

A RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 255

A RESOLUTION AMENDING RESOLUTIONS NO. 64 AND
120 BY CREATING STALL RENTAL PREFERENCE
RIGHTS WHICH RUN WITH THE VESSEL TO WHICH
THE STALL IS RENTED.

Pursuant to the authorization in Title 85, City and Borough Code, the following amendments to Resolutions Nos. 64 and 120 which apply to Harris Harbor, Aurora Basin, Douglas Small Boat Harbor and the Douglas Dock are adopted:

BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH
OF JUNEAU, ALASKA:

1. Resolution Nos. 64 and 120 are amended by adding the following sentence at the end of Section 1(a) of each resolution:

"All stalls except those rented for covered moorage shall be rented in the name of the vessel and/or by its Coast Guard registration number. No other vessel may occupy a stall so rented."

and by adding to each resolution a new section 1(c) which reads as follows:

"(c) Preference Rights. The vessel in whose name or number a stall is rented shall have a preference for renewal of the stall lease, regardless of changes of ownership of the vessel, so long as stall rental is paid in accordance with the terms of applicable resolutions and ordinances. However, upon the sale or other voluntary transfer of ownership of a vessel, the seller will have a right to assume the lease if the buyer gives a written waiver of his right to lease the stall in the name of the transferred vessel. No such assumption shall be valid unless the waiver is executed within seven days of the date of sale or transfer and the seller has presented, within 21 days of the date of the sale or transfer, adequate written proof that he owns or has acquired the predominant ownership rights in, a vessel which may be properly moored in the stall. All such assumptions must be first approved by the manager or his designee."

and by changing the word "Harbormaster" wherever it appears in Section 11 of Resolutions Nos. 64 and 120 to "Manager or his designee."

2. The terms of this resolution shall be effective for all new leases and renewals which are executed after the adoption of this resolution.

Adopted this 10th day of June, 1974.

Mayor

Attest:

Clerk