

Section 300.5

Mooring and Anchoring of Houseboats and Floating Businesses

A. Definitions

1. Houseboat; a building constructed on a raft, barge, or hull that is used primarily for single- or multiple-family habitation; if used for transportation this use is secondary.
2. Floating business; a building constructed on a raft or hull that is represented as a place of business, including but not limited to waterborne hotels, restaurants, marinas or marina-related businesses.

B. Policies

1. The Council considers that placement of houseboats and floating businesses in tidal waters is a low-priority use of any coastal water body and is acceptable only in limited numbers and in specific areas. Houseboats and floating businesses are not classified as water-dependent, since it is not their primary purpose to serve as a means of on-water transportation or recreation.
2. When in transit, a houseboat or floating business is considered a boat or vessel and must meet all applicable state and Coast Guard standards and regulations.
3. A Council Assent for a floating business shall include a lease with the Council that shall be determined using fair market value lease rates for the adjacent upland value so that a proper evaluation of uses can be made.

C. Prohibitions

1. Houseboats and floating businesses are prohibited from berthing or mooring in coastal ponds (in accordance with G.L.R.I., 46-22-91) and in all Type 1 and 2 waters.
2. Houseboats are prohibited from mooring or anchoring in all other tidal waters of the state unless within the boundaries of a marina.
3. Floating businesses are prohibited from mooring or anchoring in the tidal waters of the state unless within the boundaries of a marina or a port.
4. Discharge of sanitary sewage to tidal waters from houseboats or floating businesses using marina or port facilities by devices other than approved by the Coast Guard is prohibited.

D. Additional Category B Requirements

1. Applicants for floating businesses shall (a) demonstrate that there will be no significant deterioration in the quality of the water in the immediate vicinity; (b) demonstrate that there will be no significant conflict with such water-dependent uses and activities as recreational boating, fishing, navigation, commerce, and aesthetic enjoyment of the waterfront; and (c) demonstrate that there will be no significant conflict with riparian rights or harbor lines.

E. Standards

1. Applicants for either houseboats or floating businesses shall meet all pertinent standards given in "Recreational Boating Facilities" (Section 300.4) under standards for residential docks, piers, and floats.
2. Houseboats and floating businesses shall tie into marina or port holding-tank pumpout facilities where available.