

CBJ DOCKS & HARBORS BOARD
OPERATIONS COMMITTEE MEETING AGENDA
For Tuesday, June 19th, 2012

- I. Call to Order** (5:00 p.m. at the AURORA HARBOR OFFICE).
- II. Roll Call** (John Bush, Tom Donek, Don Etheridge, Kevin Jardell, Bud Simpson, Wayne Wilson, and Greg Busch)
- III. Approval of Agenda.**

MOTION: TO APPROVE AGENDA AS PRESENTED OR AMENDED.
- IV. Public Participation on Non-Agenda Items** (not to exceed five minutes per person or twenty minutes total).
- V. Approval of May 22nd, 2012 Operations Board Meeting Minutes.**
- VI. Items for Action.**

- 1. Alaska Department of Fish & Game-Douglas Parking
Presentation by Port Director

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TO BE DEVELOPED AT THE MEETING

- 2. DeHart's Transition Parking until upland completed.
Presentation by Mr. Uchytel

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TO BE DEVELOPED AT THE MEETING

- 3. Regulatory Changes for the Transition to New Statter
Presentation by Port Director

Committee Questions

Public Comment

CBJ DOCKS & HARBORS BOARD
OPERATIONS COMMITTEE MEETING AGENDA
For Tuesday, June 19th, 2012

VI. Items for Action(continued).

Committee Discussion/Action

MOTION: TO BE DEVELOPED AT THE MEETING

VII. Items for Information/Discussion.

1. Harbormaster Operations Report
Presentation by Harbormaster

VIII. Staff & Member Reports.

IX. Committee Administrative Matters.

1. Next Operations Committee meeting – July 17th, 2012

X. Adjournment.

CBJ DOCKS & HARBORS BOARD
OPERATIONS COMMITTEE MEETING MINUTES
For Tuesday, May 22nd, 2012

I. Call to Order.

Mr. Busch called the meeting to order at 5:11 p.m. at the Aurora Harbor office.

II. Roll.

The following members were present: Greg Busch, Wayne Wilson, John Bush and Kevin Jardell (Phone).

Also in attendance were: Dwight Tajon – Harbor Master and Carl Uchytel – Port Director.

III. Approval of Agenda.

MOTION by Mr. Bush: TO APPROVE THE AGENDA.

IV. Public Participation on Non-Agenda Items.
NONE

V. Approval of April 17th, 2012 Operations committee Meeting Minutes.

Hearing no objection, the minutes from the April 17th, 2012 Operations Committee Meeting is approved.

VI. Items for Action.

1. Vendor Booth Locations

Presentation by Port Director

Mr. Uchytel

At the last DH board meeting the Operations Committer was directed to take another look at the vendor booths near the Archie Van Winkle Memorial. There was a consensus from the vendor booth operators that they would like reconsideration of four vendor booths be placed adjacent to the Archie Van Winkle Memorial. I wanted to review the process that was followed to get where it is now. Every step of the way starting with the first e-mail on December 2nd encouraging them to come

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: PASSED – Approved Unanimously

2. Rescue Ladders

Presentation by the Port Director

CBJ DOCKS & HARBORS BOARD
OPERATIONS COMMITTEE MEETING MINUTES

May 22nd, 2012

Page 2

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: PASSED – Approved Unanimously

3. DeHarts Patrons Transition Plan to Statter Harbor
Presentation by the Harbormaster

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: PASSED – Approved Unanimously

VII. Items for Information/Discussion.

1. Live-aboard Regulations
Presentation by Harbormaster

Mr. Tajon

My recommendation would be to take what the Port of Bremerton has for a very unique two page document for live-aboard rules and regulations and go through it. Mark down what would be appropriate, close to DH ordinances and go through the adoptions of them. I do believe Amy Mead at one time was considering of taking one entire section of the O5 CBJ regulations that DH has for live-aboards and just creating it own live-aboard regulations. That way there wouldn't be any conflict with Title 85 that is on hand.

Mr. Busch

With respect to the live-aboards is there going to be any potential significant changes of what the current process or policies is? Is part of this going to include sewage waste disposal requirements? As well as meeting the current standers of notification and ownership issues.

Mr. Tajon

This document from the Port of Bremerton would acutely make substantial changes to all of the live-aboard regulations that are there. Currently all there is on the books with regards to people under the age of sixteen going to and from their vessels. They can be unaccompanied as long as they are going to the boat, which would even include if they were live-abourds. I don't

CBJ DOCKS & HARBORS BOARD
OPERATIONS COMMITTEE MEETING MINUTES

May 22nd, 2012

Page 3

remember seeing anything on the books mandating sewage pump out. This would make the change where everyone would have to comply with the Alaska Clean Water Act. They would essentially plug up their through hole fittings. DH would have to look at providing some type of service through the winter. DH would also have to get an upgraded sewage system.

Mr. Uchytel

How many live-aboards are there?

Mr. Tajon

The estimate that was given to The Censes was about 200 people. That includes all the harbors.

Mr. Busch

Is there any action you need from the board at this time? Are you going to be working with the City Legal in terms of the Bremerton contract?

Mr. Tajon

DH would actually build it around the Alaska Clean Water Act. No board action needed.

Mr. Uchytel

Another thing I wanted Amy Mead to work with me on is the impound procedures. I have a very nicely crafted book from the City of Homer on how they impound vessels, a cookbook methodology. I have shown it to Amy and asked if she could do this for DH and she agreed to do that.

