

DRAFT

Sponsor: Mayor Poelstra

**CITY OF EDNA BAY, ALASKA
ORDINANCE NO. 21-26NCO**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF EDNA
BAY, ALASKA FOR TEMPORARY BASIC HARBOR POLICIES**

BE IT ENACTED BY THE EDNA BAY CITY COUNCIL AS FOLLOWS:

Section 1. Classification: This is a **Non-Code Ordinance**.

Section 2. Severability: If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons shall not be affected thereby.

Section 3. The City is adopting temporary basic harbor policies; as defined in this ordinance.

Section 4. Once enacted, the attached provisions enable temporary management authority to the Edna Bay City Council and basic use policies for the Edna Bay Harbor.

Section 5. Effective Date: This ordinance becomes effective upon its adoption by the Edna Bay City Council. It shall remain in effect until "Title 7- Harbor Facilities" is adopted, or the date of October 30th, 2021.

DATE INTRODUCED:

DATE OF PUBLIC HEARING:

Passed and approved by the Edna Bay City Council this day of
, 2021. .

Tyler Poelstra, Mayor

ATTEST:

Myla Poelstra, Clerk

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Edna Bay Harbor Policies –

- 1: This Ordinance shall constitute the temporary Boat Harbor powers of the City of Edna Bay, Alaska and may be cited as such;
- 2: The moorage, use or presence of any vessel within the Edna Bay Harbor shall constitute an agreement by the owner or operator to conform to the provisions of this ordinance and any rule, regulation, or order made pursuant thereto;
- 3: Until a Harbor Master is appointed, the Mayor shall be the acting Harbor Master and is hereby charged with the duty of enforcing all provisions of this Ordinance and any rules and regulations adopted hereunder;
- 4: The Harbor Master shall be provided by this ordinance the power necessary to maintain proper form, function and general order of the facility. Boat owners must comply with the orders of the Harbor Master and all orders of the City Council;
- 5: Any use of the Harbor other than to moor a vessel shall be permitted only after approval of the Harbor Master. This includes, and is not limited to, any activity that could damage the facility, and any activity that would impede the normal use and function of the Harbor;
- 6: To ensure public health and safety, use of the facility by pet owners shall require that pets must be kenneled or leashed and cleaned up after. If the pet owner occupies a slip at the harbor, failure to abide by this provision may result in loss of moorage rights;
- 7: Vessel owners shall owe the City, after 24 hours of occupying any stall at the Harbor, \$20.00 per month for any vessel 20' and under, and \$40.00 per month for any vessel greater than 20' in length. Moorage payments shall be made to the City by Credit / Debit Card or Cash only;
- 8: Failure to remit moorage payment to the City within 30 days shall result in overdue notice sent by certified mail to the registered vessel owner. If unpaid dues remain after 30 days following certified notice, the City shall act in accordance with AS 30.30 to impound the vessel and remediate dues;
- 9: The Mayor or Harbor Master may, in his or her discretion, refuse moorage to a vessel that may become a menace to the safety or welfare of other vessels at the harbor or their occupants, or deemed too large or unusual in function or form to safely moor at the facility;
- 10: The Mayor or Harbor Master may, in the interest of safety, order, and convenience, require the owner or operator of a boat to change from one mooring to another and may move any boat in the absence of the owner after attempting to provide due notice;
- 11: All vessels at the harbor must comply with State laws and regulations for registration and compliance, and must be able to operate under their own power unless provided a timed written exception by the Mayor or Harbor Master;
- 12: The Harbor Master working with Mayor shall establish a policy for Wait Listed Slips;
- 13: All rates and provision under this ordinance shall be in effect until "Title 7- Harbor Facilities" is adopted, or the date of October 30th, 2021;