

Michigan City Port Authority



2023 Rules & Regulations

Revised: January 2023

***WASHINGTON PARK MARINA
200 HEISMAN HARBOR DRIVE
MICHIGAN CITY, IN 46360***

PH: 219.872.1712 / FAX: 219.873.3250

** Hours subject to change **

Memorial Day thru Labor Day

Monday thru Friday: 9am - 4pm

Saturday: 9am - 1pm

Sunday & Holidays: 9am - 1pm

November thru March

To be determined

Closed Saturday, Sunday & Holidays

**TRAIL CREEK MARINA
700 E. MICHIGAN BLVD.
MICHIGAN CITY, IN 46360
219.872.1712**

Dry-stack hours may vary throughout Season

Closed October 15 – April 15

(Please contact office for assistance)

April 15 – May 1: 7:00 a.m. – 4:00 p.m.

May 1, Memorial Day: 7:00 a.m. – 4:00 p.m.

Memorial Day – Labor Day: 7:00 a.m. – 8:00 p.m.

Labor Day – October 1: 7:00 a.m. – 6:00 p.m.

October 1 – October 15: 7:00 a.m. – 4:00 p.m.

November thru March

To be determined

Closed Saturday, Sunday & Holidays

Port Authority Website

www.mcmarina.org

GENERAL INFORMATION

WATERCRAFTING SEASON & AMENITIES

The boating season is April 1st through October 31st for Washington Park Marina and April 15th through October 25th for Trail Creek and Sprague Pointe Marinas.

In an effort to provide slip license holders with an opportunity to take advantage of early spring fishing and late fall sailing, the Port Authority's boating season opens earlier and ends later than most other area marinas. Unfortunately, we must adjust the availability of some amenities to accommodate the weather. Water services may not be available until April 15th and may be turned off as early as October 15th, depending on weather conditions. Without water, shore water will not be available nor will restroom and shower facilities. Fish cleaning stations and fuel dock pump-out stations will be closed.

Slip license holders are allowed to arrive before the season start date and remain after the season end date if weather permits, provided the slip license holder signs a "Hold Harmless" agreement and pays an additional \$100 fee. Early arrivals and/or late departures must understand that amenities, including security, will be significantly limited for early arrivals and late departures. At the end of the season, watercrafts must be removed within forty-eight (48) hours of a request by the Harbormaster that a watercraft be removed. All watercrafts must be removed by November 30; the date all marinas close.

SLIP RENEWAL & FEE INFORMATION

Payment renewal notices for the upcoming season will be sent out in October of the previous year. A \$200 non-refundable down payment is due November 15th to reserve your slip/rack for the upcoming season. If payment is not received or post marked by November 15th, your slip/rack will be cancelled and reassigned. One-half of the remaining balance is due on January 15th or the customer will be cancelled for non-payment. The remaining balance is due on March 15th. Past due payments will no longer be accepted for slip/rack renewals, all fees must be paid in full prior to the start of the season. If slip/rack is cancelled for nonpayment, the customer will not be guaranteed availability to secure another.

The Port Authority cannot guarantee a slip/rack can be secured for the same season. Overdue accounts will be assessed a 1.5% monthly late fee.

REFUNDS

Your initial \$200 deposit is non-refundable. Refunds of rental fees will be made on a prorated basis beginning April 1st up to June 1st. Requests made as of June 1st **will not** be granted and slip, rack or other space will be forfeited.

DOCK BOXES AND USE OF DOCK SPACE

All seasonal slip license holders at Washington Park and Trail Creek Marinas are allowed use of one (1) dock box per slip. New requests for additional (or 2nd) dock boxes will no longer be approved. Utilizing an empty/neighborhood dock box is strictly prohibited. Items found in an unassigned box may be discarded at the **MCPA's** discretion. Dock boxes may or may not be emptied at end of season at slip license holder's discretion. MCPA is not responsible for items left behind or items placed in a dock box other than your own.

