

FOR OFFICE PURPOSES ONLY

PERMIT NO. ISSUED:

INSURANCE EXPIRATION:

OWNERSHIP EXPIRATION:

FEE PAID/RECEIPT NO./DATE:

**CITY OF HUDSON
SAILBOAT MOORING PERMIT
2021**

DATE: _____ DATE RECEIVED: _____

NAME - DESIGNATED MANAGING OWNER (for mailing purposes): _____
 EMAIL: _____

STREET ADDRESS _____ CITY _____ STATE _____ ZIP CODE _____

HOME PHONE _____ WORK PHONE _____ CELL PHONE _____

COUNTY YOU RESIDE IN _____ SCHOOL DISTRICT YOU RESIDE IN _____

CO-OWNER NAME (if applicable): _____
 EMAIL: _____

STREET ADDRESS _____ CITY _____ STATE _____ ZIP CODE _____

HOME PHONE _____ WORK PHONE _____ CELL PHONE _____

COUNTY YOU RESIDE IN _____ SCHOOL DISTRICT YOU RESIDE IN _____

SAILBOAT INFORMATION: _____ Dinghy Y or N

YEAR MAKE MODEL YEAR/MAKE/MODEL

LENGTH COLOR NAME

STATE OF REGISTRATION REGISTRATION NUMBER EXPIRATION DATE

INSURANCE INFORMATION:

COMPANY NAME CITY/STATE POLICY NUMBER EXPIRATION DATE

If a renewal application, do you want to be considered for a different position? Yes No

I (We) have read Section 181-14 of Chapter 181 of the City of Hudson Municipal Code AND Mooring Policy and understand the procedures that apply to the sailboat mooring area. Owner Co-owner(s)

I (We) have read and signed the Waiver and Release of Liability, Assumption of Risk and Indemnity Agreement that applies to the sailboat mooring and dinghy storage area. Owner Co-owner(s)

MANAGING OWNER SIGNATURE **CO-OWNER SIGNATURE**

ALL APPLICATIONS TURNED IN OR POSTMARKED LATER THAN March 1, 2021 WILL NOT BE ACCEPTED.

CITY OF HUDSON - PARKS & RECREATION DEPARTMENT
 505 THIRD STREET
 HUDSON WI 54016-1694
 (715)386-4774 EXT. 110
 (715)386-3385 FAX

**HUDSON PUBLIC WORKS AND PARKS DEPARTMENT
BOAT MOORING PERMIT
WAIVER AND RELEASE OF LIABILITY,
ASSUMPTION OF RISK AND INDEMNITY AGREEMENT**

I, the undersigned, acknowledge that storing my dinghy on the bank of the Dike Road involves procedures which may test a person's physical capabilities and carries with it the potential for serious injury and property loss. The risks include, but are not limited to, those caused by the steep and rocky nature of the dinghy storage area facilities on the bank of the Dike Road, my own physical condition, actions of other people, including but not limited to, other mooring permit holders. I HEREBY ASSUME ALL OF THE RISKS OF STORING MY DINGHY ON THE DIKE ROAD AND ALL OTHER RISKS ARISING OUT OF MOORING MY BOAT IN THE CITY BOAT MOORING AREA. I realize that liability may potentially arise from any negligence or carelessness of the person or entities being released, from dangerous or defective equipment or property owned, maintained or controlled by the persons/entities being released, or because of possible liability without any negligence of the persons/entities released.

I certify that I am physically fit, am fully capable of climbing/walking on the rip-rap bank of the Dike Road and to do all things relating to use and storage of my dinghy on the Dike Road in connection with use of my boat moored in the Hudson boat mooring area, and that I have not been advised otherwise by a qualified medical person. I hereby assume full responsibility for any risk of bodily injury, death or property damage arising out of or related to the Hudson Boat Mooring Area, whether caused by the negligence of Releasees or otherwise. I acknowledge that this Accident Waiver and Release of Liability form will be used by the City of Hudson and that it will govern my actions and responsibilities as a boat mooring permit holder.

In consideration of my application and the City allowing me to moor my boat at the Hudson Boat Mooring Area and store my dinghy on the banks of the Dike Road, I hereby take action for myself, my guests, my executors, administrators, heirs, next of kin, successors and assigns as follows:

- (A) I WAIVE, RELEASE, AND DISCHARGE FROM ANY AND ALL LIABILITY FOR MY DEATH, DISABILITY, PERSONAL INJURY, PROPERTY DAMAGE, PROPERTY THEFT OR ACTIONS OF ANY KIND WHICH MAY HEREAFTER OCCUR TO ME ARISING OUT OF MOORING MY BOAT IN THE BOAT MOORING AREA AND STORING MY DINGHY ON THE DIKE ROAD. THE FOLLOWING ENTITIES OR PERSONS:

City of Hudson, City Public Works and Parks Department, City officers, employees, volunteers, representatives, and agents, (Released Persons/Entities).

