

POWER

PEOPLE ORGANIZED FOR WESTSIDE RENEWAL

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Boater's Bill of Rights

People Organized for Westside Renewal (POWER) with **Coalition to Save the Marina**, and its members seek to work with the Los Angeles County Department of Beaches & Harbors, Small Craft Harbor Commission, Board of Supervisors and the California Coastal Commission to address the crisis facing recreational boaters and live-aboard residents in Marina del Rey. Live-aboard residents of the Marina, many of whom are POWER members, have been an essential part of the Marina community since its inception and have provided a sense of security on their docks. Unfortunately, the Marina is fast becoming a harbor that excludes all but the wealthy. Boaters are being forced to pay excessive slip fees and other charges, and live-aboards live under the threat of eviction without essential protections enjoyed by land-side tenants. Over the past several years, live-aboard residents and small boat owners have come under fire from dock masters who employ intimidation tactics to force boaters and live-aboards out of the Marina. Lessees have raised rents, dock masters have issued evictions, and limited boaters to monthly leases. The result has been a displacement of lower and fixed-income boaters and live-aboards, creating a sense of anxiety among all Marina del Rey boaters. Boaters are concerned that their boat slips could be seized at any time, leaving them with no place to live or dock their boats. With most estimates putting the vacancy rate at 2% in the Marina, boaters are concerned that if evicted, they will not be able to find new accommodations.

To address these problems, boaters, live-aboards, and other concerned community members propose that the County take the following actions.

1. Leases

- a. **Duration.** The County must ensure that all recreational boaters as well as live-aboard slip residents in Marina del Rey have the option to sign leases with a minimum term of one year. This should be accomplished either through a new regulation requiring a minimum offer of a one year term in each sublease or through the County seeking an amendment of its leases to include such a term. If the County opts for the regulatory approach, it must either (a) also amend its leases to remove any provision conferring a right to enter into leases of less than a year or (b) narrowly tailor the regulation as a response to the excessive number of evictions – for example by having the regulation sunset when the number of evictions drops to a particular level.
- b. **Non-Discrimination.** The County must ensure that discrimination based on vessel size, age, propulsion type, material of construction and appearance will not be permitted in connection with the leasing of a boat slip unless such the vessel in question that is clearly the type described in County Code section 19.12.1060. In addition, the County must establish a process that involves the boater community to more clearly define the term “unseaworthy” in the County Code so as to avoid the use of that standard as a pretense for evictions that are actually based on other grounds such those listed above. This should be accomplished either through a new regulation prohibiting such discrimination in any sublease or through an amendment of the Marina’s master leases to include such a prohibition.

2. Evictions and Displacement

- a. **Eviction Rules.** The County must limit the grounds for boater evictions to those consistent with landside rental agreements and leases, and require a process for boater evictions similar to that associated with land-side evictions. This should be accomplished through a new regulation setting forth detailed rules and processes relating to the eviction of boaters.

We talk. We act. We get it done.

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- b. **Displacement Rules.** The County must ensure that leaseholders provide substitute slips to those evicted for the purpose of phased construction of docks or any other maintenance and that displaced boaters are offered "First Right of Refusal" upon completion of the rebuilding process or other maintenance. This should be accomplished through new regulation.
3. **Services, Maintenance and Fees**
 - a. **County Regulation.** The County must exercise its duty and authority to ensure the maintenance of the docks, as specified in the Marina Master Lease. The County must either more aggressively regulate the provision of services and maintenance on the docks to ensure quality and fairness in pricing or re-establish its role in overseeing and managing the docks.
 - b. **Slip Fees.** The County must ensure that slip fees are set at a rate that is fair and reasonable, allowing both slip access to a broad spectrum of the public and a fair return on actual investment made by lessees.–
 - c. **Fees for Services.** The County must ensure that electricity, water and other fee-for-service charges are set at cost to the provider. Further, the County must require detailed invoicing of all fee-for-service charges by the provider.
 - d. **Live-aboard Fee.** The County must cap live-aboard fees at a nominal rate for all slips in the Marina, based on vessel length or slip length, which ever is longer.
4. **Overnight Recreational Use.** The County must ensure that recreational boaters are permitted to stay overnight on their boats for 14 nights out of the year in any configuration of nights without being deemed live-aboards, in addition to the standard 3 nights allowable per week.