Violations of the Rules and Regulations related to dock boxes and the dock space covered by the slip license shall be subject to the following: the MCPA shall notify the slip license holder of a violation of these Rules and Regulations by posting a yellow, dated "Notice of Violation" which will be placed on the watercraft, along with a phone call, an email, and a letter to the slip license holder. The slip license holder shall have fourteen days from the date the Notice of Violation is first posted to cure the violation. If the violation is not cured, then on the fifteenth day after the date the Notice of Violation is first posted, a second, red Notice of Violation shall be placed on the watercraft and a phone call placed to the slip license holder advising the slip license holder that the MCPA will cure the violation at the slip license holder's expense. Curing the violation may include removing the items from the dock which violate the Rules and Regulations and storing those items in a storage container at Trail Creek Marina. The slip license holder will pay an additional fee to cover the labor cost associated with bringing the dock into compliance the Rules and Regulations. The posting of a first Notice of Violation shall be sufficient to trigger the slip license holder's obligation to cure the violation and the MCPA's authority to cure the violation, irrespective of whether or not the slip license holder receives the phone call, email, or letter.

MARINA ACCESS KEY FOBs

All slip license holders at Washington Park and Trail Creek Marinas will be issued one (1) key fob. Key fobs are programmed to allow appropriate access depending on slip location. Rack customers will not be issued marina access passes as the Trail Creek Marina gate remains open during rack service hours. Slip license holders are expected to retain their marina key fobs from season to season, if they plan to return. Additional key fobs may be purchased up to a specified limit set by the Board of Directors. Broken or damaged key fobs will be replaced at the slip license holder's expense; no refunds or exchanges shall be accepted.

MARINA PARKING PASSES

Washington Park Marina & Trail Creek Marina slip license holders will be issued two (2) parking passes per slip. Jet-ski dock customers will be issued one (1) parking pass per dock or space. Additional parking passes may be purchased up to a specified limit set by the Harbormaster. No refunds shall be given. Exchanges will only be made if the original sticker is returned. Stickers must be affixed to the lower driver's side window to be valid or additional parking fees will apply. Daily guest passes are available in the main office.

PARKING

Marina parking is available in the east and west lots. Parking is limited and available on a first come, first served basis only, especially during special events. Security and parking attendants will be posted during some weekends, holidays and special events. Watercraft users requiring long-term parking may utilize the Trail Creek Marina lot upon authorization. Please contact the office.

GUEST PARKING

Slip license holders may pick up one-day guest passes at the marina office when available. Guest parking is allowed in the west lot and around the Bruce Memorial only and may not be available during holidays and/or special events.

Vehicles without permits will be ticketed and/or towed at the owner's expense.

SCOPE OF LICENSE

The slip license entitles the slip license holder to moor watercraft(s) within the confines of the slip. "Confines" means a point one foot from either side of the slip to the side of a watercraft and even with the end of the slip, front to back. MCPA will, however, allow a slip license holder's watercraft to exceed the confines of the slip, front to back, by no more than three feet for an additional fee. The additional fee will be the difference between the cost of a slip license for the next largest slip within which the slip license holder's watercraft(s) will fit without exceeding the confines of the slip and the cost of the slip license holder's current slip license. In any case in which a slip license holder's watercraft exceeds the confines of the slip front to back, the Harbormaster may, in the Harbormaster's sole discretion, require the slip license holder to occupy a different slip. In any such case, the new slip assigned shall be, to the extent practical, as determined by the Harbormaster, the next largest slip within which the slip license holder's watercraft(s) will fit without exceeding the confines of the slip. Watercraft(s) includes any floating platform which is intended for transportation on water.

ASSIGNMENT OF SLIPS, RACKS and OTHER SPACE

INITIAL ASSIGNMENT

Person(s) desiring a slip (rack or other space) must:

- Fill out an application indicating a preference.
- If you opt to go on waiting list, pay a \$25 non-refundable processing fee.
- Provide proof of partnership, if applicable.
- Provide proof of insurance at time of slip, rack, or other space assignment.

Re-ASSIGNMENTS

The following will be allowed:

- Re-assignment to either partner when a partnership is dissolved, providing the partnership was pre-registered.
- Re-assignment to the original assignee when a partnership is dissolved, which took place after the original assignment.
- Re-assignment to a surviving member of the immediate family of the original licensee, in case of death.

The following will NOT be allowed:

- Slip, rack, or other space to be sold with the watercraft.
- Slip, rack, or other space being assigned to the new partner in a dissolved partnership, said partnership having taken place after the date of the original assignment, unless he/she was the original licensee.
- Slip, rack, or other space to be assigned to a survivor other than the licensee's immediate family.

Exceptions:

- Provided there are no current slip license holders on a transfer list to relocate, a licensee's slip may be reassigned to the purchaser of a licensee's watercraft with prior MCPA authorization. The MCPA reserves the right to re-assign any watercraft to any slip at any time.

