A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

ADOPTION OF REGULATION AMENDMENTS

Title 05 Chapter 07 – Inactive vessel management

Title 05 Chapter 10 – Waterfront Sales Permits

Title 05 Chapter 20 – Small Boat Harbor Fees and Charges

Title 05 Chapter 25 – Statter Harbor Management Regulations

Title 05 Chapter 35 – Small Boat Harbor Transient Moorage Management

Title 05 Chapter 40 – Small Boat Harbor Moorage Management Regulations

Title 05 Chapter 45 – Small Boat Harbor and Port Facilities Use Regulations

PURSUANT TO AUTHORITY GRANTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, THE DOCKS AND HARBORS BOARD ADOPTS THE FOLLOWING REGULATIONS:

Section 1. Authority. These regulations are adopted pursuant to CBJC 01.60, 85.02.060, and 85.02.100.

Section 2. Amendment of Regulation. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 07, Inactive vessel management, to read:

05 CBJAC 07.010 Inactive vessel management.

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(e) *Inactive vessel designation.* A vessel may be designated as an inactive vessel if:

(1) ~~The owner voluntarily declares the vessel as an inactive vessel; or~~

~~(2)~~ The Harbormaster declares the vessel as an inactive vessel because:

(A) The vessel does not meet the requirement related to motive power set out in ~~the~~ CBJC 85.20.020(a); or

(B) The vessel does not meet the requirements related to vessel movement set out in CBJC 85.20.020(b); or

(C) The vessel owner cannot adequately demonstrate that the vessel's primary use is for transportation on the water.

(f) *Inactive moorage management.* The Harbormaster shall assign moorage to inactive vessels in designated areas of the harbor in the same manner as that used to assign ~~reserved moorage~~ preferred moorage in other areas of the harbor, including the provisions and fees for space application, waitlists, space assignment, and space forfeiture. The Harbormaster is allowed to deviate from the ~~reserved moorage~~

preferred moorage provisions as necessary to equitably and efficiently administer the inactive vessel moorage space.

(g) ~~*Houseboats*~~ *Floathouses*. A ~~houseboat~~ floathouse is eligible for moorage in an inactive zone only if:

(1) The dimensions of the ~~houseboat~~ floathouse are less than 30 feet in length overall by 12 feet in beam overall by 12 feet in height from the waterline; or

(2) The ~~houseboat~~ floathouse was moored in the CBJ harbor system on or before December 28, 2004-; and

(3) The floathouse is constructed and maintained in a seaworthy and structurally sound condition, with adequate flotation and stability, such that it does not pose a risk to life, property, or harbor infrastructure, as determined by the Harbormaster.

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Section 3. Amendment of Regulation. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 10, Waterfront sales permits, to read:

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05 CBJAC 10.040 Tour sales permits.

A tour sales permit authorizes the solicitation and sale of tours and experiences.

(a) Application process and permit award.

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(4) *CPI adjustment.* For each calendar year after 2025, the fee assessed in this section will be equal to the previous fiscal year's fee, adjusted by the Consumer Price Index - Urban Alaska (CPI) as reported by the Alaska Department of Labor & Workforce Development for the calendar year preceding the start of the seasonal cruise vessel year (April 1 through November 1). The Docks and Harbors Board may, by motion, take action to keep the fee the same as the previous year, or increase the fee in an amount less than the CPI adjustment.

Section 4. Amendment of Regulation. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 20, Small boat harbor fees and charges, to read:

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05 CBJAC 20.042 Monthly pre-paid discounts.

An owner that pays moorage in advance will receive the following discount moorage fee.

1. For the period of July 1 to June 30: Ten-percent discount.
2. For the period of July 1 to December 31: Five-percent discount.
3. For the period of January 1 to June 30: Five-percent discount.

Refundability. Pre-paid moorage may be refunded at the discretion of the Harbormaster if a vessel is sold or relocated during the pre-paid moorage period. The refund shall be for the remainder of the moorage period, which was originally discounted and shall be at the rate of original payment.

