

# **A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA**

## **Amendment of Title 05, Chapter 15**

### **Dockage Charges, Reservation Charge Policy, and Loading Permit Fees**

PURSUANT TO AUTHORITY GRANTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, THE DOCKS AND HARBORS BOARD IS PROPOSING TO ADOPT THE FOLLOWING AMENDMENT TO REGULATIONS:

**Section 1. Authority.** These regulations are proposed for adoption pursuant to CBJ 01.60 and CBJ 85.02.060, and CBJ 85.02.100.

**Section 2. Adoption of Regulations.** The City and Borough of Juneau Administrative Code is amended by the adoption of regulations in Title 05, Chapter 15 as follows:

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#### **05 CBJAC 15.030 Dockage charges.**

(a) *Definition.* The charge assessed to vessels for berthing at the Steamship Wharf, the Cruise Ship Terminal, the Intermediate Vessel Float (IVF), the Port Field Office Float (PFO), and the Inside of the Cruise Ship Terminal (ICT).

(b) *Basis for computing charges.* Dockage charges are assessed upon length-over-all (LOA) of the vessel. Length-over-all is defined as the linear distance, in feet, from the forward most part at the stem to the aftermost part of the stern of the vessel, measured parallel to the base line of the vessel.

Length-over-all of the vessel, as published in "Lloyd's Register of Shipping" will be used and, when not published, the Port reserves the right to measure the vessel or obtain the length-over-all from the vessel's register.

(c) *Dockage period; how calculated.* The period of time which dockage will be assessed shall commence when the vessel is made fast to an allocated berth or moored, or comes within a slip and shall continue until such vessel casts off and has vacated the position allocated. All time is counted and no deductions shall be allowed because of weather or other conditions, except when the Port Director provides for such allowance for good cause shown.

(d) *Charges when a vessel shifts to different berth.* When a vessel is shifted directly from one position to another berth or slip, the total time at such berths or slips will be considered together when computing the dockage or charge.

(e) *From May 1 to September 30, dockage for all vessels, except those vessels paying dockage fees set out in 05 CBJAC 15.030(f) and (h), will be assessed for each 24-hour period or portion thereof as follows:*

- (1) \$1.50 per foot for vessels less than 65 feet in length overall;
- (2) \$2.50 per foot for vessels with a length overall from 65 feet up to 200 feet; and
- (3) \$3.00 per foot for vessels greater than or equal to 200 feet in length overall.

(f) *From May 1 to September 30, fishing vessels will be assessed dockage at \$0.75 per foot of length overall for each 24-hour period or portion thereof, except there will be no charge to vessels staging to offload at Taku Dock, provided the duration of staging is less than four hours.*

(g) *From October 1 to April 30, dockage will be assessed as set out in 05 CBJAC 20.030, 05 CBJAC 20.035, and 05 CBJAC 20.040.*

(h) *From May 1 to September 30, vessels loading passengers as part of a for-hire tour or experience with a duration less than 24 hours shall comply with the requirements set out in 05 CBJAC 20.080(c) and shall pay passenger-for-hire fees as set out in 05 CBJAC 20.080(d).*

(i) *Dockage specials.* The Docks and Harbors Board may after public hearing establish special and promotional rates of a temporary nature in order to encourage use of facilities, to respond to unusual economic circumstances, or to promote revenue development.

#### **05 CBJAC 15.035    Reservation charge policy.**

(a) *Purpose.* This reservation charge policy applies to vessels for reserved moorage at the Intermediate Vessel Float, the Port Field Office Float (PFO), the Inside of the Cruise Ship Terminal (ICT), and Statter Harbor Breakwater from May 1<sup>st</sup> to September 30<sup>th</sup>.

(b) *Basis for computing charges.* Charges will be assessed as set out in 05 CBJAC 15.030.

