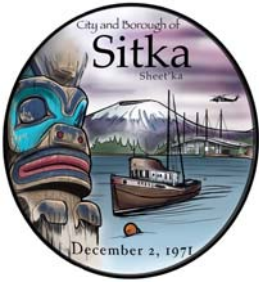


Previous memo, ordinance, and meeting minutes:




City and Borough of Sitka

PROVIDING FOR TODAY...PREPARING FOR TOMORROW

Coast Guard City, USA

MEMORANDUM

To: Mayor Eisenbeisz and Assembly Members

Thru: John Leach, Municipal Administrator 

From: Stan Eliason

Date: May 18, 2021

Subject: Amending Title 13 by updating Chapter 13.10 Float Regulations

Background

The Sealing Cove launch ramp and trailer parking lot were constructed along with Sealing Cove Harbor in 1985. The Crescent Harbor launch ramp was constructed from the State of Alaska Department of Transportation original design in 1965. The City and Borough of Sitka (CBS) manages both launch ramp locations. The Sealing Cove launch ramp and trailer parking lot were built for the sole purpose of recreational boating access.

CBS staff has identified that repeat offenders will often leave their detached trailer, or boat on trailer, at the Sealing Cove launch area for more than the permitted 3- and 10-day parking, Sitka General Code (SGC) 13.10.046 and 13.10.185.

Analysis

Continued disregard and non-compliance with current SGC sections 13.10.046 and 13.10.185 has led the Harbor Department, in conjunction with the Police Department, to revise these SGC sections. The intent of this change is to increase continued usage and reduce repeat offenders. This is intended to increase compliance in the CBS launch ramp locations and to ease the congestion of these areas, especially during the summer boating season.

Fiscal Note

While there is the potential that this change may generate a small, but undetermined increase in revenue, the primary purpose of the change is to improve compliance with parking regulations.

Recommendation

Pass the ordinance as written to increase consistency with ramp launch regulations.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2021-15A

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING TITLE 13 “PORT AND HARBORS” OF THE SITKA GENERAL CODE BY UPDATING CHAPTER 13.10 “FLOAT REGULATIONS” (*boat launch ramps at Sealing Cove/Crescent Harbor*)

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. The purpose of this ordinance is to revise administrative procedures for boat trailer overnight parking violations, with the intent to reduce congestion, incentivize compliance and ease enforcement.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the Sitka General Code Title 13, entitled “Ports and Harbor”, be amended by updating Chapter 13.10, entitled “Float Regulations”, to read as follows (deleted language stricken, new language underlined):

**Title13
PORTS AND HARBORS**

Chapters:

- 13.02 General Provisions**
- 13.04 Definitions**
- 13.06 Charges/Fees**
- 13.07 Harbor Use Privileges and Prohibitions**
- 13.08 Reserved Moorage Stalls**
- 13.09 Anchoring**
- 13.10 Float Regulations**

* * *

**Chapter 13.10
FLOAT REGULATIONS**

Sections:

* * *

13.10.046 Boat launch ramp and trailer parking.

* * *

~~**13.10.185 Sealing Cove boat trailer area.**~~

* * *

13.10.046 Boat launch ramp and trailer parking.

A. The city and borough boat launch facility facilities shall be open to the public. It is unlawful to block access to either of the boat launch ramps at Sealing Cove or Crescent Harbor.

B. ~~Short term parking is available for trailers. There is also a Sealing Cove, ‡Three-day, and a ten-day area—overnight parking is available for trailers.~~ No vessel on trailer, is permitted to park overnight without a written permit issued by the harbor department.

C. Crescent Harbor. No overnight parking is permitted for trailers. Parking is only permitted for personal use in designated areas for designated time periods. No commercial use is permitted without a written permit issued by the harbor department.

D. The harbor department, as well as the police department, will issue citations and impound trailers that are parked in violation of this section or exceed the a three-day or ten-day overnight parking permit time limit. The fine schedule shall be as specified in section 11.40.170(D)(4) for parking violations in harbor areas. Violations of this section are subject to the procedures set forth in section 11.40.175.

* * *

~~13.10.185 Sealing Cove boat trailer area.~~

~~Parking of boat trailers in the Sealing Cove boat trailer area is limited to ten days. Changing parking stalls in the parking area shall not initiate a new ten-day period. A trailer must be removed from the parking lot for forty-eight hours before another ten days of parking may be allowed. Penalties for violation of this section are specified in Section 11.40.170(D)(4) for overtime parking.~~

* * *

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

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska, this 13th day of July, 2021.

