Chapter 352-12 WAC
MOORAGE AND USE OF MARINE AND INLAND WATER FACILITIES

WAC

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WAC 352-12-005 Definitions. As used in this chapter, the following words and terms have the meanings indicated, unless the context clearly requires otherwise:

(1) "Commercial vessel" shall mean a vessel which is used, rigged, or licensed for any commercial use or purpose, but shall not include vessels operated within the terms of a concession lease or agreement with the commission.

(2) "Commission" shall mean the Washington state parks and recreation commission.

(3) "Designated fee facility" shall mean any facility designated as a fee facility by the director or designee.

(4) "Director" shall mean the director of the Washington state parks and recreation commission.

(5) "Facility" shall mean state park floats, piers, mooring buoys, docks, pilings and linear moorage facilities.

(6) "Length" shall mean the overall length of a vessel as measured in a straight line parallel to the keel from the foremost part of the vessel to the aftermost part, not including bowsprit or bumkin or as shown on vessel's state or coast guard registration certificate.

(7) "Manager or ranger" shall mean a duly appointed Washington state parks ranger, or agent of the commission, who is vested with police powers under RCW 79A.05.160.

(8) "Night" shall mean the period between 1 p.m. and 8 a.m.

(9) "Vessel" shall mean watercraft of every description, used or capable of being used as a means of transportation on the water.

[Statutory Authority: RCW 79A.05.030, 79A.05.055, and 79A.05.070. 04-01-068, § 352-12-005, filed 12/12/03, effective 1/12/04. Statutory Authority: RCW 43.51.040. 99-04-117, § 352-12-005, filed 2/3/99, effective 3/6/99. Statutory Authority: RCW 43.51.040 and 43.51.060. 82-08-027 (Order 59), § 352-12-005, filed 3/31/82.]

WAC 352-12-010 Moorage and use of marine and inland water facilities. (1) Marine and inland water facilities of the state parks within the Washington state parks and recreation commission system are designed and administered specifically to provide recreational opportunities for park visitors. Use of park facilities for purposes which are of a non-recreational nature, such as long-term residency at park facilities, obstructs opportunities for recreational use, and is inconsistent with the purposes for which those facilities were designed.

(2) In order to afford the general public the greatest possible use of facilities, continuous moorage at a facility by the same vessel shall be limited to three consecutive nights, after which the vessel must vacate the facility for twenty-four consecutive hours, unless otherwise posted by the manager at any individual facility or area.

(3) No person or persons shall moor, berth or store a vessel of any type in a commission owned or operated park or area except in facilities posted as available for such use.

(4) Use of facilities by commercial vessels is prohibited except for the loading and unloading of passengers transported for recreation purposes: Provided however, Managers and rangers may allow extended or night moorage at any facility to commercial vessels unloading passengers transported to the park for recreation purposes if in the manager's or ranger's sole discretion sufficient space is reasonably available therefor. Commercial recreation providers operating such vessels must be in possession of a commercial recreation provider permit as required under WAC 352-32-330.

(5) In order to maximize usable space at mooring floats, boaters shall moor their vessels as close as reasonably possible to vessels already moored; and dinghies shall not be left moored to transoms or swimsteps, nor tied to or alongside moorage floats. Dinghies shall be tied up only in designated spaces or outboard of the moored vessel. Rafting of vessels is also permitted, within posted limits, but not mandatory.

(6) Except where designated by the director or designee, use of any facility shall be on a first-come, first-served basis only. Reserving or retaining space to moor or berth a vessel at any facility, by means of a dinghy or any method other than occupying the space by the vessel to be moored, shall not be permitted.

(7) Open flames or live coals, or devices containing or using open flames, live coals or combustible materials, including but not limited to barbecues, hibachis, stoves and heaters, shall be permitted on floats or piers only when placed on a fireproof base and the fire is located away from fuel tanks and/or fuel vents. In case of dispute related to fire safety, the manager or ranger shall make final determination.

(8) Except as provided in WAC 352-12-060, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 79A.05.030, 79A.05.055, and 79A.05.070. 04-01-068, § 352-12-010, filed 12/12/03, effective 1/12/04. Statutory Authority: RCW 43.51.040. 99-04-117, § 352-12-010, filed 2/3/99, effective 3/6/99. Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-12-010, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040 and 43.51.060. 88-07-074 (Order 103), § 352-12-010, filed 3/18/88, effective 5/15/88. Statutory Authority: RCW 43.51.040. 83-06-051 (Order 65), § 352-12-010, filed 3/2/83. Statutory Authority: RCW 43.51.040 and 43.51.060. 82-08-027 (Order 59), § 352-12-010, filed 3/31/82; filed 6/30/65.]

WAC 352-12-020 Moorage fees. (1) Vessels moored between 1 p.m. and 8 a.m. at those facilities designated by the director or designee shall be charged the moorage fee published by state parks: Provided, Vessels properly displaying a valid annual permit shall not be charged a moorage fee: Provided further, There shall be no moorage fee for any vessel riding on its own anchor: Provided further, There shall be no charge for temporary moorage for the purpose of loading or unloading a vessel, such temporary moorage shall be limited to thirty minutes.