TRANSFER REQUESTS

The fee for any applicant wishing to be placed on the transfer list is \$10.00. Slip or rack transfers by current licensees will be re-assigned according to the date and time the application was submitted. If you are notified that the Port Authority has an available slip which meets the terms of your request, and you refuse the offer two (2) times, your name will be removed from the transfer list, and you will have to re-apply as a new applicant. Once you are assigned to a new location, your transfer request is considered fulfilled. The Port Authority reserves the right to re-assign slips should the need arise.

SPECIAL REGULATIONS

As the Washington Park and Trail Creek Marinas are intended especially for the use of family pleasure boating, the Port Authority reserves the right to limit the number of slips assigned to charter watercrafts and high-performance racing craft. Watercraft must be registered in the slip license holder's name only (*see Sub-leasing*). The MCPA reserves the right to reject any application for a slip license if the Harbormaster determines that granting the license will be inconsistent with family pleasure boating or to refuse to renew a slip license slip for a violation of these Rules and Regulations.

WATERCRAFT ARRIVAL & DEPARTURES

A slip license holder shall

- Advise the marina office at least forty-eight (48) hours prior to launching the watercraft to ensure the slip will be available.
- Advise the marina office prior to leaving for trips of three (3) nights or longer. The Port Authority reserves the right to license your slip on an overnight basis while your slip is vacant. In such circumstances, the slip license holder is not entitled to any remuneration.
- Advise the marina office at least forty-eight (48) hours prior to returning from your trip. If you do not advise the marina office of your return, the MCPA cannot guarantee that your slip will be available.

IDENTIFICATION

Slip license holders shall display the marina dock permit in a highly visible place on the watercraft registered to the slip license holder. Failure to display the marina dock permit may result in the loss of complimentary fuel dock pump-out privileges.

SAILING & TROLLING WITHIN THE MARINA

The marina is too congested to operate sailboats without power. Please do not raise your sails until your watercraft is out of the harbor. Trolling in the marina is also prohibited.

Dinghies, Inflatables and Personal Watercraft (PWC)

- All dinghies, inflatables, and PWC used in the marina must be owned by the slip license holder and registered on their annual contract.
- Dinghies, inflatables, and PWC shall not be operated by persons under fifteen (15) years of age unless accompanied by an adult.
- Dinghies, inflatables, and PWC shall give way to all watercraft traffic, moored watercraft and the fuel dock unless obtaining fuel.

- Dinghies, inflatables, and PWC must be stored on the slip license holder's watercraft or within the confines of the slip when not in use. If dinghies, inflatables, and PWC cannot be stored on the slip license holder's watercraft or within the confines of the slip, the slip license holder must secure an EZ-Port dock, dry-stack rack, or a temporary overnight rental.
- Dinghies, inflatables, and PWC may not be stored on or under either the finger pier or main pier. Slip license holders will be financially responsible for any damage to electrical conduits, water pipes, etc. caused by dinghies, inflatables, and PWC stored under piers.
- Dinghies, inflatables, and PWC moored in the marina during the season shall apply for a PWC permit and pay the Watercraft User fee.

ADDITIONAL WATERCRAFT

If you intend to alternate the use of more than one watercraft in your slip, you must register each such watercraft on your annual contract. Additional Watercraft user fees will apply. Any slip license holder utilizing a 2nd dock at any time with or without prior authorization will be charged an overnight rental fee per night. The MCPA reserves the right to remove any unauthorized watercraft and the owner will be responsible for the towing fee.

TYING & CARING OF WATERCRAFT*Watercraft*

Slip license holders are responsible for properly securing their watercraft within the confines of the slip and will be financially responsible for any damage to the slip, piers, docks, or any other part of the marina caused by an improperly secured watercraft. Additional cleats or dock extensions may be requested for a fee. Tying lines across docks and finger piers is strictly prohibited.

SAILS

Dry and fold sails on shore, not on the docks. Keep all halyards securely tied.

ACCIDENTS

Slip license holders shall promptly report *any* accident to the marina office. If the marina office is closed, the slip license holder shall promptly contact security on Channel 9 on the marine radio and file a report with the slip license holder's insurer. The MCPA recommends that you also file an accident report with the Michigan City Police Department.

THEFTS

THE MCPA strongly encourages slip license holders to install a Wi-Fi camera, such as a Ring camera, to monitor watercraft while the slip license holder is not at the marina. Slip license holders shall promptly report *any* theft or potentially unlawful behavior (i.e., trespass) to the Michigan City Police Department and file a report with the marina office. Marina security can be contacted on channel 9. Also, the MCPA is not responsible for lost or stolen items.

