Under the authority of CBJ Ordinance Titles 1 and 85, the Docks and Harbors Board is proposing regulations that will require owners of vessels obtaining long-term moorage in the small boat harbor system to provide proof of vessel insurance or, in the alternate, pay a moorage surcharge of $0.25 per foot of vessel length per month.

During the past few years, several vessels have sunk while moored in the CBJ small boat harbor system. In each case, the vessel was not insured. After sinking, the owners abandoned their vessels. This required the Board to undertake and finance salvage and demolition activities. Since the Board was unable to recover costs from the owners, the Board distributed these costs to patrons through higher harbor fees. The Board believes that a more equitable way to manage these events is to require uninsured boaters to pay a moorage surcharge that can be used to fund the salvage and demolition costs associated with abandoned vessels.

The Board is accepting written comments on the proposed regulation until August 31, 2006. Mail comments to the Port Director’s Office at 155 S. Seward Street, Juneau, Alaska, 99801, fax them to (907) 586-0295, or hand-deliver them to one of the Docks and Harbor Department Offices.

The Board is holding two public hearings.

- August 22, 2006 at 500 PM in the Aurora Harbor Office
- August 31, 2006 at 700 PM in the Assembly Chambers at City Hall.

The Board is expecting to take final action on the regulation at the August 31, 2006 meeting immediately after the public hearing. This action is not expected to cause an increased appropriation by the municipality.

Please call me at 586-0294 if you have questions.

Attachment
A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Adoption of Amendments to Title 05, Chapter 40
Docks and Harbors 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 is Proposing to Adopt the Following Amendments to Regulations:

Section 1. Authority. These regulations are adopted pursuant to CBJ 01.60 and CBJ 85.02.060 and 85.20.010.

Section 2. Adoption of Regulations. The City and Borough of Juneau Administrative Code is amended by the adoption of a new subsection in Title 05, Chapter 40 reading:

City and Borough of Juneau Administrative Code
Title 05: Docks and Harbors
Chapter 40: Small Boat Harbor Moorage Management Regulations

05 CBJAC 40.010 General Moorage Management Policy.

(g) Vessel Insurance Requirements. Prior to obtaining a moorage assignment pursuant to 05 CBJAC 40.035, 050, 055, or 065, the owner of a vessel must

(1) provide the Harbormaster with a copy of a current broker’s certificate of marine insurance showing, at a minimum, the owner’s name, information identifying the vessel, and the dates of insurance coverage; or

(2) pay a non-refundable moorage surcharge $0.25 per foot per month.

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 June 30, 2006, 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.

Date: September 1, 2005

John M. Stone, P.E.
Port Director

Regulations of Docks and Harbors
Small Boat Harbors Moorage Management Regulations
05 CBJAC 40.010-065
Legal Review

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

(1) 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; and
(3) 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 approved by the Assembly in accordance with CBJ 01.60.260.

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