Mr. Bush

Is that an estimated number of people?

Mr. Tajon

This is from the people that come and register. The staff catches the unregistered during the winter time. The ones you see down there today are registered.

2. Damaged Juneau Fisheries Terminal Dock

Presentation by Port Director

Mr. Uchytel

There was an accident the Juneau Fisheries Dock on the Sunday before last. The fishing vessel Kelsey J was conducting some maintenance with their engine and some how the vessel was fully engaged and pulled away from its mooring. It damaged the pier. DH got a construction company there to raise the pier off the vessel. Sometime during the night the entire pier collapsed. The transformer was a total loss. The electrical system was a complete loss too. This pier is owned by the University of Alaska which is leased to DH. The repairs estimate is about \$160,000 for a timber replacement or \$200,000 for a steel pile replacement. I am in the process getting CBJ Law, City Risk Assessor which is also the insurance person for CBJ. There is a telephone conference

CBJ DOCKS & HARBORS BOARD
OPERATIONS COMMITTEE MEETING MINUTES

May 22nd, 2012

Page 4

scheduled for next Wednesday. The next step is that DH would like to rebuild the dock? I don't know to what extent. DH will seek insurance consideration from the Kelsey J insurance. Because the pier was badly worn DH will not get full replacement value. Hopefully the CBJ self insurance will make up the difference and DH can go forward with a steel pier replacement. The scheduling for that will probably have to wait until after August 15th.

Mr. Busch

Have you heard anything from JMS regarding use of the pier, are they going to continue use it temporarily or are they going to make other arrangements?

Mr. Uchytel

I asked the harbormaster to look at mitigation for JMS.

Mr. Tajon

I spoke with Dean the manager of the downtown operations and asked him if he was okay with continuing use of the work float in the area that is being leased out. He didn't have a problem with it. I let him know I was here to give him options. If it wasn't working out the only place DH could give him was out at Norway Point. He said he was quite happy where they are now.

Mr. Busch

When DH looks at steel piers is that price for the entire structure. Is DH considering the previous damaged piers as part of this?

Mr. Uchytel

Probably roll all of this work into one contract come this fall. If there are any improvements DH would like to do, now is the time to be looking at that. In the current lease DH is only responsible for maintenance and repairs of the facility. The new construction is something that needs to be negotiated.

3. Update on Downtown Parking Plan

Presentation by the Harbormaster

Mr. Tajon

This is for the Peoples Warf Parking Lot. DH was trying to acquire the automated paid parking machine from Parks and Rec. and trying to go through the hoops to get the parts missing for the machine. It was going to take awhile. Trying to use the old Statter Harbor system of folding the dollar bills up, that was not going to be acceptable. It was decided to turn the responsibility of enforcement back over to JPD Community Service Officers, but allowing six spaces for the contractors and two for the Visitors Center that will be assigned to them.

4. Harbormaster Operations Report

Presentation by Harbormaster

1. Replaced sewer pump-out with unit that has low hours-Statter. **Out of Douglas launch**

CBJ DOCKS & HARBORS BOARD
OPERATIONS COMMITTEE MEETING MINUTES

May 22nd, 2012

Page 5

ramp.

2. Replaced sewer pump-out transition plate-Statter.
3. Repaired main access ramp handrail and trip hazards-Statter.
4. Replaced non-skid.
5. Pressure washed floats-Statter.
6. Electrical outlet repairs-Statter.
7. Removed garbage from Echo Cove lot.
8. Stabilized DeHarts D-floats and patched holes.
9. Water line repairs for Statter and DeHarts.
10. Built temp scaffolding for plumbers to fix leaks on six inch water line at Cruise Dock.
11. Reset bent nails on water front dock.
12. Pressure washed yellow buffer zone barriers and deployed for season.
13. Pressure washed Fisherman's Memorial decking.
14. Cleaned Columbia lot and repainted lines.
15. Pressure washed IVF.
16. Clean up of Marine Park the new cement area.
17. Washed down Tram booth area after booths have been moved over to new spot.
18. Repaired bench in front of Brickyard, bench was damaged of the winter.
19. Prepped all vendor booths for the season. On a nice non ship day for refinishing.
20. Tightened Marine Park Float cleats.
21. Rebuilt handrail next to transfer bridge to meet height of new railing.
22. Hoists & boom truck annual yearly inspection – all have passed and are certified.

VIII. Staff & Member Reports.

IX. Committee Administrative Matters.

1. The next Operations Committee meeting – June 19th, 2012 at 5:00 pm at the Aurora Harbor Office.

X. Adjournment.

The meeting Adjourned at 7:07PM.

