

SAN FRANCISCO MARINA SMALL CRAFT HARBOR



Berth Transfer **PROCEDURES**

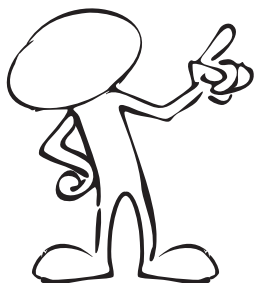


*Sale of a Current Berthholder's Vessel with the Transfer of the Berth,
only applicable for Persons that were Berthholders prior to the 2012 Marina Rule Change.*



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The San Francisco Marina Small Craft Harbor Rules and Regulations allow for a one time berth transfer with the sale of your vessel to a Wait List participant. If you are a berthholder in good standing now and were a berthholder prior to the 2012 San Francisco Marina Small Craft Harbor rule change and wish to sell your vessel and transfer the berth with the sale, you must adhere to the below requirements. If you wish to sell your vessel and either give up your berth or retain your berth for a different vessel registered in your name, this does not apply.

Transfer Requirements

- 1) When you decide to sell your vessel and transfer the berth with the sale, the Harbormaster must be notified in writing. You simply need to write a letter or e-mail stating your desire to sell the vessel and transfer the berth for "X" dollar amount with a short description of the vessel.
- 2) The Harbormaster will post the vessel description and selling price on the Marina website for sale to the proper berth size category Wait List participants.
- 3) When an interested Wait List participant expresses interest in your vessel, the Harbormaster will direct the potential buyer to you so you can show the vessel.
- 4) You can advertise your vessel elsewhere, but any potential buyer must get on the San Francisco Marina Small Craft Harbor Wait List in order to be eligible for the berth transfer with the sale. You must sell the boat to a Wait List participant in your berth size category in order to transfer the berth with the sale and you must sell the vessel for the entire listed price.
- 5) If you have someone on the Wait List that wishes to buy the vessel for the entire listed selling price, the Harbormaster must be notified in writing so he can send notification to everyone else on the Wait List above the interested party. After ten working days, if no Wait List participant above that person wants to buy it for full listed price, the sale and transfer can take place.
- 6) You must not enter into any binding agreement with a potential buyer from the Wait List to sell the vessel until the Harbormaster has authorized the sale.
- 7) The vessel will need to be inspected to make sure it is seaworthy, clean and tidy and is in compliance with all Marina Rules and Regulations before a transfer can take place.
- 8) If you wish to reduce or increase the vessel selling price, the process must start over.
- 9) There is a Transfer Fee that must be paid at the time of berth transfer. The current Transfer Fee is listed on our website and differs for the size of berth being transferred.
- 10) Please familiarize yourself with the below Marina Rules regarding berth transfers.



Current San Francisco Marina Small Craft Harbor Rules Pertaining to Berth Transfer

Transition from 1991 Rules and Regulations:

The Recreation and Park Commission hereby establishes a one-time opportunity to effect a transfer of a berthing license and berth with the sale of a vessel within the berth to a new owner from the Wait List. This one-time opportunity described herein is subject to the amendment of the berth/slip transfer fee schedule (Park Code 12.11), as described below in subparagraph g, by the Board of Supervisors. In the event that the slip/berth transfer fee schedule is not amended, there will be no one-time transfer opportunity. The berth and berthing license may be transferred to the new owner of the newly purchased vessel previously subject to a berthing license, only if all of the following conditions are met:



Wait List Conditions

Qualified Transferee:

The transfer is from a party holding a berthing license on the 2012 approval date of the Rules and Regulations by the Recreation and Park Commission or is from such berthholder's original partner(s), spouse or registered domestic partners, and applies only to the first transfer.

Transfer of Vessel:

The berthing license is transferred together with the ownership of the vessel that was listed in the berthing license.





Good Standing:

The transferring berthholder must be in good standing with the San Francisco Marina Small Craft Harbor at the time that a berth transfer application is submitted to the Harbormaster's Office. A berthholder is in good standing if, at the time of the submittal of a berth transfer application, both of the following are true and correct: all fees or charges owed to the Marina by the berthholder have been paid in full; and the Harbormaster has not issued a written notice to terminate the berthing license, whether such notice of termination has been received by the berthholder or not.