05 CBJAC 20.044 Active fishing vessel discount at Statter Harbor.

(a) *Discount.* In lieu of the requirement to pay daily fees for use of Statter Harbor as set out in 05 CBJAC 25.060 and 05 CBJAC 25.070, the owner of a fishing vessel that pays annual fees as set out in 05 CBJAC 40.020 may, for up to 20 days in a calendar year, use Statter Harbor without paying daily fees, provided:

(1) The owner registers with Statter Harbor Office in advance or upon arrival at Statter Harbor;

(2) The owner does not owe past due fees to the Docks and Harbors Department;

(3) The owner provides the Harbormaster with proof of significant fish landings within the City and Borough of Juneau during each calendar month the owner uses Statter Harbor; and

(4) If the owner has ~~reserved moorage~~ preferred moorage, the owner informs the Docks and Harbors Department of the departure date from and estimated return date to their preferred stall.

(b) *Exclusions.* This section does not relieve an owner from complying with other applicable requirements for use of Statter Harbor such as maximum time limits or the requirement to pay monthly fees during the winter moorage period.

(c) *Reciprocation.* Fishing vessels maintaining ~~reserved moorage~~ preferred moorage in Statter Harbor will be allowed 20 days at the downtown harbors during the calendar year provided they comply with the stipulations above.

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05 CBJAC 20.150 ~~Reserved moorage~~ Preferred moorage waitlist fee.

(a) A person applying for placement on the ~~reserved moorage~~ preferred moorage waitlist shall pay an initial sign-up fee of $61.80 and an annual fee of $12.36 payable by March 1 of each year that the person wishes to remain on the waitlist.

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Section 5. Amendment of Regulation. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 25, Statter Harbor management regulations, to read:

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05 CBJAC 25.090 Winter management waitlisted vessel moorage zone.

From the day after Labor Day through the Thursday before Memorial Day each year, the Harbormaster may assign space to vessels that are on the ~~reserved moorage~~ preferred moorage waitlist when space cannot be assigned in the downtown harbor system and there is excess space at the facility after the daily and monthly moorage zones have been established. The Harbormaster shall assess moorage fees to the owner of each vessel as follows:

(a) No additional fee for vessels who pay the full annual fee on or before July 1 in accordance with the applicable small boat harbors fees and charges schedule; and

(b) 75 per cent of the full annual fee for all other waitlisted vessels.

05 CBJAC 25.100 Exclusion.

This regulation does not limit or restrict the Harbormaster's authority to prioritize and manage moorage in a manner to accommodate vessels that are temporarily displaced from ~~reserved moorage~~ preferred moorage due to harbor reconstruction activities, displaced during the winter due to safety concerns, or as provided by CBJ Ordinance Title 85.10.050.

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Section 6. Amendment of Regulation. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 35, Small boat harbor transient moorage management, to remove:

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05 CBJAC 35.030 Reserved. ~~Docks and harbors board approval.~~

~~Prior to designating and administering transient moorage under Section 20 of these regulations, the Harbormaster shall obtain the approval of the Docks and Harbors Board.~~

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Section 7. Amendment of Regulation. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 40, Small boat harbor moorage management regulations, to read:

05 CBJAC 40.010 General moorage management policy.

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(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~~ six 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.

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05 CBJAC 40.015 Boat shelters.

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(f) *Boat shelter sales.* ~~Reserved moorage~~ Preferred moorage status within a boat shelter may transfer between the seller and buyer of a boat shelter. In order to transfer the ~~reserved moorage~~ preferred 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~~ preferred moorage within the shelter will not transfer to the buyer. This subsection does not allow an inappropriately sized vessel to be assigned ~~reserved moorage~~ preferred moorage space within a boat shelter.

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05 CBJAC 40.020 ~~Reserved moorage~~ Preferred moorage policy.