Juneau, Alaska, Code of Ordinances >> PART IV - ADMINISTRATIVE CODE OF REGULATIONS >> TITLE 05 - DOCKS AND HARBORS >> Chapter 40 - SMALL BOAT HARBOR MOORAGE MANAGEMENT REGULATIONS >>

Chapter 40 - SMALL BOAT HARBOR MOORAGE MANAGEMENT REGULATIONS

05 CBJAC 40.010 - General moorage management policy.

05 CBJAC 40.015 - Boat shelters.

05 CBJAC 40.020 - Reserved moorage policy.

05 CBJAC 40.025 - Reserved moorage first-time application.

05 CBJAC 40.030 - Reserved moorage annual renewals.

05 CBJAC 40.035 - Reserved moorage assignments.

05 CBJAC 40.040 - Reserved moorage waitlists.

05 CBJAC 40.045 - Reserved moorage reassignments.

05 CBJAC 40.050 - Winter temporary assignments.

05 CBJAC 40.055 - Summer temporary assignments.

05 CBJAC 40.060 - Visiting vessel assignments.

05 CBJAC 40.065 - DeHart's Marina Moorage Management.

05 CBJAC 40.010 - General moorage management policy.

(a)

Policy. It is the policy of the City and Borough to favor the use of the small boat harbors by commercial fishermen, government vessels in trade and commerce, and pleasure craft, and by the general public at large. It is further the policy of the City and Borough to prevent and discourage the use of the small boat harbors by boats that have been abandoned by the owners to the point of becoming derelicts as defined in CBJ 85.05 or becoming a charge and nuisance to the City and Borough, the Port Director, and the general public, or boats that are unsafe, or not used, or not fit to be used, regularly for transportation on the water.

(b)

Applicability and other regulations. CBJ Administrative Code Title 05, Chapter 40 applies to the small boat harbors under the jurisdiction of the City and Borough of Juneau Docks and Harbors Board. These include the Douglas Small Boat Harbor, the National Guard Dock, Harris Boat Harbor, the Fisheries Terminal Float, Aurora Boat Basin, Statter Boat Harbor, and moorage facilities appurtenant thereto. Where the requirements of 05 CBJAC 40 differ from other small boat harbor regulations in CBJ

Deleted: DeHart's Marina

Administrative Code Title 05, the regulation that is more specific or restrictive shall take precedence.

(c)

Duty to comply with harbor ordinances and regulations. As a condition of use, each harbor user shall comply with all applicable requirements of Title 85 of the City and Borough Code and CBJ Administrative Code Title 05.

(d)

General moorage management. CBJ Administrative Code Title 05, Chapter 40 does not restrict the Port Director's authority to require the owner or operator of any boat, vessel, or floating structure to change from one mooring space to another, in the interests of safety, order, convenience and health, or to move any boat, vessel, or floating structure that is unoccupied and in violation of City and Borough harbor ordinances and regulations. It is the policy of the Docks and Harbors Board to manage the small boat harbors by using all harbor space as effectively as possible.

(e)

Duty to register. Every owner, master, operating or managing agent of any vessel using the small boat harbors shall register on a form provided by the Harbormaster. The owner, master operating, or managing agent of a vessel that is not registered shall register as soon as practical after the vessel enters and moors in any of the small boat harbors.

(f)

Vessel size restrictions. The Harbormaster will determine the maximum and minimum length and breadth of a vessel that is allowed to moor in the small boat harbors based on the size of the slip or moorage space available to ensure the maximum use of space available taking into account safety, maneuvering, and other factors. Except when approved by the Harbormaster on a case-by-case basis, no vessel, or part thereof, may extend more than ten feet beyond a finger or have a silhouette length less than three feet shorter than a finger in any slip or mooring space with a finger from 20 to 80 feet in length. For a slip or mooring space with a finger less than 20 feet in length and for side-tie moorage, the Harbormaster will establish the maximum and minimum vessel length on a case-by-case basis.

(g)

Vessel salvage and disposal.

(1)

Prior to obtaining a moorage assignment pursuant to 05 CBJAC 40.035, 050, 055, or 065, the owner of a vessel must

(i)

provide the Harbormaster with proof of current marine insurance showing, at a minimum, the owner's name, information identifying the vessel, and the dates of insurance coverage; or

(ii)

pay a non-refundable moorage surcharge \$0.25 per foot per month.

(2)

The funds collected from the moorage surcharge under this regulation will be used to pay for the unrecoverable costs attributable to vessel salvage and disposal activities in the small boat harbors.

(3)

This regulation does not relieve an owner from the responsibility to pay fees as set out in CBJ Ordinance Title 85 or regulations adopted thereunder, and does not constitute marine insurance.

(h)

Moorage payments. Except as noted in 05 CBJAC 20.020, the owner of a vessel may pay the daily or monthly moorage fee for moorage that is assigned by the harbormaster as set out in 05 CBJAC 25, 35, and 40. If the owner fails to pay by the due date shown on an invoice for the moorage assignment, the harbormaster shall forfeit the moorage assignment, notify the owner, and require the owner to move the vessel from the assigned moorage space within 72 hours of notice. If the owner does not move the vessel from the assigned space, the harbormaster is authorized to move the vessel from the assigned space in accordance with CBJ Ordinance Title 85

(Amended 9-12-2005, eff. 9-20-2005; Amended 9-11-2006, eff. 9-19-2006; Amended 12-11-2006, eff. 7-1-2007)

05 CBJAC 40.015 - Boat shelters.

(a)

Definition and approval required. Boat shelter means a structure that houses vessels. Except for a boat shelter moored on the north sides of Float E, Float F, and Float G in Aurora Harbor, no person may bring a boat shelter into the small boat harbors without the approval of the Docks and Harbors Board.

(b)

Access by Harbormaster. The owner of a boat shelter shall provide the Harbormaster and the Fire Department with a means to access the boat shelter in the event of an emergency. The cost of installing and maintaining the access system shall be borne by the shelter owner.

(c)

Storage of flammable liquids. The owner of a boat shelter shall ensure that all flammable liquids are stored in approved containers. An owner shall store no more than two six-gallon containers of flammable liquids per vessel in a boat shelter. This restriction does not apply to fuel stored in or upon a vessel.

