

Port & Harbor Tariff Regulations - 2010

**RULES, RATES, CHARGES AND REGULATIONS
FOR PORT AND HARBOR FACILITIES
CITY OF SEWARD, ALASKA**

SEWARD BOAT HARBOR, SEWARD MARINE CENTER AND SHIP LIFT SYSTEM

Revised: November 9, 2009/January 25, 2010



**CITY OF SEWARD
P.O. BOX 167**

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PREFACE

The purpose of this document is to provide, in a complete but condensed format for public review, the terms, conditions, rules, regulations, charges, and rates comprising the City of Seward Port and Harbor Tariff, as approved from time to time by the Seward City Council. Although some text has been rearranged for the purpose of clarification, it does not reflect any substantive changes to the actual tariff. This document contains, but is not limited to, the City of Seward Terminal Tariff No. 100 as filed with the Federal Maritime Commission.

Tariff Revisions

The City of Seward Port and Harbor Tariff may be revised in whole or in part from time to time. Upon such revision, the amended page(s) will show the date of revision in the lower left corner. Requests for missing pages or additional copies of the tariff may be directed to the Seward City Clerk.

Forms

All forms referenced in this document may be obtained from the Seward City Clerk's Office or the Harbormaster's Office. Shiplift/SyncroLift forms are available at Seward Ship's Drydock Office at the Marine Industrial Center. These forms include, but are not limited to, Vessel Moorage Application, and supplements thereto; Application and Agreement for Reserved Moorage; Application and Agreement for Transient Moorage; Boat Lift Agreement; Vessel Shiplift Use Application, and Supplements thereto; Shiplift System Use Permit; Terminal Use Permit; Prepayment Agreement; and Uplands Storage Agreement.

Explanation of Abbreviations and Characters That May Appear in Tariff

b.m.	board measure	lgth.	length
bbl.	barrel	m.b.m.	1,000 ft. board measure
bdl.	bundle	meas.	measure
crt.	crate	min.	minimum
cs.	case	misc.	miscellaneous
ctn.	carton	m.t.	metric ton
cu.ft.	cubic foot or feet	no.	number
ea.	each	N.O.S.	not otherwise specified herein
f.f.	folded flat	pkg.	package
F.M.C.	Federal Maritime Commission	sq. ft.	square foot or feet
gals.	gallons	stg.	storage
hdlg.	handling	U.S.	United States of America
inc.	including, inclusive or incorporated	w.t.	weight ton of 2,000 lbs.
l.c.l.	less than carload	w/m	weight ton of 2,000 lbs. or cubic ton of 40 cubic feet
ldg.	loading	yd.	yard

Notice to Public

This tariff is published and filed as required by law and is, therefore, notice to the public, shippers, consignees and carriers that the rates, rules and charges apply to all traffic for which contract rates have not been arranged.

In addition to this Port and Harbor Tariff, the public, shippers, consignees and carriers using City of Seward facilities should consult and be aware that the City of Seward Code of Ordinances, including but not limited to Chapter 9.15 (Fire Prevention and the Uniform Fire Code), Title 14 (Utilities, including Garbage, Refuse, Water, Electricity and Sewage) and Chapter 7.10 (Ports and Harbors), all as amended, apply and govern where not specifically provided otherwise in this tariff.

SECTION I - GENERAL RULES AND REGULATIONS

100 DEFINITIONS - GENERAL

- (a) *General Terms.* Unless provided otherwise in this tariff, applicable definitions set forth in 46 CFR § 515.6 shall control.
- (b) *City Docks.* The city docks of the City of Seward include all docks, floats, slips, wharves, ramps, piers, bulkheads, dolphins and sea walls owned or operated by the City of Seward.
- (c) *Float; Float System.* Those portions of the city docks located within the Small Boat Harbor that rise and fall with the tide, including the pilings, ramps, ladders and utility connections.
- (d) *Holidays.* In this tariff, whenever reference is made to holidays, the following days are included: New Year's Day, President's Day, Seward's Day, Memorial Day, Independence Day, Labor Day, Alaska Day, Veterans Day, Thanksgiving Day, the day immediately following Thanksgiving Day, one-half of the working day immediately preceding Christmas Day, and Christmas Day. When a holiday falls on a Saturday, the preceding Friday shall be considered a holiday and, when a holiday falls on a Sunday, the following Monday will be considered a holiday for the purposes of this tariff.
- (e) *Permit Holder.* A person or business that has a valid Shiplift System Use Permit issued by the City of Seward. (See "Forms" in the preface of this document.)
- (f) *Point of Rest.* Point of rest is defined as that area on the terminal facility which is assigned for the receipt of inbound cargo from the vessel and from which inbound cargo may be delivered to the consignee and that area which is assigned for the receipt of outbound cargo from shippers for vessel loading.
- (g) *Port of Seward.* The Port of Seward comprises the Small Boat Harbor, the Shiplift System and all city docks and terminal facilities located within the corporate limits of the City of Seward.
- (h) *Slip.* A moorage location within the float system of the Small Boat Harbor. A slip does not include the float or finger of the float, but only the spaces between or adjacent to it.
- (i) *Shiplift System.* The shiplift located at the Seward Marine Industrial Center and the adjacent rail side transfer system.
- (j) *Terminal Facilities.* Terminal facilities include all city docks and associated equipment, offices, warehouses, storage space, roads, paved areas, water banks and shorelines under the management and control of the City of Seward.
- (k) *Vessel.* In this tariff, whenever reference is made to a "vessel", the term shall mean any ship or barge, self-propelled or other than self-propelled.
- (l) *Moorage.* Moorage is the charge assessed to a vessel for berthing in a slip, on a transient dock, or for tying to a vessel so moored in the small boat harbor or other terminal facilities.

Subsection

- 100 (m) *Dockage.* Dockage is the charge assessed to a vessel for docking at a city dock or terminal facility or for tying to a vessel so docked. (Sometimes identified as "moorage".)
- (n) *Handling.* Handling means the service of physically moving cargo between point of rest and any place on the terminal facility other than the end of a ship's tackle.
- (o) *Loading and Unloading.* Loading and unloading means the service of loading or unloading cargo between any place on the terminal and railroad cars, trucks, lighters or barges or any other means of conveyance to or from the terminal facility.
- (p) *Wharfage.* Wharfage is the charge assessed against any freight placed in a transit shed or on a wharf; or passing through, over or under a wharf; or transferred between vessels; or loaded to or unloaded from a vessel at a wharf regardless of whether or not a wharf is used. Wharfage is solely the charge for use of a wharf and does not include handling, sorting, piling of freight or charges for any other services.
- (q) *Demurrage.* A charge assessed against cargo remaining in or on terminal facilities after the expiration of free time, unless arrangements have been made for storage.
- (r) *Free Time.* The specified period during which cargo may occupy space assigned to it on terminal property, free of wharf demurrage or terminal storage charges, immediately prior to the loading or subsequent to the discharge of such cargo on or off the vessel.

105 APPLICATION OF TARIFF

- (a) *General Application of Tariff.* Rates, charges, rules and regulations provided in this tariff will apply only to persons and vessels using certain terminal facilities under the jurisdiction and control of the City of Seward, merchandise received at or shipped from the facilities or properties operated under the jurisdiction and control of the City of Seward, and specifically to municipal docks, structures appurtenant thereto and waterways under the management of the City of Seward. The rates, charges, rules and regulations herein may apply to the Seward Small Boat Harbor, the harbor bounded by the rubble breakwater at the northwestern head of Resurrection Bay (Small Boat Harbor); the Seward Marine Industrial Center (SMIC), including yards, basin, docks, dolphins, 250-ton Travelift, and shiplift platform; and any other terminal facilities under the jurisdiction and control of the City of Seward.
- (b) *Tariff Effective.* Rates, charges, rules and regulations named in this tariff and any additions, revisions, or supplements thereto shall apply to all vessels or users and to all freight received at facilities subject to this tariff on and after revisions, or supplements thereto. Unless otherwise specified all transit freight received at terminals and undelivered prior to effective dates of tariff, revisions, or supplements thereto, shall be charged the rates in effect on the date such freight was received until entire lot or shipment has been withdrawn.
- (c) *Acceptance of Tariff.* Use of the docks and terminal facilities of the City of Seward shall be deemed an acceptance of this tariff and the terms and conditions named herein.
- (d) *Reservation of Agreement Rights.* Right is reserved by the City of Seward to enter into agreement with carriers, shippers, consignees and/or their agents concerning rates and services, providing such

Subsection

105 agreements are consistent with existing local, state and federal law governing the civil and business relations of all parties concerned.

- (e) *Compliance with Conditions of Docking and Facility Use.* Use of city docks and terminal facilities and the acceptance of services shall conform to conditions of docking and facility use set forth herein. Only those operators who have a valid shiplift system use permit shall have access to the shiplift system.

110 APPLICATION OF RATES

(a) Except as otherwise provided herein, rates apply per 2,000 lbs., or per 40 cubic feet as rated by ocean carrier, or per 1,000 feet board measure, or 42 gallons per barrel of bulk petroleum products corrected to 60 degrees Fahrenheit net, or 376 lbs. per barrel of bulk cement.

(b) Rates provided for commodities herein are specific and may not be applied by analogy. If rates are not provided for specific commodities, rates to be applied are those established for "Freight N.O.S."

115 INSURANCE

Rates named in this tariff do not include insurance of any kind. The City of Seward shall be under no obligation to provide any insurance of any type for any vessel, cargo, or liability arising out of use of the city docks, shiplift system, or terminal facilities. If the City does acquire any such insurance, the charges for that insurance shall be in addition to fees described in this tariff.

120 RESPONSIBILITY FOR COLLECTION AND GUARANTEE OF CHARGE

(a) *Responsibility for Charges.* The vessel, its owner or agents, shippers or consignees, owner of the cargo on the vessel, and, in the case of shiplift operation, the permit holder shall be jointly and severally responsible for payment of charges named herein and such payment responsibility applies without regard to the provisions of bills of lading, charter party agreements, vessel repair, contracts or other conflicting provisions.

(b) *Prepayment, Time of Prepayment, Acceptable Security, Refund of Excess.* All charges for services rendered by the City of Seward for the use of docks, shiplift and other terminal facilities are due and payable in cash in advance of such services or use, as follows:

- (1) For all charges attributable to the vessel from its owners or agents before a vessel commences its loading or discharging.
- (2) For all charges attributable to the vessel from the permit holder before a vessel enters the shiplift system.
- (3) For all charges attributable to the cargo from a vessel owner, charterer, shipper or consignee before the cargo leaves the city docks or terminal facilities.

Subsection

120 (4) For all charges on perishable goods or freight of doubtful value or household goods. A cash deposit or acceptable security in an amount equal to 125% of the estimated applicable charges shall be required to be posted with the City of Seward six days prior to the vessel's scheduled arrival, or at such other time as may be authorized or directed by the Harbormaster, but in all cases in advance of actual services rendered. Wherever a cash deposit has been posted, any excess thereof, after satisfaction of all applicable terminal charges, shall be promptly refunded by the City of Seward to the posting party.

(c) *Waiver of Prepayment Requirement.* The Harbormaster, in his sole discretion, may waive the cash-in-advance requirement as to all or any category or categories of anticipated charges when the party responsible for such charges has been identified to the satisfaction of the Harbormaster and

(1) That party responsible has established credit worthiness acceptable to the Harbormaster; or

(2) The permit holder has established credit worthiness acceptable to the Harbormaster; or

(3) Adequate security, acceptable to the Harbormaster, has been posted; or

(4) The agent requesting terminal services or use or any other entity acceptable to the Harbormaster as credit worthy has personally accepted financial responsibility for the applicable charges.

The City of Seward retains the right, in its sole discretion, to determine whether a responsible party or an agent is credit worthy, and to waive the cash-in-advance requirement. The City may establish guidelines for determining whether a responsible party or an agent is credit worthy. Compliance with these guidelines does not create a right to waiver of the cash-in-advance requirement.

(d) *Charges on Delinquent Accounts.* All invoices, except for damages to City of Seward property, will be declared delinquent sixty days after the date of the invoice and will be charged interest at the rate of 10.5% per annum. All extra expenses, including legal expenses, litigation costs, or costs of agents employed to effect collection shall also be assessed to, and payable by such accounts.