(a) *Definition.* ~~"Reserved moorage"~~ "Preferred 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~~ preferred 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~~ preferred 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~~ preferred moorage are available at the Aurora Harbor Office.

(d) *Duty to notify of departures and planned return time.* ~~Reserved moorage~~ Preferred 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 Harbormaster@~~ci.juneau.ak.us~~juneau.gov. ~~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~~ preferred 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~~ preferred 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~~ preferred 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~~ preferred moorage slip or space.* Any vessel occupying a ~~reserved moorage~~ preferred 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~~ preferred moorage slip or space.* Except when approved by the Harbormaster, only one vessel may be moored in any one ~~reserved moorage~~ preferred moorage slip or space. The Harbormaster shall obtain the permission of adjacent ~~reserved moorage~~ preferred moorage assignees before allowing more than one vessel to moor between ~~reserved moorage~~ preferred 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~~ preferred 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~~ preferred 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.

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(4) The assignee may appeal the Harbormaster's decision to terminate a ~~reserved moorage~~ preferred 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~~ preferred moorage slip or space to any other person or vessel.

(j) ~~*Reserved moorage*~~ *Preferred moorage for Former DeHart Marina Patrons.* Former DeHart Marina patrons eligible for ~~reserved moorage~~ preferred moorage at Statter Boat Harbor will be provided preferred moorage, notwithstanding the size requirements under 05 CBJAC 40.010(f), until the vessel is sold, lost, destroyed or stolen. Vessels procured with the intent to retain ~~reserved moorage~~ preferred moorage under 05 CBJAC 40.020(e), must meet the requirements under 05 CBJAC 40.010(f).

05 CBJAC 40.025 ~~Reserved moorage~~ Preferred 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~~ preferred moorage. To make a first-time application, the boat owner must complete the application form ~~contained in Appendix A to these regulations~~ maintained by the Harbormaster and pay the fee set out in 05 CBJAC 20.150.

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(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~~ preferred moorage space is not available, place the applicant on a waitlist in accordance with 05 CBJAC 40.040;

(2) If ~~reserved moorage~~ preferred moorage space is available, assign the applicant a ~~reserved moorage~~ preferred 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.

05 CBJAC 40.030 ~~Reserved moorage~~ Preferred moorage annual renewals.

(a) *~~Reserved moorage~~ Preferred moorage renewal application.* No later than the first day of each moorage year, an assignee of a ~~reserved moorage~~ preferred 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~~ preferred 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~~ Preferred 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.

05 CBJAC 40.035 ~~Reserved moorage~~ Preferred moorage assignments.

(a) *Assignment requirements.* Prior to assigning ~~reserved moorage~~ preferred moorage for the first time and prior to approving annual renewals, the Harbormaster shall verify the following:

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05 CBJAC 40.040 ~~Reserved moorage~~ Preferred moorage waitlists.

(a) *Waitlists.* The Harbormaster shall establish and maintain ~~reserved moorage~~ preferred moorage waitlists for qualified applicants when there is no ~~reserved moorage~~ preferred 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.

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(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~~ preferred moorage becomes available.

(e) *Annual renewal.* By ~~March 1~~ January 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~~ January 1 of each year. Applicants that do not pay the renewal fee by ~~March 1~~ January 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 may remain eligible on the waitlist for up to one year after the offer date. An applicant that ~~or~~ does not respond will be removed from the applicable waitlist.

(g) *Duty to occupy assigned slip or space.* If the ~~reserved moorage~~ preferred moorage slip or space assignee does not place the assigned vessel in the slip or space within ~~90~~ 30 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.

05 CBJAC 40.045 ~~Reserved moorage~~ Preferred moorage reassignments.

A ~~reserved moorage~~ preferred 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~~ preferred 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.

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~~ preferred slips or spaces and other designated winter moorage may apply for such moorage at the Aurora Harbor Office.