RULES FOR THE DOCK

DOCK MODIFICATIONS

Any changes or additions to the docks (or finger piers) may not be undertaken without prior written authorization from the Harbormaster. The slip license holder shall be financially responsible for any cost associated with reversing any unapproved change. Slip license holders may not alter, nail, screw or drill anything into or onto the docks.

LADDERS & EXTENSIONS

Ladders and /or extensions are available per request. Contact the office for associated costs.

MOORING LINES & WATER HOSES

To avoid pedestrian accidents, loose hoses and mooring lines on the dock are prohibited.

ELECTRICITY

An electrical outlet is included with the slip license fee. Electrical cables must be unplugged from the outlet box when your watercraft leaves the slip. Electrical cables may not be strung across the docks for additional service. Only marine-approved electrical cables may be used.

WASHING WATERCRAFT

Power washing watercraft is strictly prohibited within the marina. Alternate arrangements can be made at Trail Creek Marina. Use of harsh chemicals that may harm others or the environment is prohibited.

PAINTING & POWER SANDING WATERCRAFTS

Spray painting and power sanding is strictly prohibited in the marina. Brush painting is permissible as long as the dock, pilings, and your neighbor's watercraft is protected. Disposal of paint and/or varnish in marina trash receptacles is strictly prohibited. Spray painting or power sanding at Trail Creek Marina must have prior written approval from the Harbormaster or Assistant Harbormaster of Operations. Any fees for moving a watercraft to an approved location are the responsibility of the watercraft owner

COOKING & GRILLS

Use of charcoal, wood hibachis or pellet smokers are strictly prohibited. Gas and propane-type portable cooking equipment is prohibited except in specifically authorized areas that are not on docks, finger piers, on watercraft, or near flammables. Electric grills are only permitted on the concrete surfaces of the 700 and 800 docks and are never permitted on any wooden docks. Free standing grills are not permitted on your watercraft. For your convenience the MCPA provides several community shore side grills for slip license holders on a first come, first served basis. MCPA community grills should be cleaned and propane tanks shut off after each use.

HEATERS & LANTERNS

Open flame heaters and Coleman-type lanterns are prohibited.

TRASH DISPOSAL

Docks and finger piers must be kept free of trash. Litter must be disposed of in the waste receptacles provided. Dumpsters are located in the marina parking lots. Disposal of oil or other liquid waste in any waste receptacles is prohibited. Fish remains must be disposed of at the fish cleaning station only.

VEHICLES ON THE DOCKS

No motorized means of land transportation is permitted to be operated, stored, or parked within Washington Park Marina. Do not ride vehicles such as bicycles, mopeds, scooters, etc. on the docks (nothing with wheels). Handicapped and other transports must be approved by the Harbormaster.

ROLLERBLADES & SKATEBOARDS

For safety reasons, use of rollerblades, skateboards, hoverboards or scooters on the docks or in any marina facility is prohibited.

MARINA PROPERTY

Slip license holders shall be liable for any damage to the piers, docks, or any other part of the marina, caused by the slip license holder's negligence slip license holder or the slip license holder's agents, guests, licensees, or invitees. Defacing any part of the marina, including without limitation, putting names or stickers on dock boxes, carpeting on finger piers, or erecting or constructing any structures is prohibited. Drilling or nailing into docks and piers is strictly prohibited.

PERSONAL PROPERTY

All personal property shall be stored in the slip license holder's dock box or on the slip license holder's watercraft. No personal property shall be stored on the docks or finger piers. Items used on the dock must be placed in such a way that nothing protrudes out beyond the dock box. When not in use, all furniture; chairs, tables etc. must be stored away. Ice machines, refrigerators, grills, etc. are prohibited on the docks and finger piers. A clear path must be left down the middle of fairway. The MCPA reserves the right to remove any items that

become obstacles and is not responsible for items left behind after the end of the season.

FISHING

Fishing off piers or watercraft in the marina is prohibited. Do not clean fish on watercraft, finger piers or docks. Use fish cleaning stations.

GATES

All gates must remain locked. Propping open a gate is strictly prohibited.

