

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2012 – 21A

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING
SITKA GENERAL CODE SECTION 13.06.010 ENTITLED
“MOORAGE CHARGES AND FEES”

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to be 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 and circumstances shall not be affected.

3. **PURPOSE.** This ordinance will increase moorage fees and/or charges for beginning October 1, 2012 for permanent, waitlist and transient moorage for use of the Sitka harbor system, as well as codify the rates for large vessel reservations. The increase is to assist in funding the full life cycle costs of all harbor facilities to include operations, maintenance, and replacement. In particular, a Port and Harbors Development Fee will be charged with the permanent and wait list moorage rate to fund the Capital Improvement Projects Plan in accordance with the Harbor System Master Plan, to pay for such expenses as the replacement of ANB Harbor. Permanent and wait list moorage rates will not increase, though, but only include the new Port and Harbors Development fee. The rate for transient moorage will increase, but no Port and Harbors Development fee will be imposed.

All moorage increases will become effective October 1 of each year. All harbor users will be required to pay the new moorage charges or fees in accordance with the applicable moorage rate/charge table and payment schedule.

This moorage rate/charge schedule follows the recommendations of the Harbor System Master Plan to assist in providing funding for the Capital Improvement Projects Plan. The status of the Harbor Fund will be reevaluated in 2018.

This ordinance has been recommended by the Port and Harbors Commission.

4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the Sitka General Code Section 13.06.010 is amended to read 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 Ceity and Bborough of Sitka, a rental charge and/or fee for the privilege and use of such facilities. The charges and fees set forth in this section shall be reviewed annually by the Pport and Hharbors Ceommission in the month of January. The Aadministrator and Mmunicipal Celerk shall each be responsible for ensuring that such review is put as an item on the Ceommission's agenda for a meeting in January of each year. The rental charges and/or fees 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 following classifications set forth in this section~~ the following schedule:

A. Permanent Moorage.

1. Rates and Fees.

Permanent moorage charges shall be assessed per foot per month (or portion thereof) of overall vessel length, or stall length, whichever is greater, as set forth in the table below. The permanent moorage includes the standard moorage rate to cover operations and a Port & Harbors Development Fee to fund the Capital Improvement Projects Plan in accordance with the Harbor System Master Plan, as set forth in the table below.

<u>Moorage Rates and Charges (per foot per month)</u>	
<u>10/1/2012</u>	
<u>Permanent Moorage Rate</u>	<u>\$1.90</u>
<u>Port & Harbors Development Fee</u>	<u>\$0.74</u>
<u>Total Permanent Moorage</u>	<u>\$2.64</u>

2. Payment Schedule

Payments may be made in advance quarterly, semiannually or annually, but not to exceed one year (October 1 to September 30).

~~One dollar and ninety 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.~~

79 B. Daily Transient Moorage.

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1. Rates.

Daily transient moorage charges shall be assessed per foot per day of overall vessel length, as set forth in the table below. If billing is required, the moorage rate assessed will be double the rates listed below.

Moorage Rates (per foot per day)	
10/1/2012	
Daily Transient Rate (0-80 feet)	\$0.87
Daily Transient Rate (81-150 feet)	\$1.49
Daily Transient Rate (151 feet or more)	\$2.24

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2. Payment Schedule.

All charges shall be paid in advance and are nonrefundable, even if the vessel does not use transient moorage for any of the pre-paid time period.

~~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 eight 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 prior to departure and by month's end.~~

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D. Monthly Transient Moorage Permits.

1. Rates.

Monthly transient moorage charges shall be assessed per foot per month (or portion thereof) of overall vessel length, as set forth in the table below. If billing is required, the moorage rate assessed will be double the rates listed below.

Moorage Rates (per foot per month)

10/1/2012

Monthly Transient Rate (0-150 feet)	\$14.94
Monthly Transient Rate (151 feet of longer)	\$22.41

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2. Payment Schedule.

Each month of moorage charges shall be paid in advance, and are nonrefundable, even if the vessel does not use transient moorage for any of the pre-paid time period.

~~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. Wait-List Moorage. Vessels on the wait list moored in any of the Sitka harbors shall be charged one dollar and ninety cents per foot (or portion thereof) of the overall vessel length the same rates and fees as for permanent moorage, 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 the vessel shall be required to pay returned to regular transient moorage status.

M. Large Vessel with Reservations for End-Ties and O'Connell Lightering Facility.

1. Rates.

Charges for large vessel with reservation for end-ties or for the O'Connell Lightering Facility when it is not being used as a lightering float, shall be assessed per foot per day of overall vessel length or float length, whichever is greater as set forth in the table below. If billing is required, the moorage fee assessed will be double the rates listed below.

	Moorage Rates (per foot)
Moorage Type	10/1/2012
Large Vessel Daily Reservation, End-Tie	\$2.50
Large Vessel Daily Reservation, O'Connell Lightering	\$3.00

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2. Payment Schedule.

All charges shall be paid in advance and are nonrefundable, even if the vessel does not use transient moorage for any of the pre-paid time period.

5. EFFECTIVE DATE. This ordinance shall become effective on October 1, 2012.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 14th day of August, 2012.

Cheryl Westover, Mayor

ATTEST:

Sara Peterson, CMC
Municipal Clerk