(d)

Maintenance. Each boat shelter owner shall maintain the shelter in a condition that does not present a danger to surrounding vessels, other boat shelters, or other harbor users.

(e)

Modification. Other than basic maintenance, a boat shelter owner shall obtain approval of the Harbormaster prior to undertaking any modification or reconstruction of a boat shelter. In addition, the owner shall obtain the approval of the Docks and Harbors Board prior to undertaking any modification or reconstruction that changes the dimensions of the boat shelter.

(f)

Boat shelter sales. Reserved moorage status within a boat shelter may transfer between the seller and buyer of a boat shelter. In order to transfer the reserved moorage status within a boat shelter, the owner of a boat shelter shall inform the Port Director of the owner's desire to sell a shelter before offering the shelter for sale to the general public. The Docks and Harbors Board has the first right of refusal to purchase the shelter at fair market value. If the Board does not exercise its first right of refusal within 30 days after notice, the owner may offer the shelter for sale to the general public. If the owner sells the shelter without informing the Port Director and allowing the Docks and Harbors Board its first right of refusal, the reserved moorage within the shelter will not transfer to the buyer. This subsection does not allow an inappropriately sized vessel to be assigned reserved moorage space within a boat shelter.

(g)

Applicability of regulations. All requirements of 05 CBJAC 40 apply to the owner of a boat shelter and the vessels within a boat shelter except for the following:

(1)

05 CBJAC 40.020(d), (e), and (i); and

(2)

05 CBJAC 40.035(a)(5), (6), and (7).

(Amended 9-12-2005, eff. 9-20-2005)

05 CBJAC 40.020 - Reserved moorage policy.

(a)

Definition. "Reserved moorage" means a numbered slip or space within the small boat harbors that the Harbormaster assigns to the owner of a vessel for use during a moorage year, or portion thereof, during which time the owner is granted preferential use for berthing the assigned vessel.

(b)

Moorage year. The reserved moorage year starts on July 1 of one calendar year and ends on June 30 of the succeeding calendar year.

(c)

Availability. A limited amount of reserved moorage is available in Douglas Small Boat Harbor, Harris Boat Harbor, Aurora Boat Basin, the Fisheries Terminal Dock, and Statter Boat Harbor. The Harbormaster assigns this moorage in accordance with this regulation. Maps of reserved moorage are available at the Aurora Harbor Office.

Deleted: DeHart's Marina

(d)

Duty to notify of departures and planned return time. Reserved moorage slip or space assignees are required to notify the Docks and Harbors Department of their departure date and expected return date when vacating their assigned slip or space for more than four consecutive days. Assignees may notify the Docks and Harbors Department by Marine VHF Channel 73, by phone at (907) 586-5255, by email at juneauharbors@ci.juneau.ak.us, or by fax at (907) 586-2507. If an assignee does not notify the Docks and Harbors Department of a departure in accordance with this subsection, the Harbormaster is authorized to use the assignee's slip or space for temporary moorage assignment and shall be allowed up to 24 hours to clear the assigned slip or space upon return of the assignee.

(e)

Retention when assigned vessel is sold, lost, destroyed, or stolen. A reserved moorage slip or space assignee whose vessel is sold, lost, destroyed, or stolen shall immediately notify the Harbormaster upon occurrence or discovery, whichever occurs first. The assignee may retain the reserved moorage slip or space assignment provided the assignee procures and places an appropriate size vessel in the slip or space within 90 days. The Harbormaster may, for good cause shown, grant an extension of 90 days. If the reserved moorage slip or space assignee does not notify the Harbormaster in accordance with this subsection, the assignee's moorage assignment shall be deemed forfeited.

(f)

Only assigned vessel in reserved moorage slip or space. Any vessel occupying a reserved moorage slip or space without the approval of the Harbormaster will be moved or impounded in accordance with Title 85 of the City and Borough Code.

(g)

One vessel per reserved moorage slip or space. Except when approved by the Harbormaster, only one vessel may be moored in any one reserved moorage slip or space. The Harbormaster shall obtain the permission of adjacent reserved moorage assignees before allowing more than one vessel to moor between two reserved moorage slips or spaces.

(h)

Loss of assignment due to ownership change.

(1)

Except as provided in paragraph (2) of this subsection, it is the policy of the Docks and Harbors Board to prohibit the transfer of a reserved moorage slip or space assignment if the assignee no longer has ownership control of the vessel occupying the slip or space.

(2)

To prohibit the inappropriate transfer of an assigned slip or space, a slip or space must be assigned to a named individual and a vessel that is under the ownership control of the named individual. The following changes to the individual named as the slip or space assignee will not cause the loss of a slip or space assignment:

(A)

Changes among immediate family members;

(B)

For a partnership or corporation, a change where the new assignee:

(i)

was a partner or corporate member prior to the date of the original slip or space assignment; or

(ii)

has applied for reserved moorage and receives an assignment for the vessel under 05 CBJAC 40.035(f);

(C)

Changes due to the sale and purchase of a boat shelter under 05 CBJAC 40.015; or

(D)

Changes otherwise specifically provided for in 05 CBJAC 40.