(2) A vessel rafted to another vessel shall be charged the appropriate moorage fee based on that vessel's own length.

(3) Except as provided in WAC 352-12-060, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 79A.05.030, 79A.05.055, and 79A.05.070. 04-01-068, § 352-12-020, filed 12/12/03, effective 1/12/04. Statutory Authority: RCW 43.51.040. 99-04-117, § 352-12-020, filed 2/3/99, effective 3/6/99. Statutory Authority: RCW 43.51.040 and [43.51.]060. 95-22-067, § 352-12-020, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040. 93-08-025, § 352-12-020, filed 3/30/93, effective 5/1/93. Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-12-020, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040. 91-09-001, § 352-12-020, filed 4/4/91, effective 5/15/91; 90-07-062, § 352-12-020, filed 3/20/90, effective 4/20/90. Statutory Authority: RCW 43.51.040 and 43.51.060. 88-07-074 (Order 103), § 352-12-020, filed 3/18/88, effective 5/15/88; 87-08-008 (Order 100), § 352-12-020, filed 3/23/87, effective 5/15/87. Statutory Authority: RCW 43.51.040, 43.51.055 and 43.51.060. 85-08-003 (Order 88), § 352-12-020, filed 3/22/85, effective 5/15/85. Statutory Authority: RCW 43.51.040 and 43.51.060. 84-09-045 (Order 77), § 352-12-020, filed 4/16/84; 82-08-027 (Order 59), § 352-12-020, filed 3/31/82.]

WAC 352-12-030 Annual moorage permits. (1) Annual moorage permits may be obtained for the period January 1 through December 31, inclusive. Application for such permits may be obtained from most state park managers or rangers, or by writing to the Commission Headquarters, P.O. Box 42650, Olympia, WA 98504-2650, or on-line at www.parks.wa.gov.

(2) Annual moorage permits will be issued for a particular vessel. The charge for such permits will be based upon the length of the vessel for which the permit is issued and will be published by state parks.

(3) Annual permits shall be visible from outside the vessel, and permanently affixed to the lower left corner of the vessel's left (port) forward windshield, or to the left (port) outside transom, or if a sailboat, on the forward portion of the left (port) cabin trunk, or as otherwise instructed by the director or designee.

(4) Except as provided in WAC 352-12-060, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 79A.05.030, 79A.05.070, 79A.05.075, and 79A.05.065. 08-24-006, § 352-12-030, filed 11/20/08, effective 12/21/08. Statutory Authority: RCW 79A.05.030, 79A.05.055, and 79A.05.070. 04-01-068, § 352-12-030, filed 12/12/03, effective 1/12/04. Statutory Authority: RCW 43.51.040. 99-04-117, § 352-12-030, filed 2/3/99, effective 3/6/99. Statutory Authority: RCW 43.51.040 and [43.51.]060. 95-22-067, § 352-12-030, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040. 93-08-025, § 352-12-030, filed 3/30/93, effective 5/1/93. Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-12-030, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040. 91-09-001, § 352-12-030, filed 4/4/91, effective 1/1/92; 90-07-062, § 352-12-030, filed 3/20/90, effective 4/20/90. Statutory Authority: RCW 43.51.040 and 43.51.060. 82-08-027 (Order 59), § 352-12-030, filed 3/31/82.]

WAC 352-12-040 Use of onshore campsites. If any person or persons from a vessel moored at a designated facility also occupies any designated campsite onshore, the appropriate fee for such campsite(s) shall be paid in addition to any moorage fee charged pursuant to this chapter as published by state parks. Except as provided in WAC 352-12-060, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 43.51.040. 99-04-117, § 352-12-040, filed 2/3/99, effective 3/6/99. Statutory Authority: RCW 43.51.040 and [43.51.]060. 95-22-067, § 352-12-040, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-12-040, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040 and 43.51.060. 82-08-027 (Order 59), § 352-12-040, filed 3/31/82.]

WAC 352-12-050 Self-registration. In those designated facilities so posted by the manager, park visitors shall register for the use of facilities, overnight parking and onshore campsites, and pay the appropriate moorage, campsite fees or unattended vehicle overnight parking permit fee, on a self-registration basis, in accordance with all posted instructions. Failure to so register and pay required fees may result in a surcharge for failure to pay said fees and/or in eviction from moorage and campsite space, in addition to any other penalty prescribed by law for violation of commission rules and regulations. Except as provided in WAC 352-12-060, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 79A.05.030, 79A.05.055, and 79A.05.070. 04-01-068, § 352-12-050, filed 12/12/03, effective 1/12/04. Statutory Authority: RCW 43.51.040. 99-04-117, § 352-12-050, filed 2/3/99, effective 3/6/99; 93-06-001, § 352-12-050, filed 2/17/93, effective 3/20/93. Statutory Authority: RCW 43.51.040 and 43.51.060. 82-08-027 (Order 59), § 352-12-050, filed 3/31/82.]

WAC 352-12-060 Penalties. Any violation designated in this chapter as a civil infraction shall constitute a misdemeanor until the violation is included in a civil infraction monetary schedule adopted by rule by the state supreme court pursuant to chapter 7.84 RCW.

[Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-12-060, filed 9/17/92, effective 10/18/92.]