A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Amendments of Title 05, Chapter 20
Docks and Harbors Small Boat Harbor Fees and Charges

Amendments of Title 05, Chapter 25
Statter Harbor Management Regulations

Amendments of Title 05, Chapter 40
Small Boat Harbor Moorage Management Regulations

Pursuant to authority granted by the Assembly of the City and Borough of Juneau, the Docks and Harbors Board hereby adopts the following regulations:

Section 1. Authority. These regulations are adopted pursuant to CBJ 01.60 and CBJ 85.02.100.

Section 2. Adoption of Regulations. The City and Borough of Juneau Administrative Code is amended by the repeal and adoption of a regulations in Title 05, Chapters 20, 25, and 40 as follows:

Repeal 05 CBJAC 50.030(e) and readopt as follows:

(e) From May 1 to September 30, dockage for all vessels, except fishing vessels, will be assessed for each 24-hour period or portion thereof as follows:

(1) $1.50 per foot for vessels less than 65 feet in length overall;
(2) $2.50 per foot for vessels with a length overall from 65 feet up to 200 feet;
and
(3) $3.00 per foot for vessels greater than or equal to 200 feet in length overall.

Repeal 05 CBJAC 15.030(g) and readopt as follows:

(g) From October 1 to April 30, dockage will be assessed as set out in 05 CBJAC 20.030 and 05 CBJAC 20.040.

Repeal 05 CBJAC 20.010(c) and readopt as follows:

Repeal 05 CBJAC 20.010(c) and readopt as follows:

Regulation of Docks and Harbors
Chapters 15, 20, 25, and 40
Effective Date. These regulations take effect on July 1, 2007.

Adopt a new subsection (p) to 05 CBJAC 20.010 reading:

(p) Assigned Moorage Fees. Except as noted in 05 CBJAC 20.020, the owner of a vessel may pay the daily or monthly moorage fee in accordance with this chapter for moorage that is assigned by the Harbormaster as set out in 05 CBJAC 25, 35, and 40. If the owner fails to pay by the due date shown on an invoice for the moorage assignment, the Harbormaster shall forfeit the moorage assignment, notify the owner, and require the owner to move the vessel from the assigned moorage space within 72 hours of notice. If the owner does not move the vessel from the assigned space, the Harbormaster is authorized to move the vessel from the assigned space in accordance with CBJ Ordinance Title 85.

Repeal 05 CBJAC 20.020 and readopt as follows:

05 CBJAC 20.020 Special Annual Moorage Fee for Skiffs. An owner with an open-hulled vessel 21 feet or less in length, excluding engines, may apply to the Harbormaster for moorage in the limited access areas of the small boat harbors. The Harbormaster will assign moorage in these areas on a first-come, first serve basis. If assigned moorage by the Harbormaster, all requirements pertaining to assigned moorage apply, except the annual moorage fee the owner shall pay:

(1) $500, from July 1, 2007 through June 30, 2008; and

(2) Each moorage year after June 30, 2008, a fee equal to the previous year’s fee adjusted by the Anchorage Consumer Price Index as reported by the Alaska Department of Labor for the calendar year preceding the start of the moorage year, rounded to the nearest five dollars.

Repeal 05 CBJAC 20.025 Assigned Moorage for DeHart’s Marina and readopt as follows:

05 CBJAC 25.025 Assigned Moorage Credit.

(a) Definition. A fee credit applied to the account of a person with a moorage assignment that makes their private shorepower connection available for temporary moorage assignments.

(b) Administration. Once each year, the Harbormaster shall issue a credit memo to the account of a person with a moorage assignment that makes their private shorepower
available for temporary moorage assignments. The credit shall equal $1 for each day that the Harbormaster uses their stall for a temporary moorage assignment and the temporary moorage assignee uses the private shorepower connection. The credit is redeemable only against docks and harbors charges levied against the account of the moorage assignee.

