

CITY OF SELDOVIA

ORDINANCE 18-01

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA,
AMENDING TITLE 15 HARBORS AND BOAT MOORAGE BY ADOPTING A NEW CHAPTER
15.18 JAKOLOF BAY DOCK AND AMENDING CHAPTER 15.08 DEFINITIONS**

WHEREAS, THE CITY OF SELDOVIA HAS OWNERSHIP AND MAINTAINS JAKOLOF BAY DOCK.

WHEREAS, THE CITY OF SELDOVIA ASSUMES FINANCIAL AND MAINTENANCE RESPONSIBILITY FOR ITS OWNERSHIP ROLE.

WHEREAS, MUNICIPAL OWNERSHIP OF HARBOR FACILITIES MEANS THAT REGULATIONS AND MOORAGE RATES TO THE PUBLIC MUST BE ESTABLISHED TO MAINTAIN AND RESTORE THE FLOAT TO GOOD CONDITION.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SELDOVIA:

SECTION 1. CLASSIFICATION. This ordinance is permanent in nature and shall become a part of the Municipal Code of the City of Seldovia.

SECTION 2. EFFECTIVE DATE. This ordinance becomes effective upon its adoption by the City Council.

SECTION 3. AMENDING TITLE 15 HARBORS AND BOAT MOORAGE BY ADOPTING A NEW CHAPTER 15.18 JAKOLOF BAY DOCK AND AMENDING CHAPTER 15.08 DEFINITIONS, BY REMOVING LANGUAGE IN ~~STRIKEOUT~~ AND ADDING LANGUAGE IN **HIGHLIGHT TO READ AS FOLLOWS:**

**Title 15
Harbors and Boat Moorage**

Chapters:

- 15.04 General provisions
- 15.08 Definitions
- 15.12 Boat operation
- 15.14 Set nets and gill nets
- 15.16 Small boat harbor

- 15.18 Jakolof Bay Dock
- 15.20 Enforcement
- 15.30 Harbor advisory commission

Chapter 15.08 Definitions

Sections:

- 15.08.010 Boat.
- 15.08.020 Length.
- 15.08.030 Operator.
- 15.08.035 Reserved Mooring.
- 15.08.040 Small boat harbor.
- 15.08.045 Jakolof Bay Dock.
- 15.08.050 Transients.
- 15.08.060 Waterway.
- 15.08.070 Abandoned.

15.08.045 Jakolof Bay Dock. "Jakolof Bay Dock" means the "L" shaped floating dock that extends 225 feet seaward of the high tideline, 150 feet north from the end of the previously mentioned portion, and is 10 feet wide. Located within Section 20, T. 8 S., R. 13 W., Seward Meridian; USGS Quad Map Seldovia B-5; Latitude 59.4657 N., Longitude 151.5365 W.; Kenai Peninsula Borough; in Jakolof Bay near Seldovia, Alaska.

15.08.070 Abandoned. "Abandoned" means any undocumented vessel moored or otherwise located within the boundaries of the Seldovia Harbor or while moored at the Jakolof Bay Dock which is forsaken, abandoned, deserted, or cast away, which by appearances give evidence of being forsaken, abandoned, deserted, or cast away, or which in the opinion of any recognized marine surveyor is unsound, unseaworthy and unfit for its trade or occupation and which by any substantial evidence of neglect may be considered abandoned. (Ord. 86-8 Sec. 1, 1986)

Chapter 15.18 Jakolof Bay Dock

Sections:

- 15.18.010 Registration Required.
- 15.18.020 Transient Moorage.
- 15.18.030 No Preferential Right-- Rafting.
- 15.18.040 Services of Harbormaster.
- 15.18.050 Mooring without payment prohibited.
- 15.18.060 Moorage fees.
- 15.18.070 Transient Moorage—Collection Action.
- 15.18.080 Maximum vessel length.
- 15.18.090 Floats--Kept free of objects.
- 15.18.100 Emergency services.
- 15.18.110 Dumping debris prohibited.
- 15.18.120 Occupant to keep area neat.
- 15.18.130 Welding prohibited on float.
- 15.18.140 Float bumpers.
- 15.18.150 Wheeled vehicles on float facilities.
- 15.18.160 Children under twelve on float.
- 15.18.170 Dogs on float facilities.
- 15.18.180 Combustible liquids.
- 15.18.190 Live-aboard Policy.

15.18.010 Registration Required. Every owner, master or authorized agent of a vessel using Jakolof Bay Dock for longer than four hours, shall register an application and mooring agreement that includes, the person's name, address, and telephone number, and the vessel's name, home port, official number or state registration number, color, length, breadth and draft, and such other information as the harbormaster may require. As a condition precedent to securing of moorage space each owner or authorized agent shall, in writing, agree to the removal of his boat by the Harbormaster in the event of delinquent fees. All cost of removal of any boat shall be at the owner's expense and risk.

