

COMOX VALLEY HARBOUR AUTHORITY

ACKNOWLEDGEMENT AND CONSENT FORM

I, _____ owner/operator of the fishing vessel

_____ CFV # _____

have read the Comox Valley Harbour Authority PUBLIC FISH SALES DIRECTIVE and agree to abide by the contents therein. I understand that moorage and fish sales are subject to compliance with this agreement.

Signature Date

Address

City Province Postal Code

Home Telephone Vending License Number

Boat Phone

Comox Valley Harbour Authority Representative Signature Date

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PUBLIC FISH SALES DIRECTIVE

I. PURPOSE

To provide a safe and efficient procedure to permit commercial fishing vessels to sell their own catch to the public (freshly caught, live, or frozen). Only bivalve shellfish will be sold at a land-based unit, under DFO Fish Inspection Regulations.

II. APPLICATION

This shall apply to all users of the Comox Valley Harbour Authority (CVHA) in both Comox and Courtenay, and includes all docks, unloading zones, and parking and causeway areas. All vessels and persons using these facilities are subject to all charges and orders set out by the Fishing and Recreational Harbours Act and Regulations and the CVHA.

III. REGULATING AUTHORITIES

A. Primary Regulating Authority:

1. The Fishing and Recreational Harbours Act and Regulations
2. The Comox Valley Harbour Authority

B. Other Regulating Authorities:

1. Federal
 - Department of Fisheries and Oceans
 - Industry Canada
 - Health and Welfare Canada
 - Royal Canadian Mounted Police
2. Provincial
 - Ministry of Agriculture and Fisheries
 - Ministry of Health
3. Municipal
 - City of Courtenay
 - Town of Comox

IV. QUALIFICATIONS FOR USE OF FACILITIES

1. All vessels shall have current DFO license(s) valid for species being sold. "D" licensed vessels do not qualify.
2. All vessels and land-based units must display a valid Provincial Fisherman's Vending License.
3. Animals shall not be permitted on or around fish sales vessels and land-based units.
4. For the purpose of this directive frozen fish is that which has been frozen on board a vessel with freezing equipment that meets the requirements set forth in the Department of Fisheries and Oceans Fish Inspection Regulations, Schedule III.

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V. CONDITIONS GOVERNING FISH SALES

1. Fish being offered for sale shall comply with all conditions set out by the Federal Food and Drugs Act.
2. Vessel owners must ensure that products offered for sale or sold are not tainted, decomposed, or unwholesome. These inedible products must be removed from the harbour area and **not** disposed of in the harbour water or in the CVHA garbage disposal units.
3. No advertising of any kind is permitted on the property or equipment of Comox Valley Harbour without the permission of the CVHA Harbour Manager.
4. Tainted, decomposed or unwholesome fish or fish offal shall not be disposed of in the harbour water or in the harbour garbage disposal units but rather shall be removed from the harbour area by the owner of such products.
5. Only freshly caught, live, or frozen fish shall be sold from a vessel. Only bivalve shellfish shall be sold at a land-based unit.
6. Only clean, new and nontoxic packaging (food grade) material shall be used for wrapping fish. **i.e. garbage bags are not permitted.**
7. Only clean potable water shall be used for washing down fish being offered for sale (not seawater).
8. No person shall sell or offer for sale frozen fish that has been thawed unless the products are marked as being “previously frozen”.
9. Display area for fish sales shall be covered and the vessel, land based units, containers and auxiliary equipment shall be maintained in a clean condition. Fresh fish offered for sale must be well iced.
10. Processed seafood, (i.e. smoked, dried, canned, steaked, etc.) shall not be offered for sale on the vessel itself, nor on CVHA property unless legal processing or inspection requirements have been met, and permission is granted by the CVHA.
11. No person shall sell products by weight without a scale approved for use in trade, which has been inspected by Industry Canada. (Vancouver Island inspector phone (250) 363-3747.)
12. Fishermen using facilities shall comply with requirements of all regulating authorities.
13. Crabs must be alive and held in clean water.
14. Product(s) offered for sale must be sold off the same vessel that harvested them, unless otherwise authorized by the Comox Valley Harbour Authority.
15. A sign showing hours open must be clearly visible to the public.
16. The CVHA reserves the right to inspect any vessel or its logbook for the purpose of verifying compliance with the above conditions.

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17. If upon request by a CVHA representative, a vendor cannot or will not provide the necessary documentation to verify the ownership and storage of the catch offered for sale, and proof on General Liability, the CVHA reserves the right to deny permission to the vendor to sell at CVHA property.
18. The Fish Seller shall hold the CVHA harmless from any damage, expense or liability to, in respect of any person, arising out of the Fish Seller's occupancy of the space or anything or matter connected with such occupancy or the activities of the fish Seller, his servants, agents of employees, in conjunction therewith, whether or not such activities shall occur in the space, the structure or elsewhere.

VI. PROCEDURES GOVERNING BERTHAGE AT SELLING FLOAT

1. Vessel berthage shall be in accordance with the Fishing and Recreational Harbours Act and Regulations, and CVHA policies, directives and procedures.
2. Vessel berthage at the Fish Selling Dock shall be on a first come, first serve basis. A "**Fish Selling Intentions List**" will be maintained by the Harbour Manager to facilitate the public and other fishermen to know what fish are planning to be offered for sale. This list is voluntary and **is not a reservation for any fish selling area**. In fairness to all vessels, only two listings on the Intentions List will be accepted at a time.
3. Vessels with fresh fish will be permitted to berth a maximum of **5 days** and vessels with frozen or live fish for a maximum of **7 days** at only one the two locations known as the Prime Spots. The Prime Spots are the first two tie-up locations the public comes to at the Selling Float, one on the left side and one on the right side. The selling vessel must move to give way to another vessel wishing to sell the same fish in a Prime Spot, longer if permission is given by CVHA.
4. Only vessels that are Day Fishing or actively unloading are permitted to berth at the Unloading & Day Fishing Area marked by yellow paint at the immediate right-hand side going down the Eastern ramp. Selling of fish other than that fished and sold on a daily basis is not permitted at this location.
5. FEES: All fishers wishing to engage in seafood or fish sales must pay a daily or annual fee to the CVHA. **The rates are Daily \$20, and Annual (until Dec. 31) \$400. There are no refunds in whole or in part in the event that the intended sales are not carried out.** The normal moorage fees are in addition to the above.
6. All complaints shall be coordinated and dealt with by CVHA personnel.

THIS DIRECTIVE DOES NOT IN ANY WAY SUPERSEDE ANY FEDERAL, PROVINCIAL, OR MUNICIPAL LEGISLATION.