(B) I INDEMNIFY AND HOLD HARMLESS THE RELEASED PERSONS/
ENTITIES STATED ABOVE FROM ANY AND ALL LIABILITY OR CLAIMS
MADE AS A RESULT OF MOORING MY BOAT IN THE HUDSON BOAT
MOORING AREA INCLUDING STORING MY DINGHY ON THE DIKE
ROAD, WHETHER CAUSED BY THE NEGLIGENCE OF RELEASED
PERSONS/ENTITIES OR OTHERWISE.

I hereby consent to receive medical treatment that may be deemed advisable in the event of injury, accident and/or illness during this course.

The Accident Waiver and Release of Liability, Assumption of Risk and Indemnity Agreement shall be construed broadly to provide a release and waiver to the maximum extent permissible under applicable law.

I hereby certify that I have read this document; and, I understand its content.

Print Participant's Name

Age if under 18

Signature

Date

**PARENT/GUARDIAN WAIVER FOR MINORS
(UNDER 18 YEARS OLD)**

The undersigned parent and natural guardian does hereby represent that he/she is, in fact, acting in such capacity and agrees to save and hold harmless and indemnify the Released Persons/Entities referred to above from liability, loss, cost, claim or damage whatsoever which may be imposed upon said parties because of any damages, injuries or losses caused by negligence, carelessness or otherwise and release said parties on behalf of the minor and the parents or legal guardian.

Print Parent/Guardian's Name

Signature of Parent or Guardian

Date

Chapter 181. Parks, Recreation and Open Space

Article I. Parks and Recreation Areas

§ 181-14. Boat mooring.

- A. Definitions. The following words have the designated meanings, unless a different meaning is expressly provided or the context clearly indicates a different meaning:

DINGHY

A small boat used solely by mooring permit holders to access their sailboat moored in the City of Hudson sailboat mooring area.

[Added 4-22-2013 by Ord. No. 1-13]

LOADING DOCK

A dock attached to the shore for loading or unloading boats.

MOORING

A device for anchoring a sailboat or power boat when not in use.

POWER BOAT

Any boat propelled exclusively by an internal combustion engine.

SAILBOAT

Any boat intended to be propelled primarily by the wind. It may be equipped with a motor for auxiliary use.

- B. Area designated. The boat mooring area shall be designated on the official City of Hudson Park Map and shall be 300 feet in width and 1,300 feet along the shore of Dike Road.
- C. Jurisdiction. The boat mooring area shall be under the jurisdiction of the Park Board.
[Amended 5-1-2000 by Ord. No. 9-00]
- D. Rules. The following are the rules of operation in the boat mooring area:
[Amended 5-1-2000 by Ord. No. 9-00; 4-22-2013 by Ord. No. 1-13]
- (1) Season. The annual mooring season shall be from April 15 to November 15 of each year. Written application for a mooring permit shall be made to the Director of Parks and Public Works no later than March 1 of each year. Drawing for available permits will be conducted by the Director of Parks and Public Works under the guidelines established by the Park Board.
 - (2) Priority. Boat mooring permits shall first be granted to anyone who held a permit during the preceding mooring season. Any mooring permit not renewed shall be considered terminated, and the mooring shall be vacated.
 - (3) Fee schedule. The fee schedule shall be determined by the Common Council, and payment thereof shall be due to the City Clerk within 10 days after the applicant has been notified by the Parks Department of the granting of the permit.

- (4) Removal required. All boats and dinghies shall be removed from the water or dinghy storage area as applicable by November 15 of each year or they shall be towed in and stored at the owner's expense.
- (5) Removal during July fireworks. All boats and dinghies shall be removed from the mooring area and the dinghy storage area by 4:00 p.m. on the day of the July fireworks. If not moved, the boat will be towed from the area or the dinghy removed from the dinghy storage area at the owner's expense. (NOTE: This is effective starting with the 2002 season by order of the U.S. Coast Guard.)
- (6) Unloading dock. A boat shall not be left tied to the unloading dock longer than a reasonable time for loading and unloading.
- (7) Liability. The City shall not be liable for any damages to boats or injury to owners, operators or guests caused by theft, failure of the mooring device system, vandalism, accidents, storms, flood, fire or fireworks, or any cause whatsoever.
- (8) Moorings. There shall be only one boat to a mooring.
- (9) Maximum number of boats. The maximum number of boats in the boat mooring area shall not exceed 50 boats.
- (10) Moorings for personal use only. All moorings will be for personal use, not commercial use.
- (11) Additional policies/rules. The Park Board may adopt more detailed policies/rules for the boat mooring area as needed, subject to Common Council approval.

Boat Mooring Area Rules, Policies, and Procedures

Boat Mooring Policies established by the Park Board are as follows:

1. Boat Mooring Permit Application. The mooring application must list and be signed by all owners of the boat intended to be moored. The application shall include evidence of ownership of the boat. When more than one owner is involved, the application must designate one managing owner to receive all official communications. In the event the insurance policy or evidence of ownership lists names other than those designated on the application, the application may be rejected.