15.18.020 Transient Moorage. Mooring spaces are first come first serve unless otherwise designated by the Harbormaster and their decision shall be final. A written and signed application for such space on a form provided by the harbormaster shall be provided to the harbormaster within the time allowed for registration. Prepayment of fees for moorage is required. Approval of such application by the harbormaster confers no rights in the land or water constituting the space. The applicant shall promptly notify the harbormaster of any changes in the information set forth on the application.

15.18.030 No Preferential Right--Rafting. Users have no preferential right to moor in any particular location in transient moorage, nor the right to return to the same space if another vessel is occupying that space. Rafting of vessels in transient moorage space shall be permitted. All moored vessels are subject to yet another vessel tethering aside.

15.18.040 Services of Harbormaster. The Harbormaster is granted the power and authority to, from time to time as circumstances require but without any

obligation or duty to do so, and without any obligation or liability on his part or that of the City for his failure to do so, replace defective mooring lines, attach additional mooring lines, pump vessels which are in a dangerous condition for lack of pumping, and to move any boat for the purpose of protecting such boat from fire or other hazard or for the protection of other vessels or property therefrom. The harbormaster shall have authority to move a vessel in transient moorage space to another location to better maximize the use of available space.

15.18.050 Mooring without payment prohibited. It is unlawful for any person to moor, berth, tie, attach or connect to any harbor improvement or facility, any vessel, or other waterborne structure for an overnight period without paying rental charges.

15.18.060 Moorage fees. Day moorage constitutes any vessel mooring for a period longer than four consecutive hours. The monthly fee period is any calendar month beginning on the first day of the month and ending on the last day of the month. Annual transient moorage must be requested in advance. The annual fee period is February 28th to March 1st of each year.

15.18.070 Transient Moorage—Collection Action. Mooring fees shall be paid in accordance with the published schedule. Delinquent accounts are subject to collection in accordance with the credit policy adopted by the City Council and in effect.

15.18.080 Maximum vessel length. Maximum vessel length for mooring at Jakolof Bay Dock is thirty- five (35) feet.

15.18.090 Floats--Kept free of objects. All floats shall be kept clear of any objects or items that are not appurtenances to the floats. Any such items found on the floats are subject to impoundment. Impounded items will be released after proof of ownership and payment of an impoundment fee. Items not claimed within ninety days may be sold by the City.

15.18.100 Emergency services. Boats requiring emergency service by city employees will be charged for such service by the City at cost.

15.18.110 Dumping debris prohibited. No person in charge of or occupying any boat shall dump or throw garbage, paper, bottles, cans or debris into the waters or onto the floats of Jakolof Bay Dock. No person shall pump bilges containing oil or gasoline or transferred gasoline or any other highly inflammable liquid or substance while moored at Jakolof Bay Dock.

15.18.120 Occupant to keep area neat. Persons in charge of or occupying boats shall at all times keep the floats and premises adjacent to such watercraft in a neat and orderly condition, free from trash, rubbish, repair parts, machinery equipment and debris of all kinds.

15.18.130 Welding prohibited on float. For the safety of the general public and protection of the boat float, there shall be no welding on the boat float. Violators of this section shall be subject to the general penalty provision in Section 1.08.010 of this code.

15.18.140 Float bumpers. Float bumpers made from used tires, rope, old fire hose, etc., shall not be secured either permanently or temporarily to the float system under any circumstance. The lessee may install standardized premolded rubber, vinyl bumpers of commercial manufacture if so desired.

15.18.150 Wheeled vehicle on float facilities. There shall be no driving of any wheeled bicycle or wheeled or tracked motorized piece of equipment upon the float facilities, except equipment authorized by the Harbormaster.

15.18.160 Children under twelve on float. It is unlawful for any children under the age of twelve years to be on the float, unless accompanied by an adult.

15.18.170 Dogs on float facilities. Dogs on floats to and from boats shall remain on a leash at all times. Owners are responsible for messes and damage caused by their dog.

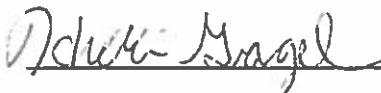
15.18.180 Combustible liquids. It is unlawful for any person to store upon any of the floats, docks or gangways owned, constructed or maintained by the City, any gasoline, lubricating oil or other combustible liquids or oils of any nature or description.

15.18.190 Live-aboard Policy. A person living aboard a boat moored at the Jakolof Bay Float for fifteen days within any thirty-day period is considered a live-aboard. Live-aboard's are strictly prohibited while moored at Jakolof Bay Dock.

ADOPTED by a duly constituted quorum of the City Council of the City of Seldovia, Alaska this 30th day of August, 2017.

ATTEST:

APPROVED:



Heidi Geagel, City Clerk



Dean Lent, Mayor

Vote:

MORRISON-

ROJAS-

LETHIN-

SWEATT-

COLBERG-

PATRICK-