(c) *Reservation Requests.* Reservations are required to dock at these facilities, with the exception of designated active loading zones. Requests for moorage reservations can be submitted at any time by email. Requests for reservations more than 365 days into the future will only be processed between May 1 and September 30. All requests and reservations must have arrival and departure times. Requested positions on the dock are not guaranteed. Docks and Harbors staff will review all requests and position vessels to optimize use of the IVF, PFO, and ICT docks.

(d) *Reservation confirmation and changes.* Payment is required for the first day of moorage for each visit at the time of reservation confirmation and is non-refundable. Cancelling a reservation will result in forfeiture of the reservation fee. Reservation dates can be adjusted until May 1<sup>st</sup> in the year of requested moorage at no additional charge if space is available. Starting May 1<sup>st</sup>, reservation payments cannot be transferred to other dates; any change in dates will require forfeiture of the original reservation payment, and payment of an additional non-refundable reservation fee for the amended first day(s) of moorage. Failure to arrive within 24 hours after a reservation begins will result in cancellation of the remainder of the reservation and forfeiture of the reservation fee. Reservation payments are not transferrable between Downtown and Statter Harbor. The director may impose moorage terms and conditions that are reasonable and necessary to effectuate the purposes of CBJ Code of Ordinances Title 85 and CBJ Administrative Code Title 5.

(e) *Other fees.*

- (1) Any associated tenders/dinghies will also be charged moorage when stored in the water on the dock or alongside the vessel (space permitting) as set out in 05 CBJAC 15.030.
- (2) Rafting is only allowed if authorized by Docks and Harbors staff and charges will be assessed as set out in 05 CBJAC 15.030.
- (3) Power is available on a first come first serve basis and is not guaranteed. Charges will be assessed as set out in 05 CBJAC 30.010 (e).

(f) *Loading Zones.* Designated active loading zones are intended primarily for vessels which are lightering, fishing vessels staging to offload at Taku Dock, and vessels engaged in passenger-for-hire activity. Vessels wishing to dock in a loading zone for longer than four hours must obtain approval from the Harbormaster and will be charged accordingly.

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#### **05 CBJAC 15.080 Loading permit fees.**

(a) *Definition.* The charge assessed for obtaining a loading permit as set out in CBJ Administrative Code Title 05, Chapter 10.

(b) *Basis for charge.* Permits are issued to qualifying entities pursuant to the regulations set out in CBJ Administrative Code Title 05, Chapter 10. Three classes of permits are issued, "A" permits, "B" permits, and limited loading permits. The "A" and/or "B" permits have two fee components. The first component is assessed to each company obtaining one or more "A" and/or "B" permits. The second component is assessed to each company based on the total number of passenger seats, excluding the vehicle drivers, that are permitted. All fees are assessed on a per calendar year basis.

(c) *Loading permit fees assessment:*

Permit Type	Fee
"A" or "B" Permit	2017 \$300 per company plus \$7 per passenger seat 2018 \$350 per company plus \$8 per passenger seat 2019 \$400 per company plus \$9 per passenger seat Starting 2025 Adjust this fee every 5 years based on the CPI adjustment.
Limited Loading Permit	\$15 per vehicle for each permit day; or \$250 per year, whichever is less.

**Section 3. Notice of Proposed Adoption of a Regulation.** The notice requirements of CBJ 01.60.200 were followed by the agency. The notice period began on March 21, 2017, 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: 6/9/2017

  
Carl Uchytel  
Port Director

**Legal Review**

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJ 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: \_\_\_\_\_

6/12/17

Robert H. Palmer III

Robert H. Palmer, III  
Assistant Municipal Attorney

#### Assembly Review

These regulations were presented to the Assembly at its meeting of 5/15/17. They were adopted by the Assembly.

Date: \_\_\_\_\_

6/12/17

Laurie J. Sica

Laurie J. Sica, 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 <sup>corrected</sup> regulations were accepted for filing by the office of the clerk at 11:00 a.m./p.m. on the 12<sup>th</sup> day of June, 2017.
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: May 23, 2017.

Date: \_\_\_\_\_

June 12, 2017

Laurie J. Sica

Laurie J. Sica, Municipal Clerk