SWIMMING

Absolutely no swimming is allowed in the marina basin. Due to possible electrical currents, use of surf or paddle boards is prohibited within the marina basin. See page 25 for more information on ELECTRIC SHOCK DROWNING (ESD)

HAZARDOUS SUBSTANCES

Slip license holders shall not handle, store, transport, process, dispose of, or use any substance, material, or waste which poses a public health or environmental threat, or which is regulated by any federal, state, county or local government authority or quasi-governmental authority in any manner which could cause a release or create a threat of release of such hazardous substances on, in, or about the marina or any navigable waterway within the city limits, or which would violate or give rise to any liability under any applicable federal, state, county or local laws, statutes, orders, rules and regulations relating to the environment, public health and safety.

OIL DISPOSAL

Use designated barrel provided at either marina for oil disposal. Only oil, not water, fuel, etc. may be disposed of in the barrel. Disposal of oil in marina trash receptacles is strictly prohibited.

DOCK BOXES

Batteries, paints, caustics, corrosives, fuel, and the like cannot be stored in dock boxes. Expect periodic checks from Fire Inspectors. The Port Authority shall not be considered a bailee of any personal property stored in dock boxes and shall not be responsible for the security of such personal property or for any loss or damage thereto, whether or not due to theft, negligence, or otherwise. A slip license holder who has elected to renew their slip license for the following season shall have the right to store personal property in the dock boxes at the end of the season provided that the slip license holder makes the required deposit for the next season. Upon request from the Port Authority, the slip license holder shall remove contents from the dock box. In the event that a slip license holder fails to remove contents within seven (7) days after such request, the slip license holder hereby agrees that the MCPA shall have the right to remove the contents without liability for trespass. All property removed from the dock boxes by the MCPA may be handled, removed, or stored at the cost of the slip license holder, and the MCPA shall in no event be responsible for the value, preservation, or safe keeping thereof. The slip license holder shall be financially responsible to the MCPA for such removal and for storage charges for such property, so long as the same shall be in the MCPA's possession or under MCPA control.

FIRE HOSES

Fire hoses are for emergency use only.

NOISE AND OTHER POTENTIAL DISTURBANCES

WATERCRAFT-RELATED DISTURBANCES

Tying down potential noisemakers, such as halyards, etc. will prevent noisy rattling in the wind.

MUSIC

Consider your neighbors and keep music volumes down. Radios and stereos must be turned off by 11 pm. Dock parties must also be concluded by 11 pm. Non compliance may result in termination of the slip license and slip license fees will be forfeited.

QUIET TIME

Curfew is 11:00 p.m. Please be especially quiet during late night and early morning hours when your neighbors may be trying to sleep.

FIREWORKS

All fireworks, including sparklers, are prohibited in the marina.

CHILDREN

Small children and those who are unable to swim must wear life preservers on the docks. Running on the docks and water fights are prohibited. Children under the age of twelve (12) should not be left unattended on marina property. Unless with a parent or other responsible adult, the marina has the following curfews: Children under 15 -10:00 pm / Children 15 to 18 - 11:00 pm

DOCK PARTIES

Written notice (*forms available in marina office*) must be submitted to the MCPA office for approval a minimum of two (2) weeks prior to any dock party. Be advised that gazebos and picnic areas are community areas and cannot be reserved. If a D.J. or band will be in attendance, a police officer must be present. D.J.'s and bands must end no later than 11:00 p.m.

GAZEBOS

Use of marina gazebos and picnic areas are available for patrons of the marina only on a first come, first served basis.

GUESTS

Slip license holders are responsible for seeing that their guests, agents, contractors, licensees, and invitees abide by these Rules and Regulations.

PETS

**ALL PETS MUST BE REGISTERED WITH THE OFFICE AT THE
START OF THE SEASON.**

Pets are permitted on marina property only. The Park Department strictly prohibits pets.

- Pets must be kept on a leash which is to be attached to its human. DO NOT ALLOW PET TO CARRY ITS OWN LEASH. Leashes must be limited to 6' in length. Retractable leashes may be lengthened in the dog walk areas.
- Pets must remain in the owner's control at all times.
- Pet owners are responsible for cleaning up pet waste in the dog walk area. Should an accident occur elsewhere, it should be cleaned up immediately.
- Pets should never be left unattended on watercraft, in vehicles, or tied up on the marina premises.
- Pets are not permitted in any marina building.
- If more than three (3) valid complaints are received for any pet, the slip license holder's slip license will be terminated and slip license fees will be forfeited.

