

67.05 of this part and shall be of sufficient candlepower as to be visible at a distance of at least three nautical miles 90 percent of the nights of the year. The lights shall be displayed not less than 20 feet above mean high water, but not at a height greater than that specified in §67.05-1(f), except that on Class “B” structures which are required to be marked by only one light, that light may be displayed not less than 10 feet above mean high water if the structural features preclude mounting the light within the range of heights otherwise specified in this section.

(b) The District Commander may waive the requirement for obstruction lights on Class “B” structures if there is no hazard to navigation by so doing.

[CGFR 58-34, 23 FR 7701, Oct. 4, 1958, as amended by CGFR 62-32, 27 FR 10101, Oct. 13, 1962]

#### § 67.25-10 Sound signal.

(a) The owner of a Class “B” structure shall:

(1) Install a sound signal that has a rated range of at least one-half mile, except that the District Commander may—

(i) Prescribe a greater rated range, not to exceed 2 miles, under the provisions of paragraph (b) of this section; or

(ii) Exempt the structure from the requirements of this paragraph, under the provisions of paragraph (c) of this section;

(2) Operate the sound signal when the visibility in any direction is less than 3 miles, unless the District Commander establishes a greater or lesser distance of visibility, not to exceed 5 miles, under the provisions of paragraph (b) or (c) of this section.

(b) The owner of a Class “B” structure shall install a sound signal with a greater rated range or operate it at times of greater visibility than required in paragraph (a) of this section if:

(1) The structure is erected on or adjacent to the edge of a:

(i) Navigable channel;

(ii) Fairway; or

(iii) Line of demarcation; and

(2) The District Commander decides a greater range or operation of the sound

signal at times of greater visibility is necessary for the safety of marine commerce.

(c) The District Commander may waive or relax the provisions of paragraph (a) of this section, if he or she finds that a structure is:

(1) So close to other structures and so enveloped by the sound signals on other structures that it is not a hazard to navigation; or

(2) So located in a shoal area that it is not a hazard to navigation.

[CGD 72-74R, 37 FR 13513, July 8, 1972, as amended by USCG-2001-10714, 69 FR 24983, 24984, May 5, 2004]

### Subpart 67.30—Class “C” Requirements

#### § 67.30-1 Class “C” structures.

Class “C” structures shall be the structures erected in an area where Class “C” requirements must be met.

#### § 67.30-5 Obstruction lights.

(a) The obstruction lights shall be white or red lights as prescribed in Subpart 67.05 of this part and shall be of sufficient candlepower as to be visible at a distance of at least one nautical mile 90 percent of the nights of the year. The lights shall be displayed at such height, above mean high water, as shall be prescribed by the District Commander. When the District Commander shall authorize red lights to mark a Class “C” structure, the color thereof shall conform to the shade of red prescribed in Military Specification Mil-C-25050 (ASG), Type 1, Grade D. A copy of the specification may be obtained from the Commanding Officer, Document Automation and Production Service, 700 Robbins Avenue, Building 4, Section D, Philadelphia, PA 19111-5091.

(b) When Class “C” structures are erected in close proximity to each other, or are connected in such a manner as to prevent marine traffic from passing freely through the field, obstruction lights may be authorized to mark the perimeter structures only, when in the judgment of the District Commander the group of structures which are equipped with obstruction

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lights are so arranged that the particular structures are protected to the degree required by this part, and are not a hazard to navigation.

(c) Unless advised to the contrary by the District Commander, obstruction lights shall be required on Class "C" structures erected in depths of water greater than 3 feet at mean low water.

(d) In cases where, although not required, an applicant desires to establish and operate obstruction lights, a permit therefor shall be granted, at the discretion of the District Commander: *Provided*, That the lights meet the requirements set forth in this part.

[CGFR 58-34, 23 FR 7701, Oct. 4, 1958, as amended by CGFR 68-95, 33 FR 15285, Oct. 15, 1968; USCG-2001-10714, 69 FR 24983, 24984, May 5, 2004]

## § 67.30-10 Sound signals.

(a) The owner of a Class "C" structure shall install a sound signal if:

(1) The structure is erected on or adjacent to the edge of a:

- (i) Navigable channel;
- (ii) Fairways; or
- (iii) Line of demarcation; and

(2) The District Commander decides it is necessary for the safety of marine commerce.

(b) Sound signals required by paragraph (a) of this section must have rated range of at least one-half mile, unless the District Commander prescribes a greater rated range, not to exceed 2 miles.

(c) The owner of the structure shall operate the sound signal required by paragraph (a) of this section whenever the visibility in any direction is less than 3 miles, unless the District Commander establishes a greater or lesser distance of visibility, not to exceed 5 miles.

(d) Class "C" structures may have sound signals if:

(1) Authorized by the District Commander under the provisions of Subpart 66.01 of this subchapter; and

(2) The sound signal meets the requirements of § 67.10-1 (a) and (b).

[CGD 72-74R, 37 FR 13513, July 8, 1972]

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### Subpart 67.35—Applications

#### § 67.35-1 Procedure.

(a) An application, on Coast Guard forms which will be provided by the District Commander upon request, shall be submitted for each private aid to navigation for which a permit is required to establish, operate, move, change or discontinue, except as modified in this subpart.

(b) An application on the prescribed form shall be submitted to the District Commander for each structure to be equipped with obstruction lights and/or sound signals if the structure is to remain in place six months or more. An application may be made by letter for each structure to be so equipped if the structure is to remain in place less than six months.

(c) One application form only shall be submitted to the District Commander to cover a group of unlighted buoys or daybeacons.

#### § 67.35-5 Contents of application.

(a) All applicable items of the prescribed forms shall be completed. A brief descriptive print of the structure or aid to navigation involved shall be furnished with the application, together with a location plat or chart section. When Lambert coordinates are used to plot the position of the aid, the plat or chart shall be annotated to show latitude and longitude of the proposed aid to navigation, except when the position has been described by reference to one or more horizontal angles, or by the bearing and distance from a charted landmark.

(b) Each application shall have appended to it a list showing the type, model, name and address of the manufacturer of the lighting apparatus and sound signal equipment to be used.

(c) Each application shall always specify the date the proposals contained therein are desired to be effective, and approval thereof must be obtained before the proposed action is undertaken.

#### § 67.35-10 Private aids to navigation.

See § 67.15-10(b) for review of applications respecting private aids to navigation for spoil banks, artificial islands and dredged channels.