Steven Eisenbeisz, Mayor

ATTEST:

Jessica Earnshaw
Acting Municipal Clerk

1st reading: 6/8/2021

1st reading as amended: 6/22/2021

2nd and final reading: 7/13/2021

Sponsor: Administrator

F [ORD 21-15A](#)

Amending Title 13 "Port and Harbors" of the Sitka General Code by updating Chapter 13.10 "Float Regulations" (boat launch ramp parking at Sealing Cove/Crescent Harbor) 1st reading as amended

John Dunlap commented the main intent of the ordinance was to manage boat trailers at harbors, however, as written, would force his business to cease operating due to limitations for trailer parking during the day. Richard Wein wondered of enforcement and unintended consequences.

Deputy Harbormaster Jeremiah Johnson explained the intent of the ordinance was to manage limited trailer parking spaces at Sealing Cove and Crescent Harbor. He noted it was common for empty trailers to be left for extended periods of time. Johnson and Administrator Leach emphasized the intent was to improve compliance and availability of spaces for everyone. Johnson said the harbor department would work with citizens if a space was needed for an extended period of time. He also told of plans for new signage and education. In addition, Johnson noted the issue of parking misuse had been discussed at previous Port and Harbor Commission meetings.

A motion was made by Eisenbeisz to AMEND the ordinance eliminating the words "detached trailer, or" on line 56. The amendment PASSED by the following vote.

Yes: 6 - Duncan, Eisenbeisz, Christianson, Himschoot, Knox, and Mosher

No: 1 - Nelson

Richard Wein stated the ordinance needed to go back to staff for additional thought.

Nelson suggested the ordinance go to the Port and Harbors Commission for review. Eisenbeisz explained the reason for his amendment. He told of many households that had only one vehicle. In these situations, the user would detach the trailer and leave it in the parking lot so the family could use the vehicle while the boater was out.

Police Chief Baty told of the impetus for bringing the ordinance forward. He relayed the Police Department routinely fielded complaints on parking and accessibility at the subject parking lots. He told of his work with the Harbormaster and Harrigan Centennial Hall Manager on drafting the ordinance to help clarify the rules and regulations.

A motion was made by Knox that this Ordinance be APPROVED on FIRST READING AS AMENDED. The motion PASSED by the following vote.

G [ORD 21-12](#)

Making supplemental appropriations for fiscal year 2021 (potable water to Gary Paxton Industrial Park dock)

Richard Wein wondered of the water line size.

Christianson, liaison to the Gary Paxton Industrial Park Board, told of the increased use of the dock and boats wanting to fill water tanks. Knox wondered of the definition of small user and large user.

A motion was made by Christianson that this Ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote.

Absent: 2 - Eisenbeisz, and Duncan

X. UNFINISHED BUSINESS:

- D** [ORD 21-15A](#) Amending Title 13 "Port and Harbors" of the Sitka General Code by updating Chapter 13.10 "Float Regulations" (boat launch ramp parking at Sealing Cove/Crescent Harbor) 1st reading as amended

Richard Wein spoke in support of the postponement.

A motion was made Mosher to POSTPONE Ordinance 2021-15A on first reading as amended to the July 27 Assembly meeting. The motion PASSED by the following vote.

Yes: 5 - Christianson, Knox, Mosher, Nelson, and Himschoot

Absent: 2 - Eisenbeisz, and Duncan

- E** [ORD 21-12](#) Making supplemental appropriations for fiscal year 2021 (potable water to Gary Paxton Industrial Park dock)

Administrator Leach explained the request was for a waterline to run fresh water at the Gary Paxton Industrial Park dock.

Richard Wein wondered of the diameter of the pipe and water spigot.

A motion was made by Knox that this Ordinance be APPROVED on SECOND AND FINAL READING. The motion PASSED by the following vote.

Yes: 5 - Christianson, Knox, Mosher, Nelson, and Himschoot

Absent: 2 - Eisenbeisz, and Duncan

- F** [ORD 21-13](#) Making supplemental appropriations for fiscal year 2021 (Brady lift station emergency repair)

Environmental Superintendent Shilo Williams gave an explanation of the Brady Lift Station repairs and temporary bypass pumps and piping. Williams said the appropriation was needed to repair the leak recently discovered before proceeding with the main project in September.

From the public, Richard Wein spoke in support.

Assembly Knox wondered of the construction window. Administrator Leach told of construction scheduled to begin in September and reminded the City did not have an access easement to the lift station. The only way to access was through the True Value parking lot. Temporary construction easements had been obtained for construction of the new lift station for the contractor to perform work between September and December.