ENVIRONMENTAL REQUIREMENTS

Slip license holders are required to have sanitation systems incapable of overboard discharge. Federal and local laws make it illegal to dump plastic, oils, or other trash anywhere in navigable waters. Watercraft users are urged to recycle waste, such as aluminum, glass, plastic, and engine oil at facilities provided for this purpose. The MCPA provides pump-out stations for sewage disposal. Under no circumstances can pump-out stations be used for pumping oil, fuel, or bilge waste. Watercraft bilge pumps cannot pump bilge waste other than water. The slip license holder shall be financially responsible to the MCPA for any environmental cleanup costs caused by the failure of the slip license holder to abide by these Rules and Regulations. The MCPA reserves the right to levy Fines and/or revoke the slip license for environmental violations.

WATERCRAFT FUELING

GENERAL FUELING INFORMATION

Do not fuel your watercraft at any location other than the marina fuel dock. If there is ever a need to transport fuel to your watercraft while moored in the marina, contact the office for assistance. MCPA approval is required prior to fueling at the City Dock.

The fuel dock attendant will determine the order of service. If the fuel dock is crowded, try to fuel at a later time. During regular hours while an attendant is on duty, payment may be made by cash, check, or credit card. Fuel pumps are self-serve with a credit card after hours. Leave the fuel dock immediately after servicing. Fueling should be handled by the captain or first mate. A fuel dock attendant may not be available every day during the season and the fuel dock may be unattended on certain "event" days.

For your own protection, adhere to the following United States Coast Guard Marina Fueling Safety Procedures:

- Make sure your watercraft is securely tied to the fuel dock.

No smoking or open flames of any type.

- Turn off all engines and electrical equipment and do not operate any switches or electronic gear.
- Close all ports (windows) and hatches (doors) prior to fueling.
- Fill all portable tanks on the dock.
- To avoid static electric sparks, keep dispensing nozzle in contact with the fuel tank's metal fill pipe or gas container's metal side.
- Do not block open dispensing nozzle.
- Advise fuel dock attendant and the MCPA office in the event of a gas or an oil spill.

- Keep a fire extinguisher nearby.
- Open ports and hatches after fueling and ventilate; smell for gasoline fumes, run bilge blower for at least four (4) minutes before starting engine.
- If the engine fails to start or stalls after starting, ventilate for an additional four (4) minutes before restarting.

FUEL and/or OIL SPILLS

The slip license holder must use extreme care while topping off tanks to avoid fuel spills. The slip license holder will be financially responsible for clean-up and other spill-related costs.

Federal statutes prohibit pumping oil from bilges. These statutes will be strictly enforced.

INSURANCE

Each slip license holder shall obtain and maintain in effect comprehensive general public liability insurance to include watercraft, with limits of not less than \$250,000 in the event of bodily injury or death to any number of persons or property damage in any one occurrence and \$500,000 in the aggregate for all occurrences within a policy year. A certificate of insurance shall be delivered to the marina office no later than upon mooring the watercraft in the marina. Each insurance policy shall provide (and any certificate evidencing the existence of such insurance policy shall certify) that such policy shall not be cancelled or amended (other than to increase the amount of coverage) unless the Port Authority has received twenty (20) days prior written notice of such cancellation or amendment from the insurer or agent. Neither the issuance of any insurance policy required hereunder, nor the minimum limits specified herein with respect to each slip license holder's insurance coverage shall be deemed to limit or restrict in any way a slip license holder's financial responsibility.

HARBOR ADVISORY COUNCIL

Washington Park Marina appoints one (1) slip license holder as the dock representative for each dock, selected by the Harbormaster, who meet on the second Saturday of June, July & August to discuss with the Harbormaster any improvements, operations, and lakefront matters that affect watercrafts and marina users.

Any maintenance issues should be reported to the MCPA office immediately; do not wait until Dock Representative Meetings to bring up issues that can be addressed straightaway.

REGULATIONS FOR CONDUCTING BUSINESS AT PORT AUTHORITY FACILITIES

CHARTER WATERCRAFT

A charter watercraft is any watercraft user or business that charges a fee to customers for fishing, sailing, sightseeing, or diving. Anyone conducting a charter business from their watercraft within any marina, or utilizing MCPA docking, must register with the MCPA and provide a "Certificate of Liability Insurance" including, without limitation, charter watercraft coverage. All charter watercrafters will be charged a \$250 surcharge for operating a charter watercraft business in the marina each season. Charter watercrafts will be allowed early arrival in March and late departure in November at no charge. Be advised that services such as water and security will not be available.

