

Port of Friday Harbor

Jackson Beach Use Policy

PURPOSE

Jackson Beach (the “Facility”) was established primarily as a public facility to provide free outdoor recreation opportunities for both residents and visitors of San Juan Island. Certain areas of the facility have been developed with Washington State grant funds to support the free public boat launch and parking of vehicles and trailers, and per such grants any use that unduly interferes with public access to the grant funded improvements cannot be permitted.

The purpose of the Jackson Beach Use Policy is to assure fair and equitable access to the general public and allow access via a Business & Special Use permitting process for appropriate water dependent businesses and public event organizers who show intent to provide a diverse range of marine related activities to residents and visitors of San Juan Island. The Port will strive to serve as many different users and uses as possible within the confines of the available space and any restrictions imposed by the County and State.

HOURS OF USE

The Facility is generally available to all users during daylight hours only. The Facility is closed to the public between dusk and dawn. An approved use permit may designate specific days and or times the facility may be used for the permitted purpose(s). No items may be left overnight at the Facility unless approved by the Harbormaster.

CONDUCT

All persons shall conduct themselves in a civil manner consistent with all applicable laws and regulations, community standards and Port policies. Any persons or groups being disruptive or causing damage will be directed to leave and/or denied subsequent use of Port facilities in the Port’s sole discretion.

PETS

While on Port property at Jackson Beach, pets are subject to all sections of San Juan County Code chapter 6.08. Pet owners are responsible for controlling the behavior of their pet and cleaning up after them. The Port provides ‘mutt mitts’ throughout the facility for this express purpose. Pet wastes are a source of fecal contamination to the shores and waters of the Facility and all pet owners must dispose of these wastes properly in the provided trash receptacles.

PARKING

Parking during day use is allowed only in the vehicle pull-outs on a first-come first-served basis. Overnight parking is not permitted. Reserving or otherwise blocking spaces in any fashion is not permitted. No parking is permitted along the road or fence line.

Trailer parking is limited and allowed only in the designated trailer parking area on a first come first served basis. Trailers may not be parked in the day use parking areas, along the road or fence line. Overnight parking of trailers is allowed with a maximum duration of 72 hours. Vehicles and trailers that remain beyond 72 hours may be subject to ticketing and/or towing.

BOAT LAUNCH

The boat launch is available for use free of charge on a first come first served basis for the launching and retrieval of trailerable vessels. Users must be courteous of other users and limit time spent launching, retrieving, and tied up to the floats to less than 15 minutes.

CAMPING

No overnight camping of any fashion is allowed at the Facility.

CAMPFIRES / COOKING

Fires set for the purposes of cooking, warmth and general enjoyment, regardless of fuel source, shall be set only within the established steel fire rings and only when a burn ban is not in effect. Driftwood may be freely

collected from the beach for use in the steel fire rings only if retrievable by hand without the use of powered tools or equipment. No fires of any kind shall be set on the beach, driftwood piles, picnic, pavement or parking areas.

GARBAGE

The Port provides limited garbage receptacles at the Facility only for collection of refuse generated at the Facility by the general public in normal daily use. To preserve this free service going forward we ask that whenever possible all users please pack out their personal refuse from Port property and for proper disposal elsewhere.

The Port encourages users to collect any litter and debris found at the Facility including along the shoreline and within the driftwood piles for deposit at those same garbage receptacles as part of an effort to keep the Facility and environment clean.

All Use Permit Applicants are responsible for the removal and proper disposal of all refuse that they generate in their use of the Facility.

ADA COMPLIANCE

The Facility includes an ADA compliant public restroom but is otherwise not currently ADA complaint for access to the beach and picnic tables. Users with limited mobility should plan accordingly. By using the Facility, all persons shall hold the Port of Friday Harbor harmless and indemnify the Port against any and all claim, cause of action or judgment for violation of the ADA for which they may be responsible.

SMOKING / ALCOHOL / FIREWORKS

Smoking or vaping of any tobacco and/or cannabis products is not permitted in public spaces per RCW 70.160.030 and 69.50.445. Discharge of fireworks is not permitted per San Juan County Code 9.20.030.

Sale, handling, opening or consumption of alcohol is not permitted per RCW 66.44.100 with the exception of an approved use permit as provided herein to include a banquet permit approved and conspicuously displayed in accordance with WAC 314-18.

USE PERMITS

Special Use Permits allow the Port to schedule events to prevent conflicts, coordinate any necessary site preparations, provide personnel or facilities support (if necessary), and to avoid overuse or undesired impacts on public spaces. Reserving use of Port properties shall be on a first-come, first-served basis. Applications will be accepted up to twelve (12) months in advance. Submittal of an application does not guarantee availability or a reservation.

An approved Use Permit is required to reserve any Port property or facility for any event or gathering that involves more than visiting or routine use by the public at large. Special Use Permits are issued by the Port in its sole discretion based upon an evaluation of availability of Port properties and/or facilities as well as the nature and duration of the proposed use. Failure of the applicant to fully disclose intended use may result in immediate cancellation of any associated reservation(s) and denial of subsequent use.

The Port reserves the right to verify the activity of permittees on all Port properties.

PUBLIC EVENT USE POLICY

The Port will consider requests for the use of designated areas of Jackson Beach to host scheduled events or other gatherings which will be free and open to the general public when they don't overly restrict access by the general public to the facility or interfere with Port business operations. A fee may apply for a Public Event Use Permit per the Port's Fees & Charges Schedule.