Applications must also include a signed Waiver and Release of Liability, Assumption of Risk and Indemnity Agreement.

Alternates will be ranked in the priority according to the address for the designated managing owner provided on the application.

All moorings will be for personal use, not commercial use.

2. Proof of Insurance. Each application shall include proof that liability insurance is in effect for the full boat mooring season. Copy of policy to be submitted with the application and shall include the names of all owners. If insurance information submitted at the time of application changes, the boat mooring permit holder shall provide updated insurance information within 10 days of the change. Consequences for non-submission of required insurance: Failure to timely provide current and correct insurance information may result in loss of the boat mooring permit.

3. Boat Registration. Each application shall also provide a copy of the appropriate state registration or U.S. Coast Guard Certificate of Federal Documentation. If registration information changes during the boat mooring season, the permit holder shall provide updated registration information within 10 days of the change in registration. Consequences for non-submission of required registration: Failure to timely provide current and correct boat registration information may result in loss of the boat mooring permit.

4. Priority for Drawing for Available Mooring Spots. Guidelines for drawing with priority as follows: (1) City of Hudson residents, (2) Hudson school district, (3) St. Croix County, (4) Washington County and (5) others; when filling openings. Any renewed alternate applications maintain their position on the alternate list under each category of the priority system.

5. Mooring Assignments. The mooring assignments will be available to the public as long as the craft does not endanger boats in adjacent mooring positions. Complaints are to be filed with the Director of Parks and Public Works

Grandfather clause allows the one long boat that has been moored for years to be moored at the east end of our mooring area with written application to be made no later than March 1 of each year.

6. Vacated Mooring during Mooring Season. A mooring that is vacated can be reassigned. If vacated before July 15, permit holder will receive a refund of one-half of the mooring fee for the season. New applicant will pay one-half of the mooring fee for the season plus \$15.00 administrative costs.

7. Boat Owner Responsible for Setting and Maintaining Anchor System. Each boat owner will be responsible for setting and maintaining his anchor system in the assigned position as approved by the Parks Department. Each boat

Boat Mooring Area Rules, Policies, and Procedures

owner is responsible for removal of his mooring anchor system upon vacating his mooring position. Mooring positions may not be changed without permission from the Parks Department Director or designee.

8. Buoys. Marking buoys are the property of the individual moorers. The type of buoy shall be as specified by the City and must be numbered with decals to be provided by the City and placed in the assigned mooring position. The buoy to be used must be a U.S. Coast Guard approved buoy that is white with a 3" reflective blue band with white vinyl bumper.

9. Boat Requirements. All sailboats are to have a self-bailing cockpit or an automatic bilge pump. Sailboats shall be limited to 30 feet in length unless approved by the Parks and Public Works Director before approval of the mooring application.

10. Dinghy Storage and Specifications.

Dinghy Storage: Each mooring holder will be allowed one dinghy that can be stored along the Dike Road during the mooring season. The City shall designate five areas along the Dike Road bank. A tie down area will be provided by the City. Mooring holders can secure their dinghies with a chain and lock at the specified tie down area as noted on the dinghy tie-up map.

Dinghy Specifications: The dinghy shall be no more than 60 inches in width and no longer than 10 feet in length. The dinghy must meet the U.S. Coast Guard safety standards and shall be cream or white in color. Canoes, kayaks, or any other types of watercraft not specified will not be allowed.

Any mooring holder that does not comply with the dinghy storage requirements and/or specifications will be notified of the non-compliance and be ordered to correct the issue immediately. The mooring holder will be responsible for any and all costs incurred by the City to remedy the non-compliance.

11. Mooring Area. The City will provide and maintain U.S. Coast Guard approved marking buoys around the mooring area.

12. Removal during July fireworks. All boats and dinghies shall be removed from the mooring area and the dinghy storage area by 4:00 p.m. on the day of the July fireworks. If not moved, the boat will be towed from the area or the dinghy removed from the dinghy storage area at the owner's expense. (Note: This is effective starting with the 2002 season by order of the U.S. Coast Guard.)

13. Vacant Mooring. If mooring is not in use/or to be used by June 1, written explanation shall be given by the mooring permit holder to the Director of Parks & Public Works. Usage of the moorings will be checked periodically by the Parks Department. If the Parks Department observes a mooring is vacant for more than two (2) consecutive weeks after June 1, and the permit holder has not provided the Director of Parks & Public Works with a written explanation of the absence, the permit holder shall be notified by e-mail or certified mail that their permit is null and void unless the mooring is put into use by the designated permit holder within five (5) days of receipt of the letter.

14. Boat Decals. All moorings, boats and dinghies shall be marked appropriately with decals as provided by the City.

15. Improper Mooring. If it is determined that any sailboat, dingy, or buoy is not in its assigned position, the City may correct such placement at owner's expense, having given reasonable notification.