125 LIABILITY FOR LOSS OR DAMAGE AND INDEMNITY

(a) *Responsibility Limited.* Generally, no persons other than employees of the holders of authorized terminal use permits shall be permitted to perform any services on the wharves or docks, or in any other terminal facility of the City of Seward, except upon written authorization of the Harbormaster. No persons other than employees of the holders of authorized shiplift system permits shall be permitted to perform any services on the shiplift system. Permit holders shall be required to obtain any necessary terminal use permits prior to performing any services on any other terminal facility of the City of Seward, except upon written authorization of the Harbormaster. The City of Seward, its employees and agents shall not be liable for the injury of persons on the city docks, shiplift system, or terminal facilities, nor shall they be liable for any loss, damage, or theft occasioned by such persons' presence on the city docks, shiplift system, or terminal facilities, except that the City of Seward shall be liable for any portion of loss or damage that is directly caused by its own negligence.

Subsection

125 The City of Seward, its employees and agents are not responsible for loss or damage caused by fire, frost, heat, dampness, leakage, weather damage, evaporation, natural shrinkage, wastage or decay; animals, rats, mice or other rodents; moths, weevils or other insects; leakage or discharge from fire protection systems; collapse of buildings or structures; breakdown of plant protection systems; breakdown of plant or machinery or equipment; or by floats, logs, piling or camel logs required in breasting vessels away from a wharf; nor will they be answerable for any loss or damage or delay arising from insurrection, shortage of labor, combinations, riots or strikes of any persons in their employ or in the service of others, or from any consequences arising therefrom, except that the City of Seward shall be liable for any portion of loss or damage that is directly caused by its own negligence.

Shiplift System. The City of Seward, its employees and agents make no representations or warranties that the shiplift system is adequate or sufficient for any particular vessel. Further, the City of Seward, by requiring that only holders of shiplift permits be authorized to utilize the shiplift system, makes no representations or warranties of any kind that the work, operation, materials, design or other aspects of the work performed or contracted to be performed by such a permit holder is of good and workmanlike quality, or in conformance with industry standards. Vessel owners are advised that the City of Seward is not responsible for and specifically disclaims any liability for work performed or contracted to be performed by a permit holder, except for those damages caused by the City's own negligence.

The City's inspection, if any, of vessels and placement on cradle systems is done solely for the purpose of protecting the City's interest and investment in the shiplift system and should not be construed as an acceptance of any responsibility to inspect or to inspect in any particular manner.

- (b) *Indemnity.* Each user, permit holder, vessel, vessel owner and its agents, shippers or consignees shall indemnify, defend and hold harmless the City of Seward against any and all claims arising from any breach or default in performance of any obligation to such parties to be performed under the terms of this tariff or arising from any act or omission of said parties for all costs, attorneys' fees, expenses, and liabilities incurred in the defense of any such claim, action or proceeding brought against the City of Seward except only for those caused by the City's own negligence.
- (c) *Owner's Risk.* All of the following shall be at the owner's risk except for those damages caused by the City's own negligence:
 - (1) Glass, liquids and fragile articles will be accepted only at owner's risk for breakage, leakage or chafing.
 - (2) Freight on open ground is at owner's risk for loss or damage.
 - (3) Freight subject to freezing will be accepted only at owner's risk.
 - (4) All water craft, if and when permitted by the Harbormaster or his authorized agent to be moored at wharves or alongside of vessels, are at owner's risk for loss or damage.

- (5) Any vessel utilizing the shiplift system is at owner's risk for loss or damage.

130 RIGHTS OF THE CITY OF SEWARD

Without in any way limiting the general authority of the City of Seward, the City shall have the following powers:

- (a) *Access to Harbor or Port Facilities.* The City shall at all times have the right to refuse access to any city dock or terminal facility by any person or vessel or to remove any vessel, person or cargo at any time from any city dock or terminal facility, including the shiplift system. This right shall be reserved at all times to the City without responsibility for demurrage, loss or damage when:
 - (1) Previous arrangements for use, space, receiving or unloading have not been made with the Harbormaster;
 - (2) The vessel is unsafe or hazardous and may pose a risk to life or property;
 - (3) The value of the vessel, in the opinion of the Harbormaster, is less than the probable service charges and other charges related to its use of the city dock or terminal facilities;
 - (4) During periods of congestion, or in cases of emergency, when, in the judgment of the Harbormaster, the circumstances then prevailing or likely to occur will prevent the city dock or terminal facilities, or any portion of them, from providing customary services to the public.
- (b) *Right to Refuse Cargo.* In his discretion, the Harbormaster shall at all times have the right to refuse to accept, receive or unload, or permit a vessel or any vehicle delivering to the terminal facilities to discharge:
 - (1) Cargo for which previous arrangements for space, receiving, unloading or handling has not been made with the Harbormaster by shipper, consignee or vessel.
 - (2) Cargo not suitably packed for safe transportation.
 - (3) Cargo deemed by the Harbormaster, in the reasonable exercise of his discretion, to be offensive, perishable or hazardous. Hazardous cargo must have been prepared for shipment in accordance with the applicable Department of Transportation regulations (including 49 CFR Parts 171-179).
 - (4) Cargo, the value of which may, in the opinion of the Harbormaster, be less than the probable service charges and other charges related to it.
 - (5) Cargo, during a period of congestion, or in cases of emergency, when, in the judgment of the Harbormaster, the circumstances then prevailing or likely to occur will prevent the city docks or terminal facilities, or any portion of them, from providing customary service to the public.
- (c) *Right to Schedule Vessels and Cargo.* In his discretion, the Harbormaster shall at all times have the right to schedule access to any harbor or port facility by person or vessel or to remove any vessel, person or

cargo at any time from any city dock or terminal facility, including the shiplift system, in order to provide for efficient operation of the city docks or terminal facilities and promote the objectives of the Seward City Code.

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- 130 (d) *Right to Remove, Transfer or Warehouse Cargo.*
- (1) *Hazardous or Offensive Cargo.* In his discretion, the Harbormaster shall at all times have the right to immediately remove all hazardous or offensive cargo, or cargo, which by its nature, is liable to damage other cargo or city dock or terminal facilities. The cargo may be removed from its present location to any other location with all expenses and risk of loss or damage to be the responsibility of the owner, shipper or consignee.
 - (2) *Cargoes beyond free time.* Any cargo remaining on city dock or terminal facilities after expiration of any applicable free time may be removed to public or private warehouses, and all expense of removal and risk of loss or damage shall be the responsibility of the owner, shipper, consignee or vessel as responsibility may appear on shipping documents, manifests or other sources.
- (e) *Right to Withhold Deliver of Freight.* Right is reserved by the City of Seward to withhold delivery of freight until all accrued charges and/or advances against said freight have been paid in full. At the Harbormaster's discretion, any or all of such freight may be placed in public or private warehouses, and all cost of removal and subsequent handling and storage shall be the responsibility of the owner of the freight.
- (f) *Right to Sell for Unpaid Charges.* Freight on which unpaid terminal charges have accrued may be sold to satisfy such charges and costs, provided such sale has been publicly advertised. Freight of a perishable nature or of a nature liable to damage other freight may be sold at public or private sale without advertising, provided the owner has been given proper notice to pay charges and to remove said freight and has neglected or failed to do so within a prescribed reasonable time.
- (g) *Explosives.* The City of Seward shall not allow the acceptance, handling or storage of explosives within the confines of the Port of Seward without prior arrangement with the Harbormaster and as governed by rules and regulations of federal, state and local authorities.
- (h) *Right to Remove, Transfer or Rearrange Vessels.*
- (1) *Hazardous Vessels or Vessels with Hazardous Cargo.* In his discretion, the Harbormaster shall at all times have the right to immediately remove any hazardous or offensive vessel, or any vessel containing hazardous cargo, or any vessel containing cargo which by its nature is liable to damage other vessels or other cargo or harbor or port facilities. The vessel may be removed from its present location to any other location, and all expenses and risk of loss or damage shall be the responsibility of the owner, shipper or consignee.
 - (2) *Vessel Beyond Free Time.* Any vessel remaining at city dock or terminal facilities after expiration of any applicable free time may be removed to any other public or private facility and all expenses

of removal and risk of loss or damage shall be the responsibility of the owner, shipper, consignee or vessel.

- (3) *Movement of Vessels to Reduce Congestion or Maximize Services.* In his discretion, the Harbormaster shall at all times have the right to move or rearrange any vessel from its present

Subsection

130 location to any other location in order to reduce congestion within the harbor or to prevent disruption of customary services to the public.

- (i) *Right to Remove Materials or Equipment from City Dock or Terminal Facilities.* Any materials, equipment, trash, or other items left on or about any city dock or terminal facility may be removed by the Harbormaster at any time, and all expense of removal and risk of loss or damage shall be the responsibility of the vessel that last occupied the facility or the owner, shipper or consignee of the vessel as responsibility may appear on shipping documents, manifests or other sources.

135 REQUESTS AND COMPLAINTS

Any shipper, vessel or vessel agent may make requests and complaints by filing a written statement with the Harbormaster, City of Seward, P. O. Box 167, Seward, Alaska 99664.

140 DELAYS - NO WAIVER OF CHARGES

Delays in loading, unloading, receiving or delivering freight, moorage of vessels, or receiving, discharging, lifting, or transferring vessels on the shiplift system or Travelift as a result of harbor congestion, equipment failure or breakdown, or of combinations, riots or strikes of any persons in the employ of the City of Seward or others, or arising from any other cause not reasonably within the control of the City of Seward, will not excuse the owners, shippers, consignees or carriers of the freight or vessel, or the permit holder, from full service, wharf demurrage, moorage or other charges or expenses which may be incurred under conditions stated herein.

145 MANIFESTS REQUIRED OF VESSELS

Masters, owners, agents or operators of vessels are required to furnish the City of Seward with complete copies of vessels' manifests showing names of consignees or consignors and the weights or measurements of all freight loaded or discharged at the docks or terminal facilities of the City of Seward. Such manifests must be certified as correct by an authorized official of the company and must also designate the basis of weight or measurement on which ocean freight was assessed. In lieu of manifests, freight bills containing all information as required above may be accepted.

Ship's Documents. The Harbormaster may require masters, owners, agents, operators and/or permit holders to execute a moorage application containing descriptions of the following items: (i) fuel; (ii) ballast; (iii) water; (iv) cargo; and (v) structural details for lift.

150 SAFETY, SANITATION AND HOUSEKEEPING

- (a) *Safety and Sanitation.* All users of city docks and terminal facilities and all permit holders of the shiplift system shall exercise due care for the protection of life and property and the protection of the public from injury or damage.

Additional safety and sanitation rules applicable to docks and terminal facilities, including the shiplift system, should be consulted. Portions of the City of Seward Code of Ordinances of particular relevance include Chapter 9.15 (Fire Prevention and Uniform Fire Code), Title 14 (Utilities including Garbage, Sewer, Refuse, Electricity and Water) and Chapter 7.10 (Ports and Harbors).

Subsection

150 All safety and sanitation laws, regulations and policies of the City of Seward, the Kenai Peninsula Borough, the State of Alaska, and the United States of America, including those adopted by international treaty, apply to city docks and terminal facilities, including the shiplift system. All users, including shippers, permit holders, vessels and consignees, are hereby warned that the party or parties responsible for infractions of such laws, regulations or policies will be subject to and responsible for any penalties that may result from their violation of those laws, regulations or policies.

- (b) *Notice of Hazardous Cargo and Permit Requirements.* Notice shall be given to the Harbormaster of any vessel carrying cargo which is hazardous, extremely flammable, corrosive, explosive or otherwise poses a significant risk of harm to property or persons, at least 24 hours prior to landing or use of docks. The Harbormaster, at his sole discretion, may issue a permit for dock use if he finds that sufficient precautions have been taken to minimize any potential risks presented by such cargo.
- (c) *Responsibility for Housekeeping.* Users of docks and other terminal facilities, including permit holders of the shiplift system, will be required to maintain same in an orderly manner as directed by the Harbormaster. If user does not properly clean property used, the Harbormaster shall order the work performed, and user will be billed for the services in accordance with the rates set forth in Subsection 225 of this tariff.
- (d) *Smoking Prohibited.* No smoking shall be allowed on any wharf, pier, or the shiplift system, or in any facility, warehouse or transit shed, except in approved areas specifically designated for that purpose. Persons violating this rule may be barred, at the discretion of the Harbormaster, from the further use of any wharf or facility, including the shiplift system, and, in addition, shall be subject to prosecution under applicable federal, state and municipal laws.
- (e) *Used/Waste Oil and Petroleum Products.* All used/waste oil and petroleum products must be properly disposed of by the vessel/owner. The City of Seward offers a limited ability to take small quantities of used oil and petroleum products as a convenience to the boating public. Up to five gallons of used oil and petroleum products will be accepted by the City in the approved and designated facilities on shore. There shall be no storage, even of a temporary nature, of used/waste oil or petroleum products on city docks, wharves, piers or finger floats. Any vessel/owner/agent storing or disposing of used/waste oil in an inappropriate or illegal manner may be barred from further use of the Seward Small Boat Harbor and/or penalized according to the provisions of federal, state and local law. Larger quantities of used oil may be accepted by the Harbormaster upon prior arrangement by written approval on a case-by-case basis with applicable charges assessed for disposal.