COMMERCIAL BUSINESS

Anyone conducting charter or commercial business from a watercraft within any MCPA facility must register with the MCPA on forms provided at the marina office. Proof of insurance must be submitted prior to performing any services within the marina.

A private owner wishing to sell his watercraft does not constitute conducting business from his watercraft.

MARINE RELATED SERVICE PROVIDERS

All providers of marine-related services must register with the MCPA and have on file a “Certificate of Liability Insurance” with a minimum limit of \$1,000,000 on a combined single limit basis written by a reputable and acceptable company. A “Hold Harmless” agreement must also be executed and filed with the MCPA by such marine-related service providers. Keep in mind that your marine-related service provider is responsible for their own trash removal. Advertising is limited to marina bulletin boards.

VENDORS and WATERCRAFT MAINTENANCE

Vendors approved by the Harbormaster are permitted to service watercraft on MCPA property. A vendor is one who provides a product or a service for a fee. A Seasonal Vendor fee will be assessed by the MCPA.

Watercraft owners using vendors outside the local area have the responsibility of informing said vendors of the need to be approved by the Harbormaster.

SELLING YOUR WATERCRAFT

NOTIFICATION

The marina office must be notified when a watercraft is sold. Under no circumstances should the slip be sold with the watercraft. The new owner must apply for his own slip. (See *REASSIGNMENTS & EXCEPTION*)

SUB-LEASING

Sub-leasing of slips is prohibited. The MCPA reserves the right to request proof of ownership. The MCPA reserves the right to terminate the license of a slip license holder who allows a watercraft that is not owned by the slip license holder to be moored in the licensed slip. Slip license holders with guest watercraft users are prohibited from allowing them to pull into an empty slip; all guest watercraft users must check into the marina office for proper slip assignment.

NEW WATERCRAFT

A slip license holder must inform the marina office when mooring a new, unregistered watercraft in the slip. If the new watercraft is larger than the current watercraft, the slip license holder must advise the marina office in advance. If the new watercraft does not fit in the current assigned slip the slip license holder may require a slip reassignment, but availability cannot be guaranteed. The Harbormaster reserves the right to re-assign any watercraft to a different slip based on size of the watercraft and the slip.

ORDINANCES AND PENALTIES GOVERNING THE HARBOR

No Anchored Watercraft to Obstruct Other Watercraft

- No watercraft shall be moored or anchored in the harbor or laid up alongside any dock in such a manner as to interfere with or hinder the passage of any other watercraft.
- Violators of the above regulation shall be fined not less than \$50 and not more than \$200 for each offense. Each and every day that a violation exists or continues shall be considered a separate violation or offense.

No Watercraft to Hinder Bridge Movement

- No watercraft shall be moored, laid up, brought to stop, or anchored within the harbor or waters under the jurisdiction of the MCPA in a manner that interferes with or hinders the opening, closing, or operation of any bridge across any of the waters under the jurisdiction of the MCPA.
- Violators of the above regulation shall be fined not less than \$50 and not more than \$200 for each offense. Each and every day that a violation exists or continues shall be considered a separate violation or offense.

HOLDING TANKS

- Before any watercraft which is equipped with a water closet or toilet enters any navigable waters within the City limits, the owner of the watercraft shall provide the Port Authority with a written statement, signed by the owner or the owner's duly authorized representative, that the watercraft

is equipped with a holding tank of sufficient capacity to store waste for subsequent disposal at approved shore-side facilities, incinerator, or treatment system as required by the laws of the State of Indiana, and that the watercraft has no thru-hull discharge from the water closet or toilet which permits the overboard discharge of waste.

- Any watercraft owner who improperly discharges waste shall be fined not more than \$300 and shall be financially responsible for any associated cleanup costs.

HARBOR REGULATIONS

Slip license holders and their agents, contractors, licensees, invitees, and guests shall comply with the City of Michigan City Harbor Regulations (Municipal Code Section 94.10.).

WATERCRAFT RETRIEVAL

The Harbormaster has the right to monitor water levels in the creek and gantry and to compare it to the draft specifications on deep-draft watercraft. When the Harbormaster determines that it is not possible to retrieve a watercraft after a date he specifies, the owner will be notified. The owner will decide to have the watercraft removed by the date specified or to make alternative arrangements.