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(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~~ preferred 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~~ preferred moorage slip or space waiting lists, priority ranked by ~~reserved moorage~~ preferred 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.

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05 CBJAC 40.055 Summer temporary assignments.

(a) ~~*Reserved moorage*~~ *Preferred moorage vessels.* Upon approval of the Harbormaster for good cause show, ~~reserved moorage~~ preferred 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~~ preferred 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.

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05 CBJAC 40.060 Visiting vessel assignments.

The Harbormaster may at any time assign ~~reserved moorage~~ preferred 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.

05 CBJAC 40.065 Vessel anchoring requirements.

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CITY/BOROUGH OF JUNEAU ALASKA'S CAPITAL CITY ~~;l;~~	~~**Appendix A**~~	~~Port of Juneau~~ ~~155 South Seward St.~~ ~~Juneau, AK 99801~~

~~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.**~~

Section 8. Amendment of Regulation. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 45 Small boat harbor and port facilities use regulations, to read:

05 CBJAC 45.055 Parking management.

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(b) *Geographical applicability.* This regulation applies to the geographical areas used for parking and loading that are appurtenant to a boat harbor or port facility, as those terms are defined in CBJ 85.05.010, and all long term storage areas designated by the Port Director. These geographical areas include, but are not limited to, the parking and loading areas at:

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(6) Statter Harbor and the Auke Bay Marine Station (ABMS) ~~parking lot across Glacier Highway from the Horton property~~;

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(j) *Vehicle size restrictions.* The Harbormaster will determine the maximum and minimum length and breadth of a vehicle that is allowed to park in the managed parking areas based on the size of the spaces or general parking availability 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 vehicle, or part thereof, may extend more than three feet beyond a parking space, or occupy multiple spaces.

(k) *Amphibious vessels.* In addition to being required to possess a valid launch ramp permit, any un-trailered, amphibious vessel parked in the Statter Harbor parking lot will be required to pay the daily moorage fees as required under 05 CBJAC 20.030 (Daily moorage fees). This fee is in lieu of the parking fees required under 05 CBJAC 20.160.

~~(j)~~(l) *Enforcement.* Parking or operating a vehicle or other item, in violation of a sign posted pursuant to this regulation is an infraction. The Port Director may prohibit a person from using a parking area, loading area, or storage facility in cases where the director makes a written finding of negligent or unsafe operation or storage by the person of a vehicle or other item at a parking area, loading area, or storage facility; or non-payment of parking, loading, or storage fees by the person.

Section 9. Notice of Proposed Adoption of a Regulation. The notice requirements of CBJC 01.60.200 were followed by the agency. The notice period began on _____, which is not less than 21 days before the date of adoption of these regulations as set forth below.

Adoption by Agency

After considering all relevant matter presented to it, the agency hereby amends these regulations as set forth above. The agency will next seek Assembly review and approval.

Date: _____

_____
Carl Uchytil
Port Director

Legal Review

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJC 01.60.250:

(1) Consistency with federal and state law and with the charter, code, and other municipal regulations;

(2) The existence of code authority and the correctness of the required citation of code authority; and

(3) Its clarity, simplicity of expression, and absence of possibility of misapplication.

Date: _____ _____

Emily L. Wright
Municipal Attorney

Assembly Review

These regulations were presented to the Assembly at its meeting of _____. They were adopted by the Assembly.

Date: _____ _____

Breckan L. Hendricks, Municipal Clerk

Filing with Clerk

I certify, as the Clerk of the City and Borough of Juneau, that the following statements are true:

(1) These regulations were accepted for filing by the office of the clerk at ___:___ a.m./p.m. on the _____day of _____, _____.

(2) After signing, I will immediately deliver or cause to be delivered copies of this regulation to the attorney and the director of libraries.

(3) A permanent file of the signed originals of these regulations will be maintained in this office for public inspection.

(4) Effective date: _____.

Date: _____ _____

Breckan L. Hendricks, Municipal Clerk