Repeal 05 CBJ AC 20.030 and readopt as follows:

05 CBJAC 20.030 Daily Moorage Fees.

(a) **Definition.** The fee charged to the owner of a vessel for berthing the vessel at the Douglas Boat Harbor, Harris Boat Harbor, Aurora Boat Basin, Norway Point Float, National Guard Float, Fisherman’s Terminal, Statter Harbor, DeHart’s Marina and moorage appurtenant thereto on a daily basis.

(b) **Payment Deadline.** The owner of a vessel must register with the Docks and Harbors Department as soon as possible after arriving in the harbor system. The owner shall pay the daily moorage fees for the expected stay when registering.

(c) **Daily Moorage Period.** The period of time for which daily moorage will be assessed shall commence when the vessel is made fast to an allocated berth or moored, comes within a slip and shall continue until such vessel casts off and has vacated the position allocated. All time is counted and no deductions are allowed because of weather or other conditions. The Harbormaster may establish check-in and check-out times to administer the daily moorage period.

(d) **Daily Moorage Fees.** Daily moorage fees will be assessed for each 24 hour period or portion thereof as follows:

(1) From July 1, 2007 through June 30, 2008, $0.45 per foot; and

(2) Each moorage year after June 30, 2008, a fee equal to previous year’s fee adjusted by the Anchorage Consumer Price Index as reported by the Alaska Department of Labor for the calendar year preceding the start of the moorage year, rounded to the nearest five cents.

Repeal 05 CBJAC 20.040 and readopt as follows:

05 CBJAC 20.040 Downtown Monthly Moorage Fees.

(a) **Definition.** The fee charged to the owner of a vessel for berthing the vessel at the Douglas Boat Harbor, Harris Boat Harbor, Aurora Boat Basin, Norway Point Float,
National Guard Float, Fisherman’s Terminal, and moorage appurtenant thereto on a monthly basis.

(b) **Monthly Moorage Period.** Monthly moorage will be assessed on a calendar month basis.

(c) **Payment Deadline.** Monthly moorage fees must be paid in advance before the first day of the calendar month for which the owner is obtaining moorage, unless the owner agrees to be billed on a recurring monthly basis and the Department establishes an account for the owner. An owner that does not or cannot pay the monthly moorage fee will be assessed a daily moorage fee in accordance with this regulation.

(d) **Monthly Moorage Fees.** Monthly moorage fees will be assessed for each calendar month or portion thereof as follows:

(1) From July 1, 2007 to June 30, 2008, $3.60 per foot; and

(2) Each moorage year after June 30, 2008, a fee equal to the previous year’s fee adjusted by the Anchorage Consumer Price Index as reported by the Alaska Department of Labor for the calendar year preceding the moorage year, rounded to the nearest five cents.

Adopt a New Section 05 CBJAC 20.041 reading:

05 CBJAC 20.040 Auke Bay Monthly Moorage Fees.

(a) **Definition.** The fee charged to the owner of a vessel for berthing the vessel at the Statter Boat Harbor and DeHart’s Marina, and moorage appurtenant thereto on a monthly basis.

(b) **Monthly Moorage Period.** Monthly moorage will be assessed on a calendar month basis.

(c) **Payment Deadline.** Monthly moorage fees must be paid in advance before the first day of the calendar month for which the owner is obtaining moorage, unless the owner agrees to be billed on a recurring monthly basis and the Department establishes an account for the owner. An owner that does not or cannot pay the monthly moorage fee will be assessed a daily moorage fee in accordance with this regulation.

(d) **Monthly Moorage Fees.** Monthly moorage fees will be assessed for each calendar month or portion thereof as follows:

(1) From July 1, 2007 to June 30, 2008, $6.00 per foot; and
(2) Each moorage year after June 30, 2008, a fee equal to the previous year’s fee adjusted by the Anchorage Consumer Price Index as reported by the Alaska Department of Labor for the calendar year preceding the moorage year, rounded to the nearest five cents.

Adopt a New Section 05 CBJAC 25.042 reading:

**05 CBJAC 25.041 Monthly Pre-Paid Discounts.** An owner that pays twelve months of monthly moorage in advance will receive a 5 per cent discount off twelve-month moorage fee.