COMPLIANCE ORDERS

Slip license holders and their agents, contractors, licensees, invitees, and guests shall comply with the orders and directions of the Harbormaster concerning compliance with the Rules and Regulations of the MCPA. The Harbormaster will address any issues not covered in this handbook to determine the proper course of action.

WATERCRAFT USER FEES

Per Michigan City Ordinance No. 3306., any watercraft moored over twenty-nine (29) consecutive days in Michigan City waters is required to pay the City of Michigan City a Watercraft User Fee (**WUF**). Each such watercraft will receive a watercraft user sticker which must be displayed at all times. User fees are determined as follows:

- Watercraft 30' and under pay \$.75 per foot
- Watercraft 31' and over pay \$1.50 per foot

CONTRACT SLIP FEES

Slip fees and Watercraft user fees are based upon overall length of the watercraft (LOW). The **MCPA** determines LOW from the forward most tip of the bow, to include bow pulpit, to the aftermost end of the stern, to include swim or transform platforms. The LOW will determine the length of your watercraft's docking or rack space.

SAFETY AND COURTESY

SPEED LIMITS

The speed limit throughout the marina is 5 mph. The Washington Park ramp area is a no wake zone.

COMMON SENSE

Operators of any watercraft must use common sense, good seamanship and courtesy and observe all safety rules at all times. Violations the MCPA's Rules and Regulations should be promptly reported to the marina office or security on channel 9. The MCPA is not a law enforcement agency; therefore, please contact the Michigan City Police Department in the case of unruly drunkenness, brawling, or other criminal activity.

VIOLATIONS

Any violation of the MCPA's Rules and Regulations may subject the slip license holder to fines and/or termination of the slip license.

INDEMNIFICATION

Each slip license holder, for the slip license holder and on behalf of the slip license holder's agents, contractors, licensees, invitees, and guests, hereby releases, indemnifies, protects, defends, and agrees to holds harmless the MCPA and its directors, officers, agents, elected and appointed officials, and employees

from and against any and all losses, damages, liabilities, claims, liens, costs, and expenses, including without limitation, reasonable attorney's fees in connection with injuries to any person or damage to or theft or misappropriation or loss of property occurring in or about the marina, or arising from the slip license holder's occupancy or presence in the marina, or from any activity, work or thing done, permitted or suffered by the slip license holder in or about the marina, or from any breach or violation of these Rules and Regulations or due to any other act or omission of any slip license holder or their employees, guests, customers, agents, licensees, or invitees. Notwithstanding the foregoing, nothing herein shall be deemed to exempt the MCPA from liability for injury to any person or damage to any property caused by or resulting from the negligence or willful misconduct of the MCPA or its directors, officers, agents, or employees.

LAWFUL USE

No slip license holder shall occupy or use or permit any portion of the slip or the marina to be occupied or used for any purpose which is illegal or unlawful. Each slip license holder shall comply with all federal, state, county and municipal codes, laws, ordinances, statutes, rules, regulations, orders, permits, licenses, and authorizations.

ENFORCEMENT COSTS

A slip license holder shall pay all costs, charges, fees, and expenses, including without limitation, court costs and reasonable attorney's fees, incurred by the MCPA in connection with a slip license holder's violation of these Rules and Regulations.

TRAIL CREEK MARINA / IN AND OUT VALET SERVICE FORKLIFT RULES

1. Allowed one (1) in/out per day.
2. Have watercraft ready to launch:
 - a. Covers off, all gear & coolers loaded.
3. Trim tabs must be in the up position;
 - a. MCPA is not liable for damage if trim tabs are left down.

4. All watercraft will be launched from the right side (*Hoist side*).
5. All watercraft will be hauled-out from the left side (*Ramp side*).
6. Upon being launched, start engine and clear the dock for the next watercraft.
7. MCPA does not jump start watercraft.
8. MCPA does not loan out tools.

ELECTRIC SHOCK DROWNING (ESD)

Docks and watercraft can carry sources of electricity. Faulty wiring or the use of damaged electrical cords and other devices not approved as “shore or marina related” can cause the surrounding water to become energized from electricity leaking.

- Never swim in or near marinas, docks, or watercrafts yards.
- Each watercraft owner should have the watercraft inspected by an electrician or technician with American Watercraft & Yacht Council Electrical Certification.

For additional information visit: electricshockdrowning.org

At no time are slip license holders or their guests allowed in the multi-level rack areas or in MCPA work shops or storage containers.



**MICHIGAN CITY PORT AUTHORITY
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