(3)

Except as allowed in paragraph (2) of this subsection, the Harbormaster shall terminate a moorage assignment if the named individual no longer exercises ownership control of the assigned vessel. The Harbormaster is authorized to request that the named individual produce documentation to prove ownership control, including but not limited to U.S. Coast Guard documentation documents, State of Alaska registration documents, vessel insurance documents, and corporation and partnership documents. The burden of proof for demonstrating ownership of the assigned vessel rests with the individual named as a slip or space assignee. If, upon request of the Harbormaster, the assignee is unable or unwilling to provide sufficient documented proof of ownership of the assigned vessel, the Harbormaster shall terminate the reserved slip or space assignment.

(4)

The assignee may appeal the Harbormaster's decision to terminate a reserved moorage assignment to the Port Director and then to the Docks and Harbors Board.

(i)

Sublet prohibited. An assignee may not sublease or reassign the right to use a reserved moorage slip or space to any other person or vessel.

(j) *Reserved Moorage for DeHart Marina.* Notwithstanding requirements under 05 CBJAC 40.010(f), DeHart patrons eligible for reserved moorage at Statter Boat Harbor will be provided preferred moorage until the vessel is sold, lost, destroyed or stolen. Vessels procured with the intent to retain reserved moorage must meet the size requirements under 05 CBJAC 40.010(f).

Formatted: Indent: Left: 0 pt

Formatted: Font: Italic

(Amended 9-12-2005, eff. 9-20-2005)

05 CBJAC 40.025 - Reserved moorage first-time application.

(a)

First-time application. Any boat owner that has a need to operate a vessel within the City and Borough may apply for reserved moorage. To make a first-time application, the boat owner must complete the application form contained in Appendix A to these regulations and pay the fee set out in 05 CBJAC 20.150

(b)

First-time application completeness review. The Harbormaster will review a first-time application for completeness within 15 calendar days of receipt. If the application is not complete, the Harbormaster will return the application and specify the information the applicant must submit to make the application complete.

(c)

First-time application approval. Within 15 calendar days of receipt of a complete first-time application, the Harbormaster will approve or disapprove the application and notify the applicant. The Harbormaster will disapprove the application if:

(1)

The applicant owes any fee to the City and Borough of Juneau Docks and Harbors Department;

(2)

The applicant has been a party to an impounded boat administrative procedure outlined in CBJ 85.25.180; or

(3)

If the applicant's vessel does not meet the motive power requirements set out in CBJ 85.20.020(a) or the equipment requirements set out in CBJ 85.25.030

(d)

First-time application action. Upon approving a first-time application, the Harbormaster will take one of the following actions:

(1)

If a reserved moorage space is not available, place the applicant on a waitlist in accordance with 05 CBJAC 40.040

(2)

If reserved moorage space is available, assign the applicant a reserved moorage space as set out in 05 CBJAC 40.035; or

(3)

If the applicant purchased a boat shelter and the first right of refusal notifications were provided as set in 05 CBJAC 40.015(f), approve the moorage assignment.

(Amended 9-12-2005, eff. 9-20-2005)

05 CBJAC 40.030 - Reserved moorage annual renewals.

(a)

Reserved moorage renewal application. No later than the first day of each moorage year, an assignee of a reserved moorage slip or space, including the owner of a boat shelter who desires to renew the moorage assignment for the next moorage year, shall submit to the Harbormaster the reserved moorage renewal application contained in Appendix A to these regulations. The assignee or owner shall pay the applicable moorage fee with the renewal application.

(b)

Reserved moorage renewal application review. The Harbormaster shall review each renewal moorage application for completeness. If the application is not complete, the Harbormaster will return the application and specify the information the assignee, or owner of a boat shelter, must submit to make the application complete. If the assignee or owner does not complete the application and pay the applicable moorage fee within 14 calendar days after service of the returned application, the assignee or owner shall forfeit their assigned moorage and the Harbormaster will refund the moorage fee payment provided with the application less any amounts due to the Docks and Harbors Department. If the application is complete, including payment of the applicable moorage fee, the Harbormaster shall process the application as set out in 05 CBJAC 40.035

(Amended 9-12-2005, eff. 9-20-2005)

05 CBJAC 40.035 - Reserved moorage assignments.

(a)

Assignment requirements. Prior to assigning reserved moorage for the first time and prior to approving annual renewals, the Harbormaster shall verify the following:

(1)

The applicant or assignee does not owe any past due amounts to the Docks and Harbors Department;

(2)

The applicant or assignee has not been a party to an impounded boat administrative procedure outlined in CBJ 85.25.180

(3)

In cases where a waiting list exists for the slip or space size being assigned, the applicant or assignee has no more than two slips or spaces of any size assigned to them;

(4)

In cases where the size of the applicant's vessel has changed, the vessel complies with the size limitations set out in 05 CBJAC 40.010(f);

(5)

The applicant or assignee's vessel meets the motive power requirements set out in CBJ 85.20.020(a) and the equipment requirements contained in CBJ 85.25.030

(6)

The applicant or assignee is the owner, and exercises ownership control, of the vessel that will reside in the slip or space. The applicant has a duty to prove to the satisfaction of the Harbormaster that the applicant is the owner, and exercises ownership control, of the vessel as set out in 05 CBJAC 40.020(h); and

(7)

In cases of renewal, that the assignee has kept the assigned vessel in the slip or space for a minimum of 90 days during the previous moorage year.