155 RESPONSIBILITY FOR PROPERTY DAMAGE

Users, including permit holders, damaging city docks, the shiplift system or any other property of the City of Seward will be responsible for the cost of repairs. The user or permit holder will be billed for repairs to damaged property at cost, including overhead.

160 BULK PETROLEUM PRODUCTS

- (a) *Application of Tariff.* Except as otherwise provided in this section, the rates, rules and regulations published in other sections of this tariff apply to vessels, shippers and consignees of bulk petroleum products.
- (b) *Clearing and Heating Petroleum Lines.* Shippers, consignees or vessels and persons in charge thereof are responsible for providing steam or other heating means to assure the proper flow of asphalt and other petroleum products requiring heat. Shippers, consignees or vessels and persons in charge thereof will be responsible for clearing all petroleum products from lines located on or adjacent to any terminal facility after a vessel completes loading or discharging unless otherwise authorized by the Harbormaster.

In the event the City of Seward performs any of the above named services, rates shall be charged in accordance with Subsection 225 of this tariff and billed to the shipper, consignee or vessel.

- (c) *Regulations Governing Petroleum Products.* The transfer of bulk petroleum products shall be made in compliance with Seward City Code provisions, including Chapter 9.15 (Fire Prevention and the Uniform Fire Code), as well as other local, state and federal laws, rules or regulations.
- (d) *Housekeeping.* Flammable liquids and all hydrocarbons leaked or spilled on wharves shall be cleaned up immediately. Vessels or consignees shall remove temporary lines immediately upon completion of receipt or discharge of flammable liquids. Spillage from disconnected lines shall be cleaned up immediately by vessel or consignee.

Should leakage or spillage of flammable liquids or hydrocarbons occur on the shiplift system, the permit holder shall be responsible to see that said leakage or spillage is cleaned up immediately.

SECTION II - SERVICES AND CHARGES

Subsection

200 MOORAGE

Outside the Small Boat Harbor. Vessels berthing or departing city docks, wharves, or any other terminal facility, including the shiplift system, must use sufficient tugs so that vessels can be berthed or removed in a safe manner. Berthing speed shall not exceed sixteen feet per minute, unless approved by the Harbormaster.

Within the Small Boat Harbor.

- (a) *Assignment of Berths.* The Small Boat Harbor is often congested and it is the policy of the City of Seward to provide for the maximum public use of available facilities. The Harbormaster shall have discretion to implement that policy.

Berth assignments to particular slips on the City of Seward float system are made by the Harbormaster. Berth assignments are made to a particular combination of vessel and owner/operator, are not assignable by the owner/operator and automatically expire upon sale or transfer of the vessel to another owner/operator.

A berth assignment is not a lease or an exclusive right to occupy any particular slip. In order to maximize the public's use of existing facilities, it is common for the Harbormaster to temporarily assign vessels to slips normally used by another vessel when that vessel is out of the harbor.

- (b) *Waiting List for Permanent Slip Assignment.* Due to the demand for slips on the City of Seward float system, vessels will be assigned permanent slips based on waiting lists maintained by the Harbormaster's office. Separate waiting lists shall be maintained for the following size floats:

17 feet (accommodates vessel 12 to 21 feet)
23 feet (accommodates vessel 22 to 26 feet)
32 feet (accommodates vessel 27 to 36 feet)
40 feet (accommodates vessel 37 to 44 feet)
50 feet (accommodates vessel 46 to 54 feet)
75 feet (accommodates vessel 55 to 90 feet)

Assignments to a permanent slip from the waiting lists shall be made January through June each year by the Harbormaster based on the slip size available and the most senior name on the waiting list for that size slip.

There is a fee of THIRTY ONE DOLLARS AND FIFTY CENTS (\$31.50) per year per listing on the waiting list(s) for a permanent slip assignment. The wait list year runs November 1 through October 31.

- (c) *Permanent Slip Assignments*

- (1) The Harbormaster may assign a specific slip on the City of Seward float system within the Small Boat Harbor to a particular vessel on an annual basis.
- (2) A permanent slip assignment to a vessel is not a lease or right to occupy a particular slip and may not be assigned.

Subsection

- 200
- (3) To maximize the use of the Small Boat Harbor, a permanently assigned slip may be assigned to a transient vessel when the permanently assigned owner/vessel is out of the harbor.
 - (4) Upon the return of the permanently assigned vessel to the Small Boat Harbor (provided proper notifications are given and based on harbor congestion and the difficulties involved in moving vessels), the Harbormaster will attempt to rearrange vessels so that a vessel with a permanent slip assignment may berth at that assigned slip.
 - (5) A vessel assigned a permanent slip assignment should notify the Harbormaster when departing the harbor for more than five (5) days. If away from Seward for more than five (5) days, a permanently assigned vessel should notify the Harbormaster of its intended arrival date and time back into the Small Boat Harbor.

(d) *Permanent and Temporary (Transient) Slip Assignments.* There are two types of slip assignments at the City of Seward Small Boat Harbor. The first is a permanently assigned slip and the second is a transient slip. Slips that are permanently assigned to a boat/owner may be used for transient moorage when the permanently assigned vessel is away from the slip.

(e) *Notice Upon Arrival.* All vessels should notify the Seward Small Boat Harbor office prior to arrival. Those vessels which have received permanently assigned slips should notify the Harbormaster's office twenty-four (24) hours prior to expected arrival to allow the harbor staff time to free the slip. If, despite reasonable efforts, the Harbormaster is unable to clear a permanently assigned slip due to congestion, high winds or safety considerations, a vessel with a permanently assigned slip may be required to temporarily use a transient slip or float as directed by the Harbormaster.

Vessels entering the Small Boat Harbor which have not, for any reason, received a berthing assignment by radio contact or otherwise shall be restricted to the following areas: X float; south side of F float; K float; L float; and city dock.

If, as is frequently the case during periods of congestion, all of the above berths are full, a vessel is permitted to raft to a vessel already berthed.

(f) *Vessel Registration.* All vessels must have a current registration form (Application and Agreement for Transient Moorage) on file with the Harbormaster. These forms must be filed immediately upon arrival at the Small Boat Harbor; however, vessels that arrive after normal Harbormaster office hours must register before 10:00 a.m. the following day.

205 MOORAGE RATES

(a) *Calculation of Moorage Rates.* Moorage charges shall commence when a vessel is made fast to a wharf, pier or other facility, or when a vessel is moored to another vessel so berthed ("rafting"). Charges shall continue until such vessel is completely freed from and has vacated the berth.

A vessel berthed at any time between 12:01 a.m. and midnight shall be charged a full day's charge; provided, that the Harbormaster may, in his discretion and with proper and appropriate advance notice, waive a daily rate for a vessel that will occupy a berth or float for a minimum time, and, provided further, that the Harbormaster determines that congestion and use of the public facilities by others will not be adversely affected.

Moorage charges shall be calculated on the *overall length of the vessel* or the length of the float (slip) assigned, whichever is greater.

- (b) *Automatic Annual Adjustment in Moorage Rates.* All moorage rates shall be adjusted annually so as to be effective as of January 1st, to reflect the five previous published years' average increase in the Consumer Price Index, All Items, 1982-84=100 for all Urban Consumers, Anchorage, Alaska ("CPI") as published by the United States Department of Labor, Bureau of Labor Statistics. Bills sent out prior to January 1st will reflect the upcoming January 1st adjusted rates. (For example, 2010 rates reflect an increase based on the average CPI for 2003-2007).

Subsection

205 Overall length shall be construed to mean the linear distance, expressed in feet, from the most forward point at the stem to the aftermost part of the stern of the vessel, measured parallel to the base line of the vessel. The length shall include all hull attachments, such as bowsprits, dinghies, davits, etc.

For billing purposes, overall length of the vessel as published in "Lloyd's Register of Shipping" may be used. The City of Seward reserves the right to:

- (1) Obtain the overall length from the vessel's register, or
 - (2) Measure the vessel.
- (c) *Daily Rates.* With the exception of vessel owner/operators who have paid an annual, semi-annual, quarterly, or monthly fee *in advance*, all temporary or transient moorage charges shall be calculated on the daily rate. The daily rate shall be \$0.56 per lineal foot of overall length.
- (d) *Annual Moorage Fees.* Under the following conditions, a vessel owner/operator may elect to pay moorage fees on an annual basis in advance: (See Appendix A for a listing of moorage rates according to vessel length)
- (1) The vessel owner/operator has completed an Application and Agreement for Transient Moorage, or, in the case of a permanently assigned berth, an Application and Agreement for Reserved Moorage, in the form attached to this tariff.
 - (2) The vessel owner/operator has paid the annual fee based on the length of the vessel, or, in the case of a permanently assigned berth, the length of the slip, whichever is greater. The Annual Rate shall be \$42.53 per lineal foot.
 - (3) *Semi-Annual Rate.* At the option of the vessel owner/operator, the annual moorage fee may be paid in two equal semi-annual installments of sixty percent (60%) of the annual rate established above. Each prepaid installment described in this Paragraph represents six (6) calendar months. The first installment is due and payable on the date the vessel owner/operator completes the Application and Agreement for Transient Moorage, and on or before the first day of any calendar month. The second installment is due on or before the first day of the calendar month six (6) months thereafter.
 - (4) *Quarterly Rate.* At the option of the vessel owner/operator, the annual moorage fee may be paid in four equal quarterly installments of forty-five percent (45%) of the annual rate established above. Each prepaid installment described in this Paragraph represents three (3) calendar months. The first installment is due and payable on the date the vessel owner/operator completes the Application and Agreement for Transient Moorage, and on or before the first day of any calendar

month. The succeeding payments are due on or before the first day of the calendar month every three (3) months thereafter.

- (5) *Monthly Rate.* At the option of the vessel owner/operator, the annual moorage fee may be paid in twelve equal monthly installments of eighteen percent (18%) of the annual rate established above. Each prepaid installment described in this Paragraph represents one (1) calendar month. The first installment is due and payable on the date the vessel owner/operator completes the Application and Agreement for Moorage, and on or before the first day of any calendar month. The succeeding payments are due on or before the first day of the calendar month every month thereafter.

Subsection

- 205 (6) All permanently assigned berths are assigned on a calendar-year basis. Prepayment of a full year's charges is due on or before December 31 of the preceding year. A vessel owner/operator may elect to prepay the annual moorage fee in two semi-annual installments, each of which represents sixty percent (60%) of the annual fee due on or before December 31 of the preceding year and June 30 of the current year. A vessel owner/operator may also elect to prepay the annual moorage fee in four quarterly installments, each of which represents forty-five percent (45%) of the annual fee due on or before December 31 of the preceding year and March 31, June 30, and September 30 of the current year. A vessel owner/operator may also elect to prepay the annual moorage fee in twelve monthly installments, each of which represents eighteen percent (18%) of the annual fee due on or before December 31 of the preceding year and the last day of each month of the current year. See Appendix A Current Moorage Rates
- (e) *Float Plane Fees.* A fee in the amount of TWENTY SIX DOLLARS AND TWENTY FIVE CENTS (\$26.25) per day shall be charged for float plane berthing in the confines of the Small Boat Harbor.

210 DOCKAGE

- (a) *Dockage Period.* Dockage shall commence when a vessel is made fast to a wharf, pier or other facility, or when a vessel is moored to another vessel so berthed, and shall continue until such vessel is completely freed from and has vacated the berth. No deductions will be made for Sundays or holidays.
- (b) *Basis for Computing Charges.* Dockage charges will be assessed on the **overall length** of the vessel. Overall length shall be construed to mean the linear distance, expressed in feet, from the most forward point at the stem to the aftermost part of the stern of the vessel, measured parallel to the base line of the vessel.