Repeal 05 CBJAC 25.060 Summer management and readopt as follows:

**05 CBJAC 25.060 Summer Management.**

Except for a loading zone, from May 1 through September 30 each year, a vessel may moor at the facility, including the breakwater, for up to ten consecutive calendar days, after which the vessel must clear the facility for at least six consecutive hours. Unless directed otherwise by the Harbormaster in accordance with procedures established under this regulation, all moorage during this period shall be on a first-come, first-serve basis.

Repeal 05 CBJAC 25.070 Winter management daily moorage zone and readopt as follows:

**05 CBJAC 25.070 Daily Moorage Zones.**

The Harbormaster shall have the discretion to establish a daily moorage zone within the facility at any time of year. The Harbormaster shall assess the daily moorage fee as set out in 05 CBJAC 20.030 to each owner mooring a vessel in the daily zone. The daily moorage zone is intended for active vessels and, unless directed by the harbormaster in accordance with written procedures established under this regulation, is available on a first-come, first-serve basis.

Repeal 05 CBJAC 25.080 Winter management monthly moorage zone and readopt as follows:

**05 CBJAC 25.080 Winter Management.**

(a) From October 1 through April 30 each year, the Harbormaster may assign moorage to vessels for all or part of this period. Moorage will be assigned as follows:
(1) During the month of August each year, a person wishing to obtain a moorage assignment may apply on an application from provided by the Harbormaster. The person shall submit a $100 application fee, refundable if the person does not receive a moorage assignment and creditable towards docks and harbor department charges;

(2) During the month of September each year, the Harbormaster shall assign moorage by lottery until all of the designated space is assigned or all of the applications are processed.

(3) After assigning moorage by lottery, the Harbormaster may assign moorage if space is available at the facility.

(b) No person, other than the moorage assignee, shall moor in an assigned space without Harbormaster approval. Moorage assignments under this section will terminate if the assignee does not pay fees on a timely basis. Moorage assignees shall notify the Harbormaster of departure and arrival times as required by 05 CBJAC 40.020(d).

Repeal 05 CBJAC 25.090.

Adopt a new subsection (h) to 05 CBJAC 40.010 reading:

(h) **Moorage Payments.** Except as noted in 05 CBJAC 20.020, the owner of a vessel may pay the daily or monthly moorage fee for moorage that is assigned by the Harbormaster as set out in 05 CBJAC 25, 35, and 40. If the owner fails to pay by the due date shown on an invoice for the moorage assignment, the Harbormaster shall forfeit the moorage assignment, notify the owner, and require the owner to move the vessel from the assigned moorage space within 72 hours of notice. If the owner does not move the vessel from the assigned space, the Harbormaster is authorized to move the vessel from the assigned space in accordance with CBJ Ordinance Title 85.

**Section 3. Notice of Proposed Adoption of a Regulation.** The notice requirements of CBJ 01.60.200 were followed by the agency. The notice period began on January 14, 2005, which is not less than 21 days before the date of adoption of these regulations as set forth below.

**Adoption by Agency**

After considering all relevant matter presented to it, the agency hereby amends these regulations as set forth above. The agency will next seek Assembly review and approval.
Legal Review

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJ 01.60.250:

(1) Its consistency with federal and state law and with the charter, code, and other municipal regulations;
(2) The existence of code authority and the correctness of the required citation of code authority following each section; and
(3) Its clarity, simplicity of expression, and absence of possibility of misapplication.

Date: __________________________

John W. Hartle
City Attorney

Assembly Review

These regulations were presented to the Assembly at its meeting of ____________. They were adopted by the Assembly.

Date: __________________________

Laurie J. Sica, Clerk

Filing with Clerk

I certify, as the clerk of the City and Borough of Juneau, that the following statements are true:

1. These regulations were accepted for filing by the office of the clerk at ___:___ a.m./p.m. on the ____ day of ________________, ________.
2. After signing I will immediately deliver or cause to be delivered copies of this regulation to the attorney and the director of libraries.
3. A permanent file of the signed originals of these regulations will be maintained in this office for public inspection.
4. Effective date: _________________________________.

Date: __________________________

Laurie J. Sica, Clerk