

POSSIBLE MOTION

I MOVE TO approve Ordinance 2010-26 on
second and final reading.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2010-26

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING
SITKA GENERAL CODE SECTION 13.06.010, ENTITLED "MOORAGE
CHARGES AND FEES," FOR CLERICAL AND CONSISTENCY PURPOSES
REGARDING PERMANENT AND WAIT LIST MOORAGE RATES

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code ("SGC").

2. **SEVERABILITY.** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

3. **PURPOSE.** The purpose of this ordinance is to make clerical and consistency amendments to "SGC" 13.06.010, entitled "Moorage Charges and Fees," regarding the fee schedule for permanent and waitlist moorage. SGC 13.06.010A is being amended to incorporate the edits made by Ordinance No. 2006-15, making the permanent moorage rate \$1.90/ft., and striking the superfluous reference to a change in rates as of October 1, 2006. SGC 13.06.010E is being amended to correct an error when Ordinance No. 2006-15 was passed, making the permanent and wait list moorage rates the same. The same moorage rates were and are suppose to apply to a permanent and a wait list moorage. However, when SGC 13.06.010A was amended in Ordinance No. 2006-15 to raise the permanent moorage rate by \$.15 on October 1, 2006, the comparable edit to SGC 13.06.010E was not made, but has been applied to such moorage. This ordinance simply corrects a clerical error and provides consistent rates that are to be applied to permanent and wait list moorage.

4. **ENACTMENT.** **NOW, THEREFORE, BE IT ENACTED** by the Assembly of the City and Borough of Sitka that SGC 13.06.010A. and E. are amended as follows (new language underlined; deleted language stricken):

13.06.010 Moorage charges and fees.

There is established, determined, and levied upon all vessels and waterborne structures moored, tied to, or in any other way attached by rope, cable, gangplank or other means to any float, piling, dock, mooring buoy or other harbor improvement which is owned, constructed, maintained or operated by the city and borough of Sitka, a rental charge for the privilege and use of such facilities. The charges and fees set forth in this section shall be reviewed annually by the port and

45 harbors commission in the month of January. The administrator and municipal
46 clerk shall each be responsible for ensuring that such review is put as an item on
47 the commission's agenda for a meeting in January of each year. The rental charges
48 for each vessel or waterborne structure will be imposed and levied upon and
49 collected from the owners, operators, or masters of all such vessels and waterborne
50 structures at the following monthly rates according to the classification set forth in
51 the following schedule:

52 A. Permanent Moorage. One dollar and ninety ~~seventy-five~~ cents per foot
53 per month (or portion thereof) of overall vessel length, or stall length,
54 whichever is greater, payable in advance quarterly, semiannually or
55 annually, but not to exceed one year. ~~The permanent moorage charge will~~
56 ~~increase by fifteen cents per foot per month on October 1, 2006.~~

57 * * *

58 E. Vessels on the wait list shall be charged one dollar and ninety ~~seventy-~~
59 ~~five~~ cents per foot (or portion thereof) of the overall vessel length, per
60 month, payable in advance, quarterly. Payments will be nonrefundable. If
61 a person is delinquent in the payment of moorage for more than thirty
62 days, the vessel will be removed from the wait list and returned to regular
63 transient status.

64 * * *

65
66 5. **EFFECTIVE DATE.** This ordinance shall become effective on the day
67 after the date of its passage.

68
69 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and
70 Borough of Sitka, Alaska this 26th day of October, 2010.

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72
73 _____
Mayor

74 **ATTEST:**
75
76 _____
77 Colleen Ingman, MMC
78 Municipal Clerk

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2006-15

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING SITKA GENERAL CODE SECTION 13.06.010A ENTITLED "MOORAGE CHARGES AND FEES," TO INCREASE PERMANENT MOORAGE CHARGES

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code.

2. **SEVERABILITY.** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

3. **PURPOSE.** This ordinance will increase permanent moorage charges for use of the Sitka harbor system to assist in financing replacement of Old Thomsen Harbor, meeting future maintenance requirements, preparing for the future replacement of ANB Harbor, and to support the Sitka Port Facility. This ordinance has been recommended and approved by the Port and Harbors Commission.

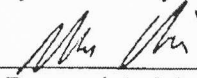
4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that Sitka General Code 13.06.010 shall be amended as follows (new language underlined; deleted language stricken):

13.06.010 Moorage charges and fees.

A. Permanent Moorage. One dollar and seventy-five cents (\$1.75) per foot per month (or portion thereof) of overall vessel length, or stall length, whichever is greater, payable in advance quarterly, semiannually or annually, but not to exceed one year. The permanent moorage charge will increase by fifteen cents (\$.15) per foot per month ^{beginning on} ~~starting in~~ October 1, 2006.

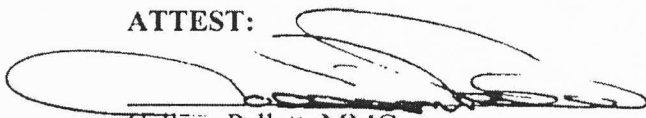
5. **EFFECTIVE DATE.** This ordinance shall become effective on the day after the date of its passage.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 9th day of May, 2006.



Marko Dapcevich, Mayor

ATTEST:



Collen Pellett, MMC
Municipal Clerk

¹ This ordinance was corrected in 2009. An amendment was made and passed that was not reflected in the original transmittal.