PRIVATE EVENT USE POLICY

The Port will consider requests for the use of designated reservable areas of Jackson Beach to host private events or gatherings when they don't overly restrict access by the general public to the facility or interfere with Port business operations. A fee may apply for a Private Event Use Permit per the Port's Fees & Charges Schedule.

Private events may include consumption of alcohol in a designated area upon written consent from the Port. Permittees must obtain and conspicuously display a banquet permit from the Washington State Liquor Board and comply with the banquet permit requirements at all times alcohol is being consumed in the designated area.

BUSINESS USE POLICY

The Port will consider requests submitted by water-dependent businesses for the use of designated areas of Jackson Beach for business activity related uses. Only businesses using non-motorized craft such as sailing dinghies or human-powered craft such as kayaks, paddle boards, or canoes are allowed to do regular business at Jackson Beach and only between May 1st and September 30th in specified areas as designated per an approved Business Use Permit. The total number of permits issued each year will be limited to 5, with priority given to businesses which have previously operated from Jackson Beach and are in good standing with the Port.

Business Use Permittees must have a current Port parking permit displayed in the windshield of their business' vehicle(s) while parked at the facility and may only park vehicles and trailers where specifically designated by the Harbormaster. Regardless of posted signage, no overnight parking of business' vehicles and/or trailers is allowed unless prior approval has been provided in writing by the Harbormaster.

Business Use Permittees must provide and maintain current proof of insurance and current copies of all applicable State, Federal and County licenses for the proposed business on file with the Port. All businesses are required to report passenger activity as required by the Harbormaster.

Approved Business Use Permits shall not be issued until after Applicant remits all applicable fees as adopted by the Port Commission and published in the Port of Friday Harbor Schedule of Fees & Charges prior to their first use of the Facility under the approved permit. Failure to remit fees shall result in immediate termination of the permit.

APPLICATION

Applicant must complete and submit the attached Use Permit Application along with all required license and insurance documentation to:

- In person to the Port of Friday Harbor Administrative office, 204 Front St., Friday Harbor, WA 98250
- Via USPS to P.O. Box 889, FH, WA 98250
- Via email to contactus@portfridayharbor.org

All documents must be submitted to the Port at least 14 days prior to first planned use. Upon submittal, the Port will determine if the business or event Use Permit Application is suitable for the location requested. The Port will respond to the applicant within 10 business days of submission with an approval or denial by written confirmation to the email address provided on the Application.

USE PERMIT RENEWAL

All approved Jackson Beach Use Permits include a specific date, set of specific dates, start and end dates denoting a duration of use, or if for continual use by a business and not otherwise noted shall expire by default on December 31st of the year issued. Use Permits of a continual, recurring or annual nature do not automatically renew and therefore must be renewed if the Applicant intends to continue use of the Facility.

Business Use Applicants are required to contact the Harbormaster and submit a Use Agreement renewal prior to March 31st of each calendar year.

INSURANCE

All Use Permittees shall submit a valid and current certificate of general liability insurance for a minimum of \$1,000,000 coverage per incident and \$2,000,000 aggregate coverage listing "Port of Friday Harbor" as an additional insured party.

INDEMNIFICATION AND HOLD HARMLESS

The Use Permit Applicant agrees that it will defend (with legal counsel acceptable to Lessor), indemnify and hold

harmless the Port, its officers, employees and agents from any and all demands, claims, judgments or liability for loss or damage arising as a result of accidents, injuries or other occurrences on Port property, (i) occasioned by either the negligent or willful conduct of the Applicant, its agents, or any person or entity holding under the Lessee, or (ii) made by any person or entity on Port property as a result of Applicant's activity, regardless of who the injured party may be. This indemnification and hold harmless shall not apply to the extent the damages was caused by the gross negligence or willful misconduct of the Port.

TRANSFER

Use Permits may not be transferred to other than the named Applicant for any reason. If an event organizer or business owner changes a new application must be submitted.

SIGNS

No signs or advertisements are permitted at Jackson Beach. By request, a business approved to use the facility may have their web site and/or contact info listed on the Port's web site.

NOTICE OF CANCELLATION

The Port retains the right to cancel any Use Permit in the event of an emergency or for other Port requirements, as determined in the sole discretion of the Port's Executive Director. In the event a scheduled use must be canceled, the Port will provide the Permittee with as much notice as possible.

The Port requests 48 hours prior notice be given in the event of cancellation. Excepting in the case of an emergency, the Port will provide 7 days prior notice in the event that a special use permit must be cancelled and 30 days prior notice that a business use permit must be cancelled for reasons other than Applicant failing to comply with the terms herein.

TERMINATION

Any Jackson Beach Use Agreement may be terminated under the following conditions after review by Port staff:

1. Non-payment of any applicable fees.
2. Failure to maintain insurance requirements.
3. When a Permittee interferes with other Permittees' or the general public's use and enjoyment of the facility.
4. Failure to maintain registration permits to operate a business.
5. When a business proves not to operate in the public interest, or its services are substandard and become a detriment to the facility.
6. When the business places greater demands upon the Port staff than the Port can reasonably expect to support.
7. When a business or vessel violates Federal, State or Local laws or is improperly licensed or registered.

The Port or the business customer has the right to terminate the account with 5 days written notice.

PERIODIC REVIEW

The Port of Friday Harbor Commission may periodically review the Jackson Beach Use Policy. The Commission has the authority to change or update this policy as deemed necessary. It is the responsibility of business owners to review any changes to the policy.