(b)

Assignment. Upon verification that the applicable qualifying criteria set out in 05 CBJAC 40.035(a) are met and that the applicable fee for the moorage year being assigned is paid, the Harbormaster shall assign the reserved slip or space that is available to a first-time applicant and the previously assigned slip or space to a renewal assignee. If the qualifying criteria are not met or the applicable moorage fee is not paid, the Harbormaster shall deny the application, notify the assignee or applicant, and return the moorage fee submitted with the application less any amount due to the Docks and Harbors Department. Renewal assignees that do not meet the qualifying criteria or pay the applicable fee for the moorage year being assigned shall forfeit their assignment.

(Amended 9-12-2005, eff. 9-20-2005)

05 CBJAC 40.040 - Reserved moorage waitlists.

(a)

Waitlists. The Harbormaster shall establish and maintain reserved moorage waitlists for qualified applicants when there is no reserved moorage available for assignment. The Harbormaster may establish waiting lists according to slip or berth size and establish waitlist limits for length, beam, and draft as necessary to manage the small boat harbors. The Harbormaster shall update waitlists as needed to maintain their accuracy.

(b)

Waitlist information. The waitlist will include sign-up date, the name, address, contact number of the qualifying applicant, and, if the applicant has a vessel, the silhouette length and beam of the vessel and the documented vessel name or U.S. Coast Guard registration number of the vessel.

(c)

Placement on waitlist. In order to be placed on the waitlist, applicant must meet the approval criteria listed in 05 CBJAC 40.025(c) and pay the applicable moorage fee set out in 05 CBJAC 20.150. The Harbormaster shall place approved applicants on the applicable waitlist on a first-come, first-served basis. Substitution of names on an applicable waitlist may only be made between members of an immediate family.

(d)

Duty to update address and telephone changes. A waitlisted applicant shall immediately notify the Harbormaster of any change of address or telephone number in writing. Failure to do so may result in the applicant not being notified if reserved moorage becomes available.

(e)

Annual renewal. By March 1 of each calendar year, the Harbormaster shall determine if waitlisted applicants continue to meet the waitlist approval criteria set out in 05 CBJAC 40.025(c). The Harbormaster shall remove applicants from the waitlist that do not meet the approval criteria. Applicants that continue to meet the approval criteria must pay the renewal fee set out in 05 CBJAC 20.150 by March 1 of each year. Applicants that do not pay the renewal fee by March 1 will be removed from the waitlist.

(f)

Notification of assignment. When a moorage assignment becomes available, the Harbormaster will notify highest-ranked applicant on the applicable waitlist and provide the applicant 15 days after mailing of the notice to respond to the Harbormaster. If the applicant declines or does not respond within 15 days after service of the notice, the Harbormaster will offer the stall to next highest-ranked applicant. The Harbormaster will continue notifying applicants in this manner until an applicant accepts the assignment or all applicants decline. Upon acceptance of the assignment, the Harbormaster shall process the assignment as set out in 05 CBJAC

040.035. ~~An applicant that declines an assignment or does not respond will be removed from the applicable waitlist.~~

Deleted: Except for a DeHart's Marina assignment, a

(g)

Duty to occupy assigned slip or space. If the reserved moorage slip or space assignee does not place the assigned vessel in the slip or space within 90 days of assignment, the assignee shall forfeit the assignment and be removed from the waitlist. The Harbormaster may, for good cause shown, grant an extension of 90 days. The assignee may reapply under 05 CBJAC 40.025

(Amended 9-12-2005, eff. 9-20-2005)

05 CBJAC 40.045 - Reserved moorage reassignments.

A reserved moorage assignee ~~may apply to the Harbormaster for reassignment to a similar slip or space size class at a different location. The Harbormaster shall maintain waiting lists for this purpose. Assignees with the earliest sign-up date on the applicable list will be given the highest priority. When a similar slip or space in the applicable size class becomes available, the Harbormaster shall notify the reserved moorage assignees on this waiting list according to priority and offer the available slip or space for reassignment. The assignee has 72 hours to respond. If the assignee fails to respond or declines the reassignment, the Harbormaster may offer the slip or space to the next assignee on the waiting list. The refusal of an offered slip or space will not cause the assignee to lose waiting list priority.~~

Deleted: , including a DeHart's Marina assignee,

Deleted: Except for reassignments to Dehart's Marina, a

Deleted: For reassignments to Dehart's Marina, assignees with the earliest date the assignee was assigned reserved moorage in any one of the City and Borough small boat harbors will be given the highest priority on the DeHart's Marina waitlist.

(Amended 9-12-2005, eff. 9-20-2005)

05 CBJAC 40.050 - Winter temporary assignments.

(a)

Winter temporary assignment application. During each September, the owner of a vessel who desires a temporary assignment to reserved slips or spaces and other designated winter moorage may apply for such moorage at the Aurora Harbor Office.

(b)

Winter temporary assignment application review. No later than 15 days after September 30, or the receipt of a temporary assignment application, whichever is later, the Harbormaster will review each application and place the applicant on a waitlist for winter temporary assignment if

(1)

The applicant does not owe any past due amounts to the Docks and Harbors Department;

(2)

The applicant has not been a party to an impounded boat administrative procedure outlined in CBJ 85.25.180; and

(3)

In cases where a waiting list exists for the slip or space size being requested, the applicant has no more than two vessels in the small boat harbors.