Chapter 13.06 CHARGES/FEES

Sections:

- 13.06.010 Moorage charges and fees.
- 13.06.020 Review of charges.
- 13.06.030 Nonpayment.
- 13.06.040 Unpaid stalls.

13.06.010 Moorage charges and fees.

There is established, determined, and levied upon all vessels and waterborne structures moored, tied to, or in any other way attached by rope, cable, gangplank or other means to any float, piling, dock, mooring buoy or other harbor improvement which is owned, constructed, maintained or operated by the city and borough of Sitka, a rental charge for the privilege and use of such facilities. The charges and fees set forth in this section shall be reviewed annually by the port and harbors commission in the month of January. The administrator and municipal clerk shall each be responsible for ensuring that such review is put as an item on the commission's agenda for a meeting in January of each year. The rental charges for each vessel or waterborne structure will be imposed and levied upon and collected from the owners, operators, or masters of all such vessels and waterborne structures at the following monthly rates according to the classification set forth in the following schedule:

- A. Permanent Moorage. One dollar and seventy-five cents per foot per month (or portion thereof) of overall vessel length, or stall length, whichever is greater, payable in advance quarterly, semiannually or annually, but not to exceed one year. The permanent moorage charge will increase by fifteen cents per foot per month on October 1, 2006.
- B. Transient Moorage. Vessels below eighty-one feet in length will be charged at a rate of thirty-five cents per foot per day. If billing is required, the moorage fee will be seventy cents per foot per day. The rate per foot for vessels eighty-one feet to one hundred fifty feet in length will be sixty cents per foot per day. If billing is required, the moorage fee will be one dollar and twenty cents per foot per day. The rate for any vessel greater than one hundred fifty feet in length will be ninety cents per foot per day. If billing is required, the moorage fee will be one dollar and eighty cents per foot per day. In any event, moorage is calculated by overall vessel length. All bills must be paid in advance or prior to departure and by month's end.
- C. Liveaboard Vessels. Liveaboard vessels will pay the regular monthly mooring fee. In addition, they will pay the minimum residential user's fees for garbage, water, and sewer on a monthly basis.
- D. Monthly Transient Permits. For vessels up to one hundred fifty feet in length the monthly permit fee will be assessed at a rate of six dollars per foot of overall length. For vessels one hundred fifty-one feet and longer the monthly permit fee will be assessed at a rate of nine dollars per foot of overall length. Each additional month of moorage will be collected in advance and will not be refundable should the vessel leave the community

prior to the end of the thirty-day period.

E. Vessels on the wait list shall be charged one dollar and seventy-five cents per foot (or portion thereof) of the overall vessel length, per month, payable in advance, quarterly. Payments will be nonrefundable. If a person is delinquent in the payment of moorage for more than thirty days, the vessel will be removed from the wait list and returned to regular transient status.

F. Transient Electricity. The fee for using an electrical meter other than a meter in the vessel owner's name will be five dollars per day for thirty amp service. For fifty amp service and above, the fee will be as follows: a ten-dollar in and ten-dollar out meter reading fee plus the cost of the electricity used.

G. Tour Ship Lightering Fees. The fee for the use of the lightering floats will be:

1. Six hundred and sixty dollars per ship, per day for the 2006 through 2009 seasons.
2. Future lightering fees will be negotiated prior to the 2010 season.

H. Airplane Float Fees. Fees will be fifty dollars per month for aircraft mooring at the airplane float. A transient aircraft fee of five dollars per day or a thirty-day permit for one hundred dollars will be assessed. It is unlawful for any boat to moor at, or in any way obstruct, the airplane float.

1. The fee for use of the floatplane facility (airplane float) by commercial aircraft is two hundred dollars per year. This fee shall be in addition to the fee for use of the airplane float for aircraft mooring set out in this subsection.

I. Summer Recreational Vehicle/Boat Trailer Parking Fee. The rate is twenty dollars plus sales tax per calendar day per stall.

J. Winter Recreational Vehicle/Boat Trailer Park Storage Fees. The rates are as follows for winter storage (October 1st through March 31st) at Sealing Cove recreational vehicle/boat trailer park, based on the overall length of the recreational vehicle, boat trailer, or motor vehicle:

1. Daily rate of fifteen cents per foot per day;
2. Monthly rate of three dollars and ten cents per foot per month;
3. Winter seasonal rate (October 1st through March 31st) of sixteen dollars per foot;
4. A two hundred dollar deposit will be collected before any vehicle is stored, to be refunded whenever the vehicle is moved out.

K. Grid Fee. The fee for use of the harbor grid is ten dollars per day per vessel.

L. Launch Ramp Fees. The fee for the use of a launch ramp is as follows:

1. Daily rate of ten dollars per day; or
2. Annual rate of seventy-five dollars per year for an annual permit.

(Ord. 07-01 § 4 (part), 2007; Ord. 06-15 § 4, 2006; Ord. 06-10 (A-1) § 4(A), 2006; Ord. 05-12 § 4(A), 2005; Ord. 04-21 § 4 (part), 2004; Ord. 03-1726 § 4, 2003; Ord. 02-1708 § 4, 2003; Ord. 00-1569 § 4, 2000; Ord. 99-1552 § 4, 1999; Ord. 99-1531 §§ 4A-4E, 1999; Ord. 96-1394 § 4 (part), 1996; Ord. 96-1366 § 4 (part), 1996.)