Eligibility of Transferee:

Only persons on the Wait List are eligible to benefit from a transfer of a berthing license with the purchase of a vessel currently berthing in the Marina. The Harbormaster may transfer the berthing license at the request of the existing berthholder only upon the sale of the vessel on record in the berthing license to a Marina Wait List applicant corresponding to the vessel's size category. Opportunity to purchase a vessel will be afforded to Wait List applicants based on seniority.

Procedure:

The owner shall provide the Harbormaster with the terms of the proposed sale of the vessel and transfer of the berthing license. The Harbormaster will post the sale opportunity to Wait List applicants. Opportunity to purchase a vessel will be afforded to Wait List applications based on seniority. If the berthholder receives multiple offers from eligible Wait List transferees, the most senior interested Wait List transferee shall be afforded the opportunity to purchase the vessel and receive the berthing license, or owner may elect to withdraw the original sale opportunity and re-list the vessel and berthing license transfer at higher/lower sale/transfer prices, in which event the Harbormaster will post the revised sale opportunity terms. Berthholder shall have no obligation to sell the vessel to any person on the Wait List, but the berthing license shall be transferred only to a Wait List applicant and only upon the sale or the transfer of an equity ownership interest in a vessel in accordance with the terms and conditions of this Section. Owner shall submit to Harbormaster a written application for the transfer of a berth assignment together with a copy of the bill of sale no later than fifteen (15) calendar days after the sale or transfer of the equity ownership interest in the vessel. All selling price reductions require re-posting of the sale opportunity to Wait List Applicants, full disclosure and verification by the Harbormaster. If the selling price is less than represented in the bill of sale or if there are other violations of this procedure, the transfer of the berthing license shall be null and void, and the license will be automatically cancelled.

Acknowledgement Statement:

The new owner from the Wait List of the vessel signs an acknowledgement statement indicating that there will be no authorized future transfers of such berth license other than the exceptions listed herein.

Fee:

A transfer fee of

- 1) \$153 per linear foot of the berth for berths 35 feet and under,
- 2) \$204 per linear foot of the berth for berths 40 and 45 feet and
- 3) \$322 per linear foot of the berth for berths 50 feet and longer, will apply and is due in full with all other fees and deposits within fifteen (15) calendar days after the sale or transfer of interest, in whole or in part, of the vessel.

**Notification to Transfer:**

A berthholder may retain his/her assigned berth for a period of thirty (30) calendar days after transferring title to or agreeing to sell his/her vessel provided that (a) berthholder notifies the Harbormaster in writing within five (5) business days of the date berthholder enters into an agreement for the sale of the vessel and his/her intent to acquire another vessel of the appropriate length for use of the assigned berths; (b) berthholder pays berthing fees in the amount specified in his/her berthing license for the vessel sold pending the acquisition of another vessel.

Larger Berths:

The berthholder has no right to a larger berth in the event he/she purchases a larger vessel, and must apply for the assignment of an appropriate berth according to the Wait List policies and procedures in effect at the time of the purchase.

Removal of the Vessel:

If an owner sells the vessel that is subject of a berthing license and fails to provide required notification as described above, and/or timely request a transfer of the berthing license to a new vessel, or if the new vessel does not pass the inspection of the Harbormaster within a period not to exceed seven (7) business days after the sale, the berthing license will be automatically cancelled.

Refunds:

No refunds will be issued when an owner requests cancellation of a berthing license due to the bona fide sale of a vessel.



Harbor Information

Office:

Phone: (415) 831-6322
 Fax: (415) 775-1060

VHF CH 16 & 68
 GPS Coordinates: N37°48.56, W122°25.97

Harbor Master: John Moren
 Phone: (415) 831-6322
 Email: john.moren@sfgov.org

SFRPD Recreation and Park Dept.
 Phone: (415) 831-2700

San Francisco City Information: 311

In Case of Emergency Call: 911
 Non-Emergency Police Assistance:
 Phone: (415) 553-0123

Park Patrol Dispatch:
 Phone: (415) 242-639

U.S.C.G. 24 Hour Local:
 Phone: (510) 437-3073

Office Hours:

Monday	8:30 a.m. - 5 p.m.
Tuesday	8:30 a.m. - 5 p.m.
Wednesday	8:30 a.m. - 5 p.m.
Thursday	8:30 a.m. - 5 p.m.
Friday	8:30 a.m. - 5 p.m.
Saturday	8:30 a.m. - 5 p.m.
Sunday	8:30 a.m. - 5 p.m.

*Holidays 8:30 a.m. - 1p.m.