For dockage billing purposes, overall length of the vessel as published in "Lloyd's Register of Shipping" will be used. If no such figure appears in "Lloyd's Register", the City of Seward reserves the right to:

- (1) Obtain the overall length from the vessel's register, or
- (2) Measure the vessel.
- (c) *Vessels Docked to Repair, Shore, Outfit or Fumigate.* The shiplift dock, adjacent and to the north of the shiplift system, was constructed and intended primarily to be used for ship repair and maintenance. Vessels being repaired by ship repair and maintenance businesses occupying upland facilities at the Seward Marine Industrial Center will therefore be preferred over cargo operations. Full dockage will be charged if and when a vessel is permitted to make repairs or alterations, shore for special freight, outfit, store or fumigate while docked at a City dock or terminal facility.

- (d) *Preference to Reserved Dock Use.* A vessel may be permitted to berth at a City dock or terminal facility of the City of Seward without having first made written application for a berth assignment and without such an assignment having been granted. However, priority is given to City dock use reserved in advance with the Harbormaster. Further, any vessel seeking a berth at a city dock for a period longer than six (6) hours must complete, within twenty-four hours of arrival in the harbor, an Application and Agreement for Transient Moorage (see "Forms" in the preface of this document), or have a current copy of same on file in the office of the Harbormaster. Any vessel planning to remain at a city dock for a period of less than six (6) hours must notify the Harbormaster's office of such plan prior to arrival in the harbor.

Subsection

210 The City docks in the Small Boat Harbor include those adjacent to the fish processor's on-shore facilities, including the licensed dock area. The dock is to be used first for receiving and delivery of fish and fish products to the processor's on-shore facilities. In addition, the East SMIC Dock is to be used first for receiving and delivery of fish and fish products to the processor's on-shore facilities. Reservations remain effective if such use begins within twenty-four (24) hours of the scheduled use or landing. Late use or arrival will be rescheduled on a space available basis. Reservation of dock use must specify arrival and departure dates and the nature and quantity of the freight to be loaded or discharged.

A vessel or vessel agent may secure reserved dock space under the following conditions:

- (1) Request for reservation is made on a Vessel Moorage Application (see "Forms" in the preface of this document), indicating berth and date(s) requested.
- (2) Reservation request must be received by the Harbormaster a minimum of seven (7) days prior to anticipated vessel arrival.
- (3) The vessel agent or other person requesting a berth ("berthing agent") must provide, as may be requested by the Harbormaster as a part of the berthing process, to the extent of his knowledge, all information called for by any Supplement to Vessel Moorage Application (see "Forms" in the preface of this document) or any other information respecting the vessel including, but not limited to, its estimated arrival and departure, amount(s) and type(s) of cargo to be loaded/discharged, estimate of amount of each category of port charges, as enumerated, and party responsible therefor. The submission of this form, signed by the berthing agent, shall constitute the berthing agent's attestation as to the accuracy of the information therein supplied, based upon and to the extent of information made available to the berthing agent at the time of submission; and the berthing agent shall be held personally liable to the City of Seward for any financial loss suffered by the City of Seward as a result of the agent's failure to so report accurately.

Should the berthing agent, subsequent to submission of this form, receive information which materially differs from the information previously provided, and which information the agent reasonably believes is not equally known to the Harbormaster, it shall immediately notify the Harbormaster and, if requested by the Harbormaster, promptly file an amended Supplement to Vessel Moorage Application with the Harbormaster.

- (4) Harbormaster will determine availability of dock space and dates requested. Should scheduling conflicts be found, the Harbormaster shall mediate a resolution which will attempt to minimize negative impacts on both (or all) parties.

(5) Full dockage fees are payable to the City of Seward at the time of reservation. ***Prepaid dockage fees will be non-refundable unless a written cancellation is received by the Port a minimum of fourteen (14) days prior to scheduled vessel arrival.*** (See also Section I, Responsibility for Charges, Collection and Guarantee of Charge.)

(6) All estimates of terminal charges are subject to approval and/or adjustment by the Harbormaster. The Harbormaster shall promptly, after receipt of said estimate, advise the berthing agent as to (1) its approval or adjusted estimate of terminal charges, and (2) whether posting of cash or security is required for any one or more categories of such charges and the amount thereof.

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(7) An agreement is made to work continuously utilizing not less than day and early night shifts (first and second shifts) and multiple longshore gangs, cranes, and equipment to the fullest extent available in accordance with circumstances then prevailing.

(8) In addition to the terms for berth reservation and establishment of financial responsibility as set forth herein, requests for berth reservation and assignments of berths shall otherwise be in accordance with all local rules and regulations established by the City of Seward.

(e) ***Berth May be Granted Before Payment.*** For safety or other reasons, the City of Seward, in some circumstances, may grant a vessel a temporary berth before the owner or agent has paid all applicable charges or otherwise complied with all applicable tariff provisions or conditions of berthing. In such circumstances, the vessel may unload its cargo only if (1) the Harbormaster determines that a regular berth is available, and (2) the owner or agent pays all applicable charges and complies with all other applicable tariff provisions and conditions of berthing. If no regular berth is available or the vessel owner or agent does not pay all applicable charges and comply with other applicable provisions, the vessel may not unload its cargo and shall sail on the next tide. The vessel shall be assessed appropriate fees as set forth in this tariff.

(f) ***Charges on Vessel Shifting.*** When a vessel is shifted directly from one wharf or berth to another wharf or berth operated by the City of Seward, the total time at such berths will be considered together when computing the dockage charge.

(g) ***Charges to Assisting Vessels.*** A single vessel, when actively engaged as a tug boat assisting and made fast outboard of a vessel loading or discharging cargo, will be accorded free dockage.

NOTE: Tug boats leaving a tended vessel for the purpose of assisting any other vessel shall have waived its right to free dockage for the entire period of berthing by its tended vessel.

(h) ***Notice of Hazardous Cargo and Permit Requirement.*** Notice shall be given to the Harbormaster of any vessel carrying cargo which is hazardous, extremely flammable, corrosive, explosive or otherwise poses a significant risk of harm to property or persons at least twenty-four (24) hours prior to landing or use of docks. The Harbormaster, at his sole discretion, may issue a permit for dock use if he finds that sufficient precautions have been taken to minimize any potential risks presented by such cargo.

(i) ***Dockside Lay Time.*** Dockside lay time may be allowed as scheduling permits. However, all vessels must be removed from dockside within three (3) hours of receiving notice from the Harbormaster or his agents.

215 DOCKAGE RATES

(a) ***Daily Dockage Rate.*** The charge for dockage for all facilities outside the Small Boat Harbor is as follows except as otherwise provided:

<u>Overall Length of Vessel</u>	<u>Daily Charge Per Foot</u>
Up to 500 ft.	\$ 0.56
501+ ft.	\$ 0.56

NOTE: Daily charge is for any period of twenty-four (24) hours. However, in computing dockage charges for any period of dockage less than twelve (12) hours, dockage charges at one-half (1/2) of one full day's dockage shall be assessed. For any dockage period greater than twelve (12) hours and less than twenty-four (24) hours, a full day's dockage shall be assessed.

Subsection

- 215 (b) *Monthly Dockage Rate.* A monthly dockage rate equal to one-half (1/2) of the total daily dockage rate for one month may be granted as follows:
- (1) *Tug Operators.* Vessels employed solely in the business of providing tug service to vessels calling at any dock or terminal facility of the City of Seward may apply to the Harbormaster for monthly dockage rates.
 - (2) *Vessels Under Repair.* Subject to scheduling requirements, the Harbormaster may, upon request, allow prepayment of a monthly dockage rate at the Shiplift Dock subject to all of the following conditions:
 - (i) The monthly rate shall only apply to vessels that use the dock solely for vessel maintenance and repair; and
 - (ii) The monthly dockage rate is paid in advance by a full 30 days; and
 - (iii) The user shall not be entitled to a refund for any reason including user's departure during the 30-day period or rescheduling of the dock use by the Harbormaster to other vessels in need of repair or maintenance.
 - (c) *Automatic Annual Adjustment in Dockage Rates.* All dockage rates shall be adjusted annually so as to be effective as of January 1st, to reflect the five previous published years' average increase in the Consumer Price Index, All Items, 1982-84=100 for all Urban Consumers, Anchorage, Alaska ("CPI") as published by the United States Department of Labor, Bureau of Labor Statistics. Bills sent out prior to January 1st will reflect the upcoming January 1st adjusted rates. (For example, 2010 rates reflect an increase based on the average CPI for 2003-2007).

220 HANDLING, LOADING AND UNLOADING

Handling, loading and unloading services are provided by independent agents at all terminal facilities covered by this tariff. A Terminal Use Permit is required and available to any qualified agent desiring to provide longshore services at the terminal facilities of the City of Seward in the form attached to this tariff.

225 LABOR AND SERVICE CHARGES

A labor and service charge is assessed, in addition to any other charges set forth in this tariff, for all labor performed by City personnel and for specific services provided by the City of Seward or its agents. Service charges do not include charges for dockage, wharfage, wharf demurrage or handling.

- (a) *Specific Services.* The following rates shall apply for services provided by the City of Seward:
- (1) Potable water furnished to vessels

- (i) Less than 1,000 gallons from harbor facilities not requiring City assistance or use of fire hydrant: NO CHARGE.
- (ii) All service in excess of 1,000 gallons:
 - (1) During regular business hours: BASIC CONNECT CHARGE - \$52.50.
 - (2) Outside regular business hours: BASIC CONNECT CHARGE - \$105.00.
- (iii) In addition to (ii) above, a variable rate of \$6.32/1,000 gallons shall be charged for potable water.

Subsection

225

- (2) Electricity - Small Boat Harbor
 - (i) All Vessels (except Transient Vessels staying 15 consecutive days or less.

Connect fee	\$ 21.00
Electricity (per kilowatt hour).....	125% of cost
Customer charge (per month).....	\$15.75
 - (ii) Transient Vessels staying 15 consecutive days or less

Connect Fee.....	None
Electricity (daily rate).....	
120 volt.....	\$10.00
208 volt/single phase.....	\$20.00
208 volt/three phase.....	\$40.00
Customer charge (per month).....	None
- (3) Electricity - Seward Marine Industrial Center
 - (i) Connect fee.....\$21.00
 - (ii) Electricity (per kilowatt hour).....\$ 0.19 plus fuel adjustment factor
 - (iii) Customer charge (per month).....\$15.75
- (4) Towing inside Small Boat Harbor - \$52.50 plus labor
- (5) Pumping vessel - \$31.50 plus labor
- (6) Used Oil, filter and sorbent disposal

Over 5 gallons	0.53 per gallon plus labor and equipment
Filters, sorbents	10.50 per barrel or portion thereof plus labor and equipment
- (b) *Labor/Personnel*
 - (1) When labor is furnished by the City at the request of a user, it is expressly stipulated that the City acts solely as agent of the user. The City shall charge for labor provided by the City for the following services:

- (i) All services not specifically described in this tariff;
- (ii) Services of loading, unloading or transferring cargo for which no specific commodity rates are provided and which cannot be performed at the rates named under N.O.S., and cargo in packages or units of such unusual bulk, size, shape or weight as to preclude performing such services at rates named under individual items contained in this tariff;
- (iii) Services for which no specific commodity rates are provided and any other services for which specific rates are named in this tariff but which, because of unusual conditions or requirements of shippers not normally incidental to such services, preclude the performance;
- (iv) Services of cleaning city docks, or terminal facilities, of dunnage, stevedore gear and other equipment or material when the shipper, vessel owner or consignee fails to promptly clear the facility as requested by the Harbormaster;

Subsection

- 225 (2) Rates named in this tariff for services involving labor are predicated upon straight-time wages for a workday between the hours of 8:00 a.m. and 5:00 p.m., Monday through Sunday. When overtime or penalty time wages to labor are necessary, rates are adjusted to include such penalties or differential rates.

When a user notifies the Harbormaster of a request for labor for a specified time, and labor is on the job and ready for work at that time, the use shall be charged from the time the labor is ready for work until the work is concluded even if the work is delayed, provided such delay was not the fault of the City.