A motion was made by Mosher that this Ordinance be APPROVED on SECOND AND FINAL READING. The motion PASSED by the following vote.

Yes: 5 - Christianson, Knox, Mosher, Nelson, and Himschoot

[21-122](#)

Special Report: Alaska's Chief Medical Officer, Dr. Anne Zink (via videoconference)

Alaska's Chief Medical Officer, Dr. Zink, and other public health officials provided a COVID-19 update. Dr. Zink reviewed state and national trends, Sitka's case rate, vaccination rates, encouraged vaccinations, and continued practice of virus mitigation strategies.

VII. PERSONS TO BE HEARD

Lisa Busch and Jacyn Schmidt of the Sitka Sound Science Center (SSSC) provided an update on the SSSC's development of a community based landslide warning system and the research involved.

Rachel Roy, Executive Director of the Greater Sitka Chamber of Commerce, spoke to a grant received from the Department of Health and Social Services to help with vaccine promotion.

VIII. CONSENT AGENDA - No items

No items.

IX. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

A [21-124](#)

Reappoint Brandon Marx to a three-year term on the Parks and Recreation Committee

Christianson and Knox thanked Marx for his continued service.

A motion was made by Mosher that this Item be APPROVED. The motion PASSED by the following vote.

Yes: 7 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, Himschoot, and Duncan

X. UNFINISHED BUSINESS:

B [ORD 21-19](#)

Making supplemental appropriations for fiscal year 2022 (Cross Trail Phase 6)

A motion was made by Himschoot that this Ordinance be APPROVED on SECOND AND FINAL READING. The motion PASSED by the following vote.

Yes: 7 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, Himschoot, and Duncan

C [ORD 21-15A](#)

Amending Title 13 "Port and Harbors" of the Sitka General Code by updating Chapter 13.10 "Float Regulations" (boat launch ramp parking at Sealing Cove/Crescent Harbor) 1st reading as amended - item postponed at the June 22 Assembly meeting

Eisenbeisz stated staff had requested additional time to work on the Ordinance revisions.

A motion was made by Knox that this Ordinance be POSTPONED on FIRST

READING AS AMENDED to the September 28, 2021 Assembly meeting. The motion PASSED by the following vote.

Yes: 7 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, Himschoot, and Duncan

XI. NEW BUSINESS:

New Business First Reading

- D** [ORD 21-23](#) Amending Title 20 "Environmentally Critical Areas" of the Sitka General Code by repealing Chapter 20.01 "Landslide Area Management"
- From the public, Richard Wein spoke in support.
- Knox, a sponsor, said this section of the Sitka General Code (SGC) was often referenced as the reason why lenders and insurance companies were reluctant to lend on properties. He hoped by removing the section it would stop the finger-pointing and lead towards resolution. Administrator Leach thanked former Interim Administrator Hugh Bevan for his work on the subject. Leach reiterated the SGC section had become a barrier to citizens for lending and insurance on homes.
- A motion was made by Mosher that this Ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote.**
- Yes:** 7 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, Himschoot, and Duncan
- E** [ORD 21-22](#) Concerning the sale of the former Sitka Community Hospital Site located at 209 Moller Drive, 202 Brady Street, 204 Brady Street, and 302 Gavan Street, Sitka, Alaska; and submitting an advisory question of such a sale to the qualified voters at the regular election on October 5, 2021
- From the public, Richard Wein spoke in opposition to the proposed ballot question.
- Sponsors Nelson and Christianson spoke in support. Christianson didn't feel there was much input at previous town hall meetings and wished for citizens to have a chance to weigh in with an advisory vote. Knox expressed concern with the timing and how it would affect the current process for Request for Proposals (RFP) to Purchase or Lease Sitka Community Hospital Site. In addition, he wondered if citizens would approach the ballot question as a) a referendum on whether the Sitka Community Hospital business should have been sold, and b) a referendum on the organization looking to continue providing healthcare services in Sitka.
- Administrator Leach explained RFP proposals were due July 28. Staff would need to review the proposals submitted, select and present it to the Assembly with a potential sales ordinance at the August 24 Assembly meeting. Municipal Attorney Brian Hanson reminded if the selected proposal was a lease, the ballot question would not be placed on the ballot. Only if the selected RFP proposal was a sale would the question be placed on the ballot. With regards to an advisory vote, Hanson said the Assembly may use the information from the electorate in their own discretion. Duncan expressed hesitation and wondered if the ballot question was brought forward due to a lack of community input from the town halls and surveys.
- A motion was made by Christianson that this Ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote.**