(c)

Winter temporary assignment priority. As space becomes available, the Harbormaster will assign available winter moorage space according to vessel size and other management factors with the priority of assignments given according to the following order:

(1)

First, to applicants with reserved slips or spaces, priority ranked by the date of original slip or space assignment, provided the applicant allows the Harbormaster to use their assigned slip or space when vacated;

(2)

Second, to applicants on reserved moorage slip or space waiting lists, priority ranked by reserved moorage waitlist sign-up date;

(3)

Third, to all other applicants on the winter temporary assignment waitlists, priority ranked by sign-up date in September; and

(4)

Fourth, to the owners of boats that apply for a winter temporary assignment after September 30.

(d)

Relationship to Statter Harbor Management Regulation. Space for moorage assigned through the winter management monthly moorage zone procedures set out in 05 CBJAC 25.080 takes precedence over moorage assigned under this section. The procedures in this section will be used for moorage assignments made under the winter management waitlisted vessel moorage zone regulations set out in 05 CBJAC 25.090

(Amended 9-12-2005, eff. 9-20-2005)

05 CBJAC 40.055 - Summer temporary assignments.

(a)

Reserved moorage vessels. Upon approval of the Harbormaster for good cause shown, reserved moorage assignees may swap their assigned slips or spaces during the months of May through September.

(b)

Waitlisted vessels. During the months of May through September, the owner of a vessel on a reserved moorage waitlist may apply to Harbormaster for temporary assignment. The Harbormaster will assign temporary moorage space according to vessel size and other management factors with the highest priority given to vessels with the earliest waitlist sign-up date. Owners of vessels participating in this program

must agree to relocate their vessel on short notice. The Harbormaster will not allow owners that do not agree, or fail, to move on short notice to participate in this program.

(c)

Relationship to transient moorage management regulation. Moorage available for assignment under this section does not include moorage managed under the small boat harbor transient moorage management regulations set out in 05 CBJAC 35.

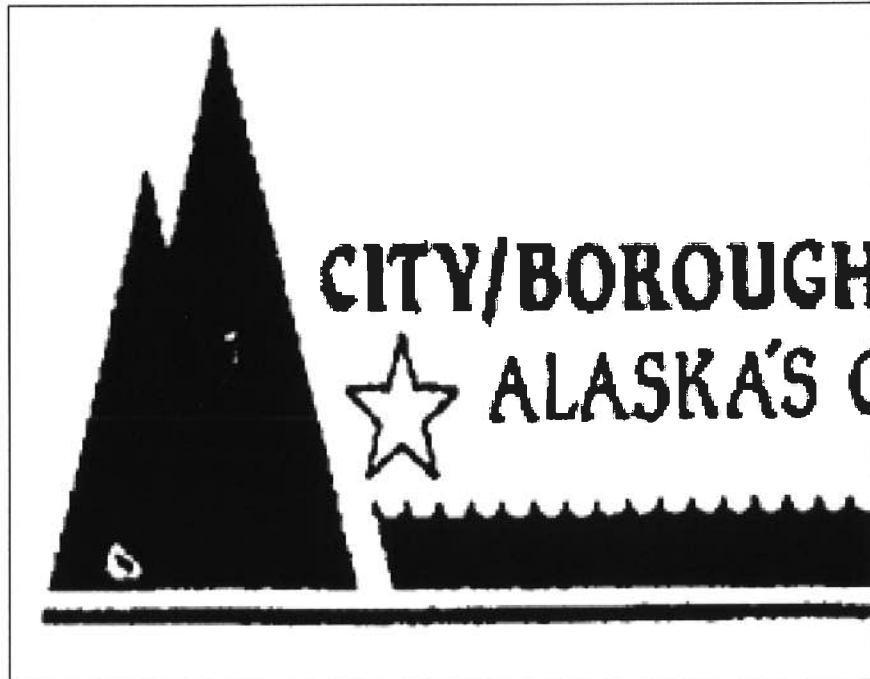
(Amended 9-12-2005, eff. 9-20-2005)

05 CBJAC 40.060 - Visiting vessel assignments.

The Harbormaster may at any time assign reserved moorage slip or space to visiting vessels when such space becomes available as set out in 05 CBJAC 40.020(d). Such space will be assigned on a first-come, first-served basis.

(Amended 9-12-2005, eff. 9-20-2005)

(Amended 9-12-2005, eff. 9-20-2005)



Appendix
A

Port
June
155
South
Sewa
St.
June
AK
9980

Deleted: 05 CBJAC 40.065 - DeHart's Marina Moorage

Management.

(a)¶
Applicability of this regulation. All requirements of 05 CBJAC 40 apply to the slip or space assignees of DeHart's Marina, except as follows: ¶
(1)¶
Assignees with a reserved slip or space at DeHart's Marina on July 1, 2005 may transfer assignment of their reserved slip or space to another person as part of the sale of their assigned vessel. In order for the transfer of the assignment to be effective, the assignee shall provide the Harbormaster with proof of the sale to the new vessel owner; and ¶
(2)¶
Assignees of a reserved slip or space at DeHart's Marina on July 1, 2005 may continue to keep their annual or seasonal assignment provided they meet the applicable requirements set out in 05 CBJAC 40. For the moorage period from April 1, 2006 through June 30, 2006, assignees may keep their moorage assignment by paying to the Harbormaster the applicable moorage fee for this period no later than March 30, 2006. A renewal application is not required for the period of April 1, 2006 through June 30, 2006. For the moorage year starting July 1, 2006, a DeHart's Marina assignee shall follow the renewal moorage application provisions set out in 05 CBJAC 40.030 and the Harbormaster shall process the application in accordance with the procedures set out in 05 CBJAC 40.035 ¶
(b)¶
DeHart's Marina Fees. Reserved ¶

RESERVED MOORAGE APPLICATION

July 1, 200 _____ through June 30, 200 _____

Boat Name: _____ AK No.: _____ ADF&G No.: _____

Doc. No.: _____ Home Port: _____ Boat Type: _____

Length*: _____ Beam: _____ Draft: _____ Hull Type: _____

Engine Type: Single (Thrust) _____ Double _____ Holding Tank: Yes _____ No _____

(*Length is the silhouette length of vessel, including bow sprits and any other permanent or temporary items regular affixed to the vessel.)

