

A RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA
Serial No. 269

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 AND ESTABLISHING A STALL ASSIGNMENT POLICY.

Pursuant to the authorization in Title 85, City and Borough Code, the following amendments to Resolutions No. 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. Resolutions No. 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 except on a temporary basis upon agreement of the owner of the vessel to which the stall is rented and the approval of the Manager or his designee."

and by adding to Resolution No. 64 a new section 1(c) on preference rights which reads as follows, and by changing paragraph 1(b) of Resolution No. 120 to read as follows:

"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 Section 10 of each resolution to read as follows:

"Section 10. Stalls Assigned by Manager or His Designee. Stalls shall be assigned by the Manager or his designee. Stall assignments shall be made to insure maximum usage of stall space. The

Manager or his designee shall establish minimum and maximum boat lengths and maximum beams permitted for each type and size stall available. Stall assignments or use not in compliance with established maximums and minimums shall not be made except in unusual or temporary situations, and only with the express approval of the Manager or his designee. No vessel may be assigned or use more than one stall which is under the control or ownership of the City and Borough. "

and by changing the word "Harbormaster" wherever it appears in Section 11 of Resolutions No. 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 19th day of September, 1974.



Mayor

Attest:



Clerk