopted this day of _____, 2023, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Hermosillo: Rabbitt: Coursey Gore: Hopkins:

Ayes: Noes: Absent: Abstain:

WHEREUPON, the Chair declared the above and foregoing Ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors
County of Sonom

ATTEST:

Clerk of the
Board of
Supervisors