- (3) All labor provided by City personnel shall be charged at FIFTY TWO DOLLARS AND FIFTY CENTS (\$52.50) per hour straight-time (no premium) and SEVENTY-EIGHT DOLLARS AND SEVENTY FIVE CENTS (\$78.75) per hour overtime. Work requiring call-outs shall be charged at a minimum of two hours at the overtime rate.
- (c) *Equipment.* When the City utilizes City equipment to provide services under this subsection, it will charge users for the cost of that equipment on an hourly basis at the rates charged capital projects within the City of Seward for similar equipment.

- (1) Loader.....\$68.25 plus operator
- (2) Grader.....\$68.25 plus operator
- (3) Oil Tanker.....\$47.25
- (4) Pickup Truck.....\$ 8.40 plus operator
- (5) Crane Truck.....\$12.60 plus operator
- (6) Flatbed Truck.....\$15.75 plus operator
- (7) Dump Truck.....\$47.25 plus operator
- (8) Back Hoe\$31.50 plus operator

- (9) Pumps\$31.50 plus labor
- (10) Smart Ash Burner.....\$31.50 plus labor
- (11) Misc. Power Equipment\$31.50 plus labor
- (d) *Special Services.* Except where otherwise required by law, the Harbormaster has the authority to refuse to provide or to arrange for the provision of services in addition to those set out in Paragraph (a) above.

Special services, including waste, or garbage disposal shall be billed at the City's actual cost plus 35% administrative overhead charges (including City labor costs as determined in Paragraphs 2 and 3 above) plus 125% of City costs for services arranged for by the City but provided by others. Special services shall not include the taking or handling of sewage of any kind. Sewage disposal must be accomplished by the vessel owner or his agent pursuant to federal, state and local (City of Seward) laws, codes and ordinances.

Subsection

225 (e) *Miscellaneous Charges*

- (1) Meter test, each., when previous test occurred within 24 months\$ 52.50
- (2) Reconnection to approved existing meter installation during regular business hours (8:00 a.m. - 5:00 p.m.) \$ 22.05
- (3) Reconnection to approved existing meter; installation outside regular business hours\$147.00
- (4) Deposit\$105.00
- (5) Tampering with or unauthorized breaking of meter seal\$525.00
- (6) Dishonored check fee\$35.00
- (7) Reconnection after disconnect of delinquent account\$ 42.00

230 PASSENGER FEES

(a) *Fee.* In addition to other tariff provisions, the terms and conditions of this item apply and charges are assessed to passenger vessels, sport fishing vessels, guide and outfitter vessels, and all other vessels carrying passengers for compensation. A passenger fee of \$3.50 per passenger shall be paid for each passenger embarking or disembarking a vessel at a City Dock, as such term is defined in subsection 100 hereof. The passenger fee is assessed once per passenger per excursion regardless of whether the passenger excursion is one-way or round-trip. As used in this subsection, “compensation” means payment to the vessel owner or operator whether by charter or through fares paid by or on behalf of passengers. (Res.2000-093)

(b) *Filing of forms and payment of fees.* Prior to January 1 of each year, operators of affected passenger vessels shall complete a passenger fee registration form provided by the City. Passenger fees shall be paid and reported to the City monthly, on a form, and in a manner, provided by the City, within 30 calendar days of the month following the month for which the fees are due. The City may require more or less frequent filing, depending on the account status of the filer. A return must be filed every period, even if no transactions have occurred.

Failure to file a return is subject to a missed filing fee of \$25 for each missed filing. Failure to remit all taxes collected or later found to be due by the due date, is subject to a penalty in the amount of 10% of the amount owed, plus interest charged at the maximum rate allowed by law per year, compounded monthly.

(c) *Failure to file.* When an operator fails to file a return, or when the city manager finds that a return filed by an operator is not properly supported, the city manager may prepare and file a return on behalf of the operator. Passenger fees estimated on a return filed on behalf of the operator may be premised upon any information that is available to the city manager including, without limitation, comparative data for similar businesses. An operator for whom an involuntary return is filed under this subsection shall be liable for the passenger fees stated on the return as well as any applicable penalties and interest as stated in 230 (b).

235 ASSISTANCE TO BOATERS AND OTHER AGENCIES FEES

In addition to other tariff provisions, when the City uses city equipment and personnel to provide assistance (such as towing), to vessels outside of the Small Boat Harbor, the Harbormaster will charge users of those services ONE HUNDRED THIRTY ONE DOLLARS AND TWENTY FIVE CENTS (\$131.25) per hour for the first hour, or any part thereof, and any services beyond the first hour at 150% of the City's actual costs, including city labor costs as determined in Subsection 225 of this tariff.

240 BOAT LAUNCH RAMP FEES

(a) *Operating Policy.* The City owns and provides access to public launch ramps. Access to those ramps is generally on a first-come, first-served basis, but the Harbormaster may deviate from that policy or refuse access to a ramp when, in his judgment, the public interest would be served according to his determination of the following factors:

- (1) The degree of existing or potential congestion in the harbor including upland storage areas and whether the proposed launch or retrieval will affect that congestion; and
- (2) Whether the launch or recovery poses a risk of loss of public or private property.

(b) *Launch Fees.* Vessels shall be charged TEN DOLLARS (\$10.00) per launch from the public launch ramps, or vessel owners or operators may obtain an annual launch permit sticker for ONE HUNDRED DOLLARS (\$100.00) entitling a specific vessel and owner to launches from January 1 through December 31 of each year. This fee excludes vessels propelled solely by human power, which shall pay FIVE DOLLARS (\$5.00) per launch, or FIFTY DOLLARS (\$50.00) for an annual launch permit. Annual fees shall not be prorated, and the Harbormaster will issue annual permits upon receipt of a completed application and payment therefor.

245 PUBLIC SHOWERS

Public showers are available twenty-four hours a day in the restroom facilities located in the Harbormaster's building. The showers are coin-operated, and the fee is TWO DOLLARS (\$2.00) (eight quarters) for 7 minutes. Change is available in the Harbormaster's office during regular business hours.

250 50-TON TRAVELIFT

(a) *Operating Policy.* The City owns and operates a 50-ton Travelift in the Small Boat Harbor. The Harbormaster generally schedules vessel lifts on a first-come, first-served basis, but he may deviate from that policy or refuse a lift when, in his judgment, the public interest would be served. In making this public interest finding, the Harbormaster will consider the following factors:

- (1) The degree of existing or potential congestion in the harbor, including upland storage areas, and whether the proposed lift will affect that congestion; and

- (2) Whether the lift poses a risk of loss of public or private property, including potential damage to the Travelift or other city property and/or a risk of injury to people.
- (b) *Boat Lift Agreement.* No vessel shall be lifted from land or water without a boat lift agreement (in the form attached to this tariff) having first been completed. It shall be the responsibility of the vessel owner/operator arranging the lift to provide the Harbormaster with all relevant information to conduct a safe lift including, but not limited to, the following:
- (1) Vessel displacement;
 - (2) Vessel hull type and configuration;
 - (3) Location of all hull attachments and through-the-hull fittings including propeller shafts, rudders, etc.;
 - (4) Location, weight and type of ballast, fuel and water tanks; and
 - (5) Any special lift requirements to avoid vessel damage.
- (c) *Responsibilities.* The vessel owner/operator, or his agent, must be present during all vessel lifts and must inspect and approve the City's proposed placement of lift slings, lines and destination location. It is the responsibility of the vessel owner/operator, or his agent, to provide all blocking materials, to block the vessel, and to approve the placement of the vessel on said blocking. It is also the responsibility of the vessel owner/operator, or his agent, to assure that any vessel cradles or trailers upon which the vessel is to be placed are adequate in design and strength to safely accommodate the vessel.
- It is the responsibility of the vessel owner/operator to assure that adequate handling lines are placed and manned on the vessel upon its return to the water.
- (d) *Dockside Lay Time.* Dockside lay time may be allowed as scheduling permits. However, all vessels must be removed from dockside within three (3) hours of receiving notice from the Harbormaster or his agents.

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255 50-TON TRAVELIFT FEES

- (a) *Description of Charge.* The lift fee is the charge for lifting a vessel from the water or the land utilizing the City's 50-ton Travelift. A separate lift fee is generated whenever a vessel is lifted, even if it is only lifted and relocated on land. Lift fees do not include overtime labor charges for operation of the Travelift system as described in Subsection 225 of this tariff.
- (b) *Lift Fee*
- (1) *Minimum Fee.* The minimum fee for a lift shall be TWO HUNDRED THIRTY SIX DOLLARS AND TWENTY FIVE CENTS (\$236.25) for the first hour of use or any portion of time less than one hour. The lift fee will be determined by the overall length of the vessel. A full lift fee is earned once a lift has commenced, even if that lift is subsequently interrupted, suspended or canceled for any reason. The risk of loss because of a suspended or canceled lift by reason of mechanical failure or difficulty with the Travelift system is the responsibility of the vessel owner/operator. Once a lift is scheduled and the boat owner fails to show or cancel the lift at least one hour prior to the scheduled lift time, the minimum lift fee will be charged.

- (2) *Additional Lift Fee Rates for Large Vessels.* In addition to the minimum fee, the lift fee shall be TWENTY ONE DOLLARS (\$21.00) per foot of vessel length for each foot over fifty (50) feet during the first hour of use or any portion of time less than one (1) hour.
- (3) *Second and Additional Hours of Lift.* All time in excess of one (1) hour shall be charged in fifteen (15) minute increments at the rate of FIFTY-NINE DOLLARS AND SIX CENTS (\$59.06) per one-quarter (1/4) hour or any portion of time less than one-quarter (1/4) hour.
- (4) *Relocation Fee.* Relocation of all vessels on the uplands shall be charged at a rate of TWO HUNDRED THIRTY SIX DOLLARS AND TWENTY FIVE CENTS (\$236.25) per hour.

260 250-TON TRAVELIFT

- (a) *Operating Policy.* The City owns and operates a 250-ton Travelift in the Seward Marine Industrial Center. The Harbormaster generally schedules vessel lifts on a first-come, first-served basis, but he may deviate from that policy or refuse a lift when, in his judgment, the public interest would be served. In making this public interest finding, the Harbormaster will consider the following factors:
 - (1) The degree of existing or potential congestion in the harbor, including upland storage areas, and whether the proposed lift will affect that congestion; and
 - (2) Whether the lift poses a risk of loss of public or private property, including potential damage to the Travelift or other city property and/or a risk of injury to people.
- (b) *Boat Lift Agreement.* No vessel shall be lifted from land or water without a boat lift agreement (in the form attached to this tariff) having first been completed.

It shall be the responsibility of the vessel owner/operator arranging the lift to provide the Harbormaster with all relevant information to conduct a safe lift including, but not limited to, the following:

- (1) Vessel displacement;
 - (2) Vessel hull type and configuration;
 - (3) Location of all hull attachments and through-the-hull fittings including propeller shafts, rudders, etc.
 - (4) Location, weight and type of ballast, fuel and water tanks; and
 - (5) Any special lift requirements to avoid vessel damage.
- (c) *Responsibilities.* The vessel owner/operator, or his agent, must be present during all vessel lifts and must inspect and approve the City's proposed placement of lift slings, lines and destination location. It is the responsibility of the vessel owner/operator, or his agent, to provide all blocking materials, to block the vessel, and to approve the placement of the vessel on said blocking. It is also the responsibility of the vessel owner/operator, or his agent, to assure that any vessel cradles or trailers upon which the vessel is to be placed are adequate in design and strength to safely accommodate the vessel.

It is the responsibility of the vessel owner/operator to assure that adequate handling lines are placed and manned on the vessel upon its return to the water.

- (d) *Dockside Lay Time*. Dockside lay time may be allowed as scheduling permits. However, all vessels must be removed from dockside within three (3) hours of receiving notice from the Harbormaster or his agents.

265 250-TON TRAVELIFT FEES

- (a) *Description of Charge*. The lift fee is the charge for lifting a vessel from the water or the land utilizing the City's 250-ton Travelift. A separate lift fee is generated whenever a vessel is lifted, even if it is only lifted and relocated on land. Lift fees do not include overtime labor charges for operation of the Travelift system as described in Subsection 225 of this tariff.

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- (b) *Lift Fee*

- (1) *Minimum Fee*. The minimum fee for a lift on the 250-ton Travelift shall be THREE HUNDRED FORTY SIX DOLLARS AND FIFTY CENTS (\$346.50) for the first hour of use or any portion of time less than one (1) hour. The overall length of the vessel will determine the lift fee. A full lift fee is charged once a lift has commenced, even if that lift is subsequently interrupted, suspended or canceled for any reason. The risk of loss because of a suspended or canceled lift by reason of mechanical failure or difficulty with the Travelift system is the responsibility of the vessel owner/operator. Once a lift is scheduled and the boat owner fails to show or cancel the lift at least one hour prior to the scheduled lift time, the minimum lift fee will be charged.
- (2) *Additional Lift Fee Rates for Large Vessels*. For all vessels over FIFTY FIVE (55) feet in length, an additional TWENTY ONE DOLLARS (\$21.00) shall be charged for each foot of vessel length over fifty five (55) feet during the first hour of use or any portion of time less than one (1) hour.
- (3) *Second and Additional Hours of Lift*. For use of a lift in excess of one (1) hour, a fee of THREE HUNDRED FORTY SIX DOLLARS AND FIFTY CENTS (\$ 346.50) per hour shall be charged. This charge shall be assessed in not less than fifteen (15) minute increments of EIGHTY SIX DOLLARS AND SIXTY THREE CENTS (\$86.63) and shall be generated per one-quarter (1/4) hour or any portion of time less than one-quarter (1/4) hour.
- (4) *Relocation Fee*. Relocation of all vessels on the uplands shall be charged at a rate of THREE HUNDRED FORTY SIX DOLLARS AND FIFTY CENTS (\$346.50) per hour.

270 SHIPLIFT FEE

- (a) *Description of Charge*. The shiplift fee is the charge for lifting a vessel from the water and returning it to the water utilizing the shiplift.
- (b) *Lift Fee*. The shiplift fee shall be based upon vessel length. A full shiplift fee is earned once a lift has commenced, even if that lift is subsequently interrupted, suspended or canceled for any reason. The risk of loss because of a suspended or canceled lift by reason of mechanical failure or difficulty with the shiplift system is the responsibility of the permit holder and the vessel owner.
- (c) *Basis for Computing Charges*. The shiplift fee will be determined by the overall length of the vessel. Overall length shall be construed to mean the linear distance, expressed in feet, from the most forward point at the stem to the aftermost part of the stern of the vessel, measured parallel to the base line of the vessel.

For shiplift fee purposes, overall length of the vessel as published in "Lloyd's Register of Shipping" will be used. If no such figure appears in "Lloyd's Register", the shiplift operator reserves the right to:

- (1) Obtain the overall length from the vessel's register, or
 - (2) Measure the vessel.
- (d) *Preference to Reserved Use.* Priority is given to shiplift use reserved in advance with the shiplift operator. Reservations remain effective if such use begins within twenty-four (24) hours of the scheduled use. Late use or arrival will be rescheduled on a space-available basis. Reservations must specify arrival and departure dates and the nature of the work to be performed.

A permit holder may secure a reservation under the following conditions:

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- (1) Request for reservation is made on a Vessel Shiplift Use Application (see "Forms" in the preface of this document) indicating rail and date(s) requested.
- (2) Reservation request must be received by the shiplift operator a minimum of 7 days prior to anticipated vessel arrival.
- (3) The permit holder must provide, as may be requested by the shiplift operator as a part of the lifting process, to the extent of his knowledge, all information called for by any Supplement to Shiplift Use Application (see "Forms" in the preface of this document) or any other information respecting the vessel including, but not limited to, its estimated arrival and departure, amount(s) and type(s) of cargo on board, and estimate of amount of each category of port charges, as enumerated. The submission of this form, signed by the permit holder or his agent, shall constitute the permit holder's attestation as to the accuracy of the information therein supplied; and the permit holder shall be held personally liable to the shiplift operator and the City of Seward for any financial loss suffered by the shiplift operator and City of Seward as a result of the permit holder's failure to so report accurately.

Should the permit holder, subsequent to submission of this form, receive information which materially differs from the information previously provided, and which information the permit holder reasonably believes is not equally known to the shiplift operator, it shall immediately notify the shiplift operator and, if requested by the shiplift operator, promptly file an amended Supplement to Shiplift Use Application with the shiplift operator.

- (4) Full lift fees are payable to the shiplift operator at the time of reservation. Prepaid lift fees will be non-refundable unless a written cancellation is received by the shiplift operator a minimum of fourteen (14) days prior to scheduled vessel lift. (See also Section I, Responsibility for Charges, Collection and Guarantee of Charge.)
- (5) All estimates of charges are subject to approval and/or adjustment by the shiplift operator. The shiplift operator shall promptly, after receipt of said estimate, advise the permit holder as to (1) its approval or adjusted estimate of lift charges, and (2) whether posting of cash or security is required for any one or more categories of such charges and the amount thereof.
- (6) An agreement is made to work continuously on moving the vessel through the shiplift system utilizing not less than day and early night shifts (first and second shifts) and equipment to the fullest extent available in accordance with circumstances then prevailing.

- (7) In addition to the terms for lift reservation and establishment of financial responsibility as set forth herein, requests for lift reservation and assignments of lifts shall otherwise be in accordance with all local rules and regulations established by the City of Seward.
- (e) *Berth May be Granted Before Payment.* For safety or other reasons, the shiplift operator, in some circumstances, may allow the lift of a vessel before the permit holder or agent has paid all applicable charges or otherwise complied with all applicable tariff provisions or conditions of lifting.
- (f) *Inspection of Vessels on the Shiplift Platform.* Except in extraordinary circumstances and with the prior approval of the Harbormaster, vessels are not to be inspected on the shiplift platform. All vessels are to be lifted utilizing a moveable cradle system. Inspections of lifted vessels are to be limited to ascertaining that a vessel is properly positioned on a cradle system and ready to be moved through the shiplift system to a repair booth.
- (g) *Repairs to Vessels on the Shiplift System.* Vessels may not occupy the shiplift system for the purposes of repairs to the vessel. **THERE ARE TO BE NO VESSEL REPAIRS MADE ON THE SHIPLIFT SYSTEM.** The shiplift system is to be used only for the movement of vessels to a repair berth off the system or the return of a vessel from a repair berth to the water. A vessel that is not being moved will be permitted to occupy space on the shiplift only with the understanding that it shall be moved when the shiplift system is needed for any reason, including maintenance of the system. A vessel on notice to move which refuses to move will be assessed lay charges at TEN (10) times the normal rate, starting at the time the vessel is noticed to vacate. In addition, vessels refusing to vacate on demand may be moved by shiplift operator personnel or otherwise, and any expenses, damages to vessel or to other vessels or shiplift system during such removal shall be charged to the vessel so moved. All vessels using the shiplift system without proper authorization must be removed on receipt of notice from the Harbormaster of his agents.
- (h) *Notice of Hazardous Cargo and Permit Requirement.* Notice shall be given to the shiplift operator at the time of reservation of the fuel, ballast and any unusual weight distribution or structural requirements for lifting each vessel. Notice shall be given of any vessel carrying cargo which is hazardous, extremely flammable, corrosive, explosive or otherwise poses a significant risk of harm to property or persons at least twenty-four (24) hours prior to landing or use of the shiplift system. The shiplift operator, at his sole discretion, may issue a permit for shiplift system use if he finds that sufficient precautions have been taken to minimize any potential risks presented by such vessel.
- (i) *Dockside Lay Time.* Dockside lay time may be allowed as scheduling permits. However, all vessels must be removed from dockside within three (3) hours of receiving notice from the shiplift operator or his agents.
- (j) *Lift Fee Rates.* The lift fee shall be TEN DOLLARS AND FIFTY CENTS (\$10.50) per foot of vessel length. This fee does not include labor charges for operation of the shiplift system as described in Subsection 225. This fee does not include any daily lay charge as described in Subsection 265.

275 DAILY SHIPLIFT LAY CHARGE

- (a) *Description of Charge.* The daily lay charge is the charge for vessels either on the shiplift system or upland of the shiplift system on repair berths.
- (b) *Lay Fee.* Daily lay charges shall be based on the number of complete or partial days a vessel is on the shiplift system or upland of the system. Each day commences at 12:01 a.m. In computing daily lay charges for less than 12 hours, lay charges at one-half (1/2) of one full day's charge shall be assessed. For any lay time greater than 12 hours and less than 24 hours, a full day's lay charge shall be assessed.

- (c) *Basis for Computing Charges.* The daily charges shall be assessed against a vessel regardless of vessel size or length.
- (d) *Rate.* The daily charge is TWO HUNDRED TEN DOLLARS (\$210.00) per day or a portion thereof. Vessels using side rails shall be assessed a lay charge of THREE HUNDRED FIFTEEN DOLLARS (\$315.00) per day or a portion thereof.

280 UPLAND STORAGE

- (a) *Area of Land Available.* The City of Seward will make available a limited area of land in the Small Boat Harbor and the Seward Marine Industrial Center (SMIC) for storage of boats or boats on trailers subject to the following conditions:
 - (1) Space is made available on a first-come, first served basis.
 - (2) No vessel or trailer may be placed on the designated upland storage area without prior permission of the Harbormaster.
 - (3) Subject to City of Seward policy and procedures, vessels undergoing active repairs may use upland storage space. Charges assessed depend upon the nature of work being conducted.
- (b) *Calculation of Rates.* Charges shall be based on the overall length of the vessel or trailer (whichever is greater) and shall be based on a per-calendar-month charge.
- (c) *Lay Time Rates*
 - (1) *Small Boat Harbor.* Lay time for upland storage in the Small Boat Harbor shall be charged at a rate of NINE DOLLARS AND NINETEEN CENTS (\$9.19) per day for stays of ten (10) days or less in any calendar month. For stays of eleven (11) days or more in any calendar month, the lay time shall be charged at a rate of NINETY ONE DOLLARS AND EIGHTY EIGHT CENTS (\$91.88) per calendar month for a vessel, trailer or cradle up to fifty (50) feet in length. The monthly charges for larger vessels shall include an additional ONE DOLLAR AND FIFTY EIGHT CENTS (\$1.58) per foot for each foot over fifty feet in length.
 - (2) *Seward Marine Industrial Center.* Lay time for upland storage in the Seward Marine Industrial Center shall be charged at a rate of ten cents (\$0.10) per linear foot of the overall length of the vessel per calendar day. For stays of longer than one year, the lay time shall be charged at a rate of twenty cents (\$0.20) per linear foot of the overall length of the vessel per calendar day after one year.
- (d) *Empty Cradles/Trailers and Equipment.* For purposes of this tariff, a vessel trailer or cradle or equipment stored beyond a 10 foot radius of the vessel shall be measured and charged thirty cents (\$0.30) per square foot per calendar month. Cradles, trailers or equipment placed or remaining on the upland storage area prior to or after a vessel is stored shall generate storage fees at this rate.

285 WHARFAGE

- (a) *Application of Charge.* Wharfage rates named in this tariff will be charged for all merchandise received over the city docks of the City of Seward and will be in addition to all other charges made under provisions of this tariff, EXCEPT:

No wharfage shall be charged to ship's gear, such as strongbacks, lines, hatch covers, walking boards, etc., placed on wharf during unloading operations. Fuel handled over wharf will not be considered as ship's stores and will be subject to wharfage and other charges that may be incurred.

- (b) *Over-side.* One-half of wharfage named herein will be charged to merchandise discharged or loaded over-side of vessel directly to or from another vessel or to the water when vessel is berthed at a wharf.
- (c) *Over-stowed Cargo.* Over-stowed cargo destined for discharging at another port will be exempt of wharfage charges, provided that such cargo is not removed from wharf prior to reloading to the vessel.

290 WHARFAGE RATES

- (a) *Schedule of Standard Rates.* Except as otherwise specifically provided, rates are in dollars per ton of 2,000 pounds or per 40 cubic feet.

<u>Commodity</u>	<u>Wharfage Rate</u>
Freight N.O.S.	\$ 3.15

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Scrap (iron, steel)	\$ 3.15
Raw fish, unprocessed	\$ 3.15
Poles, logs, cants or cut finished lumber per MBM (Note: 2,000 lbs shall be deemed 1 MBM).....	\$ 3.15
Petroleum products (inbound) per barrel	\$ 0.18
Petroleum products (outbound) per barrel	\$ 0.25
Petroleum products (gasoline) per gallon	\$ 0.0105
Plastic material	\$ 4.20
Explosives	\$ 26.25
Vans or containers (net contents weight)	\$ 2.10
Vehicles (gross vehicle weight)	\$ 5.25
Bulk gravel	\$ 0.26
Bulk salt	\$ 0.89

- (b) *Discount Rates Based on Guaranteed Payments.* Upon approval by the Seward City Council, those shippers who guarantee minimum levels of wharfage payments regardless of actual shipments may obtain a written prepayment agreement (in the form attached to this tariff). The discounted rates shall be as follows based on a guaranteed annual payment of at least \$250,000 regardless of volume shipped:

Timber and timber products, first 100,000 tons	\$ 1.58/ton
------------------------------------------------------	-------------

Next 80,000 tons \$ 1.31/ton
 Excess over 180,000 tons \$ 0.53/ton

295 WHARF DEMURRAGE

- (a) *Description of Charge.* A charge will be assessed against cargo remaining in or on terminal facilities after the expiration of free time, unless arrangements have been made for storage.
- (b) *Calculation of Free Time.* Free time is calculated exclusive of Saturdays, Sundays or holidays. Free time starts at 7:00 a.m. after freight is received or unloaded onto wharf from car of truck or, in the case of freight received from vessel, at 7:00 a.m. after completion of vessel's discharge. On outbound traffic, the day or days vessel is loading are not included in the computation. On inbound traffic from vessel, delivery of which is made after the allotted free time, the day freight is loaded out or delivered to truck or car is to be included in the computation as a storage day.

When freight is transshipped between deep-sea vessels and involves application of both a long and a short time period, the longer period shall be allowed, but not the aggregate of any two free time periods.

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- (c) *Free time.* Free time of five days will be allowed on all inbound traffic. Free time of ten days will be allowed on all outbound traffic.
- (d) *Rates.* After expiration of applicable free time, wharf demurrage will be assessed at the following rates (per day, per ton (2,000 lbs.) or portion thereof):

<u>Commodity</u>	<u>First 5 days</u>	<u>After 5 days</u>
All freight, N.O.S.	\$ 1.26	\$ 2.52
Mobile homes, portable buildings, living quarters	\$26.25/day/unit	\$105.00/day/unit

Upon prior arrangement with the Harbormaster, upland storage will be billed monthly at a rate of TWENTY-SIX CENTS (\$.26) per square foot for each month or fraction thereof after expiration of free time above.

- (e) *Lay-Down Areas.* All cargo is expected to vacate city docks, wharves and piers as soon upon arrival as possible. Cargo is not to be stored on city docks, piers and wharves awaiting pick up by vessels unless prior arrangements are made with the Harbormaster. The Harbormaster shall have the discretion to refuse all cargo activities and/or lay-down, either inbound or outbound. Cargo that is allowed to wait for "beyond" transportation shall adhere to the following rules:
 - (1) Lay down areas are outside of 100' of water front immediately adjacent to the dock, wharf or ramp.
 - (2) Cargo may not be placed on the city docks or terminal facilities except in the designated lay-down areas.
 - (3) Cargo and freight not placed in a designated lay-down area must be immediately removed from a city dock or terminal facility upon order of the Harbormaster.

- (4) A vessel, shipper or consignee who refuses to move cargo on demand will be assessed wharf demurrage at five times its applicable rate, starting at the time the vessel, shipper or consignee is noticed to move the cargo.
- (5) In addition, the Harbormaster may, in his discretion, move cargo or freight, and any expense or damages, including damage to cargo or freight during such movement, shall be charged to the vessel, shipper or consignee, except for damages caused by the City's own negligence.

Appendix A

SEWARD SMALL BOAT HARBOR

2010 MOORAGE RATES

DAILY MOORAGE @ 56c PER FOOT PLUS 7% SALES TAX

DISCOUNTED MOORAGE RATES ARE BASED ON CALENDAR MONTHS
AND MUST BE PAID IN ADVANCE

	per ft		ANNUAL	per ft		SEMI	per ft		QTRLY	per ft		MONTH
ENGT	\$42.53	TAX	TOTAL	\$25.52	TAX	TOTAL	\$ 19.14	TAX	TOTAL	\$7.66	TAX	TOTAL
10	\$425.30	29.77	\$455.07	255.20	17.86	\$273.06	191.40	13.40	\$204.80	76.60	5.36	\$81.96
11	\$467.83	32.75	\$500.58	280.72	19.65	\$300.37	210.54	14.74	\$225.28	84.26	5.90	\$90.16
12	\$510.36	35.73	\$546.09	306.24	21.44	\$327.68	229.68	16.08	\$245.76	91.92	6.43	\$98.35
13	\$552.89	38.70	\$591.59	331.76	23.22	\$354.98	248.82	17.42	\$266.24	99.58	6.97	\$106.55
14	\$595.42	41.68	\$637.10	357.28	25.01	\$382.29	267.96	18.76	\$286.72	107.24	7.51	\$114.75
15	\$637.95	44.66	\$682.61	382.80	26.80	\$409.60	287.10	20.10	\$307.20	114.90	8.04	\$122.94
16	\$680.48	47.63	\$728.11	408.32	28.58	\$436.90	306.24	21.44	\$327.68	122.56	8.58	\$131.14
17	\$723.01	50.61	\$773.62	433.84	30.37	\$464.21	325.38	22.78	\$348.16	130.22	9.12	\$139.34
18	\$765.54	53.59	\$819.13	459.36	32.16	\$491.52	344.52	24.12	\$368.64	137.88	9.65	\$147.53
19	\$808.07	56.56	\$864.63	484.88	33.94	\$518.82	363.66	25.46	\$389.12	145.54	10.19	\$155.73
20	\$850.60	59.54	\$910.14	510.40	35.73	\$546.13	382.80	26.80	\$409.60	153.20	10.72	\$163.92
21	\$893.13	62.52	\$955.65	535.92	37.51	\$573.43	401.94	28.14	\$430.08	160.86	11.26	\$172.12
22	\$935.66	65.50	\$1,001.16	561.44	39.30	\$600.74	421.08	29.48	\$450.56	168.52	11.80	\$180.32
23	\$978.19	68.47	\$1,046.66	586.96	41.09	\$628.05	440.22	30.82	\$471.04	176.18	12.33	\$188.51
24	\$1,020.72	71.45	\$1,092.17	612.48	42.87	\$655.35	459.36	32.16	\$491.52	183.84	12.87	\$196.71
25	\$1,063.25	74.43	\$1,137.68	638.00	44.66	\$682.66	478.50	33.50	\$512.00	191.50	13.41	\$204.91
26	\$1,105.78	77.40	\$1,183.18	663.52	46.45	\$709.97	497.64	34.83	\$532.47	199.16	13.94	\$213.10
27	\$1,148.31	80.38	\$1,228.69	689.04	48.23	\$737.27	516.78	36.17	\$552.95	206.82	14.48	\$221.30
28	\$1,190.84	83.36	\$1,274.20	714.56	50.02	\$764.58	535.92	37.51	\$573.43	214.48	15.01	\$229.49
29	\$1,233.37	86.34	\$1,319.71	740.08	51.81	\$791.89	555.06	38.85	\$593.91	222.14	15.55	\$237.69
30	\$1,275.90	89.31	\$1,365.21	765.60	53.59	\$819.19	574.20	40.19	\$614.39	229.80	16.09	\$245.89
31	\$1,318.43	92.29	\$1,410.72	791.12	55.38	\$846.50	593.34	41.53	\$634.87	237.46	16.62	\$254.08
32	\$1,360.96	95.27	\$1,456.23	816.64	57.16	\$873.80	612.48	42.87	\$655.35	245.12	17.16	\$262.28
33	\$1,403.49	98.24	\$1,501.73	842.16	58.95	\$901.11	631.62	44.21	\$675.83	252.78	17.69	\$270.47
34	\$1,446.02	101.22	\$1,547.24	867.68	60.74	\$928.42	650.76	45.55	\$696.31	260.44	18.23	\$278.67
35	\$1,488.55	104.20	\$1,592.75	893.20	62.52	\$955.72	669.90	46.89	\$716.79	268.10	18.77	\$286.87
36	\$1,531.08	107.18	\$1,638.26	918.72	64.31	\$983.03	689.04	48.23	\$737.27	275.76	19.30	\$295.06
37	\$1,573.61	110.15	\$1,683.76	944.24	66.10	\$1,010.34	708.18	49.57	\$757.75	283.42	19.84	\$303.26
38	\$1,616.14	113.13	\$1,729.27	969.76	67.88	\$1,037.64	727.32	50.91	\$778.23	291.08	20.38	\$311.46
39	\$1,658.67	116.11	\$1,774.78	995.28	69.67	\$1,064.95	746.46	52.25	\$798.71	298.74	20.91	\$319.65
40	\$1,701.20	119.08	\$1,820.28	1,020.80	71.46	\$1,092.26	765.60	53.59	\$819.19	306.40	21.45	\$327.85
41	\$1,743.73	122.06	\$1,865.79	1,046.32	73.24	\$1,119.56	784.74	54.93	\$839.67	314.06	21.98	\$336.04
42	\$1,786.26	125.04	\$1,911.30	1,071.84	75.03	\$1,146.87	803.88	56.27	\$860.15	321.72	22.52	\$344.24
43	\$1,828.79	128.02	\$1,956.81	1,097.36	76.82	\$1,174.18	823.02	57.61	\$880.63	329.38	23.06	\$352.44
44	\$1,871.32	130.99	\$2,002.31	1,122.88	78.60	\$1,201.48	842.16	58.95	\$901.11	337.04	23.59	\$360.63
45	\$1,913.85	133.97	\$2,047.82	1,148.40	80.39	\$1,228.79	861.30	60.29	\$921.59	344.70	24.13	\$368.83
46	\$1,956.38	136.95	\$2,093.33	1,173.92	82.17	\$1,256.09	880.44	61.63	\$942.07	352.36	24.67	\$377.03
47	\$1,998.91	139.92	\$2,138.83	1,199.44	83.96	\$1,283.40	899.58	62.97	\$962.55	360.02	25.20	\$385.22
48	\$2,041.44	142.90	\$2,184.34	1,224.96	85.75	\$1,310.71	918.72	64.31	\$983.03	367.68	25.74	\$393.42
49	\$2,083.97	145.88	\$2,229.85	1,250.48	87.53	\$1,338.01	937.86	65.65	\$1,003.51	375.34	26.27	\$401.61
50	\$2,126.50	148.86	\$2,275.36	1,276.00	89.32	\$1,365.32	957.00	66.99	\$1,023.99	383.00	26.81	\$409.81

**SEWARD SMALL BOAT HARBOR
2010 MOORAGE RATES**

DAILY MOORAGE @ 56c PER FOOT PLUS 7% SALES TAX

DISCOUNTED MOORAGE RATES ARE BASED ON CALENDAR MONTHS
AND MUST BE PAID IN ADVANCE

ENGT	per ft		ANNUAL			SEMI			QTRLY			MONTH		
	\$42.53	TAX	TOTAL	per ft	TAX	TOTAL	per ft	TAX	TOTAL	per ft	TAX	TOTAL		
51	2,169.03	151.83	\$2,320.86	1,301.52	91.11	\$1,392.63	976.14	68.33	\$1,044.47	390.43	27.33	\$417.7		
52	2,211.56	154.81	\$2,366.37	1,327.04	92.89	\$1,419.93	995.28	69.67	\$1,064.95	398.08	27.87	\$425.9		
53	2,254.09	157.79	\$2,411.88	1,352.56	94.68	\$1,447.24	1,014.42	71.01	\$1,085.43	405.74	28.40	\$434.1		
54	2,296.62	160.76	\$2,457.38	1,378.08	96.47	\$1,474.55	1,033.56	72.35	\$1,105.91	413.39	28.94	\$442.3		
55	2,339.15	163.74	\$2,502.89	1,403.60	98.25	\$1,501.85	1,052.70	73.69	\$1,126.39	421.05	29.47	\$450.5		
56	2,381.68	166.72	\$2,548.40	1,429.12	100.04	\$1,529.16	1,071.84	75.03	\$1,146.87	428.70	30.01	\$458.7		
57	2,424.21	169.69	\$2,593.90	1,454.64	101.82	\$1,556.46	1,090.98	76.37	\$1,167.35	436.36	30.55	\$466.9		
58	2,466.74	172.67	\$2,639.41	1,480.16	103.61	\$1,583.77	1,110.12	77.71	\$1,187.83	444.01	31.08	\$475.0		
59	2,509.27	175.65	\$2,684.92	1,505.68	105.40	\$1,611.08	1,129.26	79.05	\$1,208.31	451.67	31.62	\$483.2		
60	2,551.80	178.63	\$2,730.43	1,531.20	107.18	\$1,638.38	1,148.40	80.39	\$1,228.79	459.32	32.15	\$491.4		
61	2,594.33	181.60	\$2,775.93	1,556.72	108.97	\$1,665.69	1,167.54	81.73	\$1,249.27	466.98	32.69	\$499.6		
62	2,636.86	184.58	\$2,821.44	1,582.24	110.76	\$1,693.00	1,186.68	83.07	\$1,269.75	474.63	33.22	\$507.8		
63	2,679.39	187.56	\$2,866.95	1,607.76	112.54	\$1,720.30	1,205.82	84.41	\$1,290.23	482.29	33.76	\$516.0		
64	2,721.92	190.53	\$2,912.45	1,633.28	114.33	\$1,747.61	1,224.96	85.75	\$1,310.71	489.95	34.30	\$524.2		
65	2,764.45	193.51	\$2,957.96	1,658.80	116.12	\$1,774.92	1,244.10	87.09	\$1,331.19	497.60	34.83	\$532.4		
66	2,806.98	196.49	\$3,003.47	1,684.32	117.90	\$1,802.22	1,263.24	88.43	\$1,351.67	505.26	35.37	\$540.6		
67	2,849.51	199.47	\$3,048.98	1,709.84	119.69	\$1,829.53	1,282.38	89.77	\$1,372.15	512.91	35.90	\$548.8		
68	2,892.04	202.44	\$3,094.48	1,735.36	121.48	\$1,856.84	1,301.52	91.11	\$1,392.63	520.57	35.00	\$555.9		
69	2,934.57	205.42	\$3,139.99	1,760.88	123.26	\$1,884.14	1,320.66	92.45	\$1,413.11	528.22	35.00	\$563.2		
70	2,977.10	208.40	\$3,185.50	1,786.40	125.05	\$1,911.45	1,339.80	93.79	\$1,433.59	535.88	35.00	\$570.5		
71	3,019.63	211.37	\$3,231.00	1,811.92	126.83	\$1,938.75	1,358.94	95.13	\$1,454.07	543.53	35.00	\$577.8		
72	3,062.16	214.35	\$3,276.51	1,837.44	128.62	\$1,966.06	1,378.08	96.47	\$1,474.55	551.19	35.00	\$586.1		
73	3,104.69	217.33	\$3,322.02	1,862.96	130.41	\$1,993.37	1,397.22	97.81	\$1,495.03	558.84	35.00	\$593.4		
74	3,147.22	220.31	\$3,367.53	1,888.48	132.19	\$2,020.67	1,416.36	99.15	\$1,515.51	566.50	35.00	\$601.7		
75	3,189.75	223.28	\$3,413.03	1,914.00	133.98	\$2,047.98	1,435.50	100.49	\$1,535.99	574.16	35.00	\$609.9		
76	3,232.28	226.26	\$3,458.54	1,939.52	135.77	\$2,075.29	1,454.64	101.82	\$1,556.46	581.81	35.00	\$616.8		
77	3,274.81	229.24	\$3,504.05	1,965.04	137.55	\$2,102.59	1,473.78	103.16	\$1,576.94	589.47	35.00	\$624.4		
78	3,317.34	232.21	\$3,549.55	1,990.56	139.34	\$2,129.90	1,492.92	104.50	\$1,597.42	597.12	35.00	\$632.1		
79	3,359.87	235.19	\$3,595.06	2,016.08	141.13	\$2,157.21	1,512.06	105.84	\$1,617.90	604.78	35.00	\$639.7		
80	3,402.40	238.17	\$3,640.57	2,041.60	142.91	\$2,184.51	1,531.20	107.18	\$1,638.38	612.43	35.00	\$647.4		
81	3,444.93	241.15	\$3,686.08	2,067.12	144.70	\$2,211.82	1,550.34	105.00	\$1,655.34	620.09	35.00	\$655.0		
82	3,487.46	244.12	\$3,731.58	2,092.64	146.48	\$2,239.12	1,569.48	105.00	\$1,674.48	627.74	35.00	\$662.7		
83	3,529.99	247.10	\$3,777.09	2,118.16	148.27	\$2,266.43	1,588.62	105.00	\$1,693.62	635.40	35.00	\$670.4		
84	3,572.52	250.08	\$3,822.60	2,143.68	150.06	\$2,293.74	1,607.76	105.00	\$1,712.76	643.05	35.00	\$678.0		
85	3,615.05	253.05	\$3,868.10	2,169.20	151.84	\$2,321.04	1,626.90	105.00	\$1,731.90	650.71	35.00	\$685.7		
86	3,657.58	256.03	\$3,913.61	2,194.72	153.63	\$2,348.35	1,646.04	105.00	\$1,751.04	658.36	35.00	\$693.3		
87	3,700.11	259.01	\$3,959.12	2,220.24	155.42	\$2,375.66	1,665.18	105.00	\$1,770.18	666.02	35.00	\$701.0		
88	3,742.64	261.98	\$4,004.62	2,245.76	157.20	\$2,402.96	1,684.32	105.00	\$1,789.32	673.68	35.00	\$708.6		
89	3,785.17	264.96	\$4,050.13	2,271.28	158.99	\$2,430.27	1,703.46	105.00	\$1,808.46	681.33	35.00	\$716.3		
90	3,827.70	267.94	\$4,095.64	2,296.80	160.78	\$2,457.58	1,722.60	105.00	\$1,827.60	688.99	35.00	\$723.9		
91	3,870.23	270.92	\$4,141.15	2,322.32	162.56	\$2,484.88	1,741.74	105.00	\$1,846.74	696.64	35.00	\$731.6		
92	3,912.76	273.89	\$4,186.65	2,347.84	164.35	\$2,512.19	1,760.88	105.00	\$1,865.88	704.30	35.00	\$739.3		
93	3,955.29	276.87	\$4,232.16	2,373.36	166.14	\$2,539.50	1,780.02	105.00	\$1,885.02	711.95	35.00	\$746.9		
94	3,997.82	279.85	\$4,277.67	2,398.88	167.92	\$2,566.80	1,799.16	105.00	\$1,904.16	719.61	35.00	\$754.6		
95	4,040.35	282.82	\$4,323.17	2,424.40	169.71	\$2,594.11	1,818.30	105.00	\$1,923.30	727.26	35.00	\$762.2		
96	4,082.88	285.80	\$4,368.68	2,449.92	171.49	\$2,621.41	1,837.44	105.00	\$1,942.44	734.92	35.00	\$769.9		
97	4,125.41	288.78	\$4,414.19	2,475.44	173.28	\$2,648.72	1,856.58	105.00	\$1,961.58	742.57	35.00	\$777.5		
98	4,167.94	291.76	\$4,459.70	2,500.96	175.07	\$2,676.03	1,875.72	105.00	\$1,980.72	750.23	35.00	\$785.2		
99	4,210.47	294.73	\$4,505.20	2,526.48	176.85	\$2,703.33	1,894.86	105.00	\$1,999.86	757.88	35.00	\$792.8		
100	4,253.00	297.71	\$4,550.71	2,552.00	178.64	\$2,730.64	1,914.00	105.00	\$2,019.00	765.54	35.00	\$800.5		

Legislative

History

Notes

City of Seward, Alaska Port and Harbor Tariffs – Legislative History Notes

*Per Ogden Beeman & Associates, Inc Tariff Report dated May 7, 1993, the Port of Seward had 3 tariffs:
General Terminal Tariff (October 5, 1992)
Shiplift System Tariff (October 15, 1992)
Small Boat Harbor Tariff (July 1, 1992)
Combined into two we have now.*

Ordinance 95-11 Revised the Port and Harbor Code

City Docks and Terminal Facilities

- | | |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1/22/90 | Adopted general terminal tariff No. 1 setting rules, regs & charges for city docks and terminals except for the shiplift dock and the small boat harbor, effective Feb. 1, 1990.
<p style="text-align: right;">[Resolution 90-09]</p> |
| 4/9/90 | Approved Amendment #1 to incorporate changes by the Federal Maritime Commission and to add the terminal use permit to the tariff, effective retroactively to April 1, 1990.
<p style="text-align: right;">[Resolution 90-31]</p> |
| 6/10/91 | Approved Amendment #2 to incorporate payment agreement with Chugach Alaska Corporation. Effective 6/10/91.
<p style="text-align: right;">[Resolution 91-68]</p> |
| 6/22/92 | Approved Amendment #3 adjusting tariff rates and names for the 250 ton travelift, effective July 1, 1992.
<p style="text-align: right;">[Resolution 92-96]</p> |
| 7/13/92 | Approved amendment 4 which adopted a wharfage rate of \$.25 per ton for bulk gravel, effective July 20, 1992.
<p style="text-align: right;">[Resolution 92-119]</p> |
| 9/14/92 | Approved amendment 5 establishing a declining block rate for electrical service for large energy users, effective October 5, 1992.
<p style="text-align: right;">[Resolution 92-151]</p> |
| 6/14/93 | Approved amendment 6 to increase certain tariff fees to enable the city to fund harbor improvements, effective August 1, 1993 following FMC approval.
<p style="text-align: right;">[Resolution 93-92]</p> |
| 5/28/96 | Sets and amends various fees and definitions in the tariff effective July 1, 1996.
<p style="text-align: right;">[Resolution 96-71]
Failed</p> |
| 6/10/96 | Added interest rate and other charges for delinquent accounts.
<p style="text-align: right;">[Resolution 96-76]</p> |
| 5/26/98 | Amend travelift and Upland storage fees. [Resolution 98-56] |
| 11/23/98 | Reduce wharfage rates for unprocessed fresh fish from \$35.00/ton to \$3.00/ton |

[Resolution 98-132]

- 5/22/00 Amend adding fees for equipment usage, used oil recovery services, travelift calculations, eliminating tiered rate schedules and adopting a daily rate schedule for moorage.
[Resolution 00-50]
- 9/11/00 Amend tariff to impose a passenger fee in order to provide the funds to pay expenses and debt service on revenue bonds for capital improvements.
[Resolution 00-93]
- 5/13/02 Amend tariff reflecting the application of the Anchorage CPI.
[Resolution 02-43]
- 9/9/02 Amend to establish an annual adjustment to moorage fees in the Seward small boat harbor by the previous year's Anchorage Consumer Price Index for all urban consumers (CPI)
[Resolution 02-93]
Failed?
- 11/8/02 Adjusted moorage fees by the previous year's Anchorage Consumer price index (CPI) for all urban consumers.
[Resolution 02-112]
- 12/8/03 Amend the Port and Harbor tariff by 5%
[Resolution 03-156]
*Postponed. Sent to PACAB.
Not approved*
- 12/14/04 Amend Port and Harbor tariff to increase moorage rates by 12.96% increasing the linear foot rate from \$31.69 to \$35.80 and water rates from \$4.25 to \$6.02 per 1,000 gallons.
[Resolution 04-128]
- 05/09/05 Amending the tariff by increasing moorage rates by 57.4% from \$35.80 to \$56.35 per linear foot to fund east harbor construction including Z-float.
[Resolution 05-28]
Failed
- 05/09/05 Amending the tariff by increasing moorage rates by 35.58% from 35.80 to 48.54 per linear foot to fund east harbor construction south harbor and uplands.
[Resolution 05-30]
Failed
- 5/23/05 Amends the tariff by increasing moorage rates over a three year period by 12/58% in 06 to 12% in 07 and 11% in 07 to fund the harbor project.
[Resolution 05-37]
Failed
- 9/12/05 Amends the tariff by modifying the passenger transit fee to change penalties for failure to remit payment and increase the passenger fee from \$1.50 to \$3.50 per passenger to fund

harbor expansion project.

[Resolution 05-80]

- 9/12/05 Amends the tariff by increasing moorage rates by 10% effective 1/1/06 to fund harbor expansion project. **[Resolution 05-81]**
- 11/13/07 Amends the tariff by increasing all moorage, wharfage, boat lift and other harbor rates and fees (excluding passenger