Boat Owner(s) _____

Mailing Address: _____

City: _____ State: _____ ZIP _____

Residence Address: _____

City: _____ State: _____ ZIP _____

Phone: (Home) _____ (Work) _____ (Other) _____

Is your vessel used as a residence? Yes _____ No _____

Do you have an auxiliary punt or skiff? Yes _____ No _____ AK No. _____

Tax Exempt No., if applicable: _____

*****IMPORTANT NOTICE / READ BEFORE SIGNING*****

I hereby request reserved mooring privileges within the City and Borough of Juneau ("CBJ") Municipal Harbors, excluding the Auke Bay Transient Facility, for the above described vessel. If approved, I agree to abide by CBJ Code Title 85, and the rules and regulations established pursuant to Title 85, copies of which are available at the Harbor Office or the City Clerk's Office. I understand and agree that this request, if approved, shall apply to the described vessel only and is not transferable. In the event of a change of vessels, a new agreement must be executed.

I further agree to provide the Harbor Office with proof of ownership in the above described vessel.

I understand that reserved moorage fees for the period of July 1, 200_____ to June 30, 200_____ are due on or before July 1, 200_____ and are considered delinquent thereafter. If I fail to pay the applicable moorage fee by July 15, 200_____, or any other charge when due, all my rights to the assigned space shall terminate, the CBJ

may impound my vessel and may assign the space to others on the applicable waiting list.

I agree to pay applicable fees for moorage and for other services which I, or my agent described above, order. I agree to pay other fees without order as the Harbor staff determines to be necessary in an emergency to protect the Harbor facility or my vessel from damage. I hereby agree that unpaid fees shall become a lien against the described vessel and I agree to pay such fees plus whatever costs, interest, and attorney's fees may be incurred in the collection of such fees.

I agree that this application is a request for the privilege of moorage space only. Nothing contained in this application or in the ordinances and rules of the CBJ have been or shall be interpreted by me to impose upon the CBJ any obligation or responsibility for the care and protection of any private property, including the vessel described above.

I hereby expressly consent and authorize the CBJ to move the above described vessel in the event the CBJ determines that: moorage fees are not paid, ordinances or regulations are violated, or there is an emergency. I further agree to hold the CBJ harmless against loss or damage to my vessel, including its equipment, gear, lines, articles, or other personal property attached or related to said vessel, resulting from use of the CBJ facilities or the above mentioned vessel.

I hereby certify that I own the above described vessel and that I have not sold or contracted to sell said vessel.

Signed: _____ Date: _____

(Authorized boat owner/agent)

A person who makes a false statement on this form may be punished for unsworn falsification, a Class A misdemeanor, for which the maximum penalty is imprisonment of not more than one

year and a \$5,000 fine or both. A false statement on this form will result in forfeiture of any assigned mooring space.

(Amended 9-12-2005, eff. 9-20-2005)

05 CBJAC 20.025 - Assigned moorage credit.

(a)

Definition. A fee credit applied to the account of a person with a moorage assignment that makes their private shorepower connection available for temporary moorage assignments.

(b)

Administration. Once each year, the harbormaster shall issue a credit memo to the account of a person with a moorage assignment that makes their private shorepower available for temporary moorage assignments. The credit shall equal \$1.00 for each day that the harbormaster uses their stall for a temporary moorage assignment and the temporary moorage assignee uses the private shorepower connection. The credit is redeemable only against docks and harbors charges levied against the account of the moorage assignee.

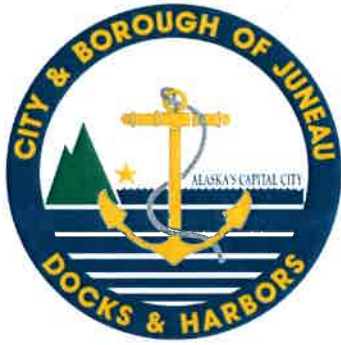
Comment [cu1]: \$8.00

(Amended 12-5-2005, eff. 12-12-2005; Amended 12-11-2006, eff. 7-1-2007)

EXHIBIT A







Port of Juneau

155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

Harbormaster's Monthly Report

June 15, 2012

1. Put cold patch material at top of Statter launch ramp
2. Cement patches on Statter, Aurora floats, breakwater
3. Changed out main water connection
4. Replace broken waterline at Dehart's
5. Replace broken transfer plate
6. Add rub rails to outside of active loading zone
7. Power wash grass off of launch ramp at ABLF
8. Put 10 yards of 2 inch minus rock at bottom of right hand side launch ramp-statter
9. Installed new end of ramp signs on launch ramp-statter
10. Cut grass, small alders, Statter, Amalga, Echo Cove and downtown areas
11. Fabricated new derby speed zone markers
12. Repaired N. Douglas boarding float pins
13. Repaired water cans in town
14. Refloated sunk skiff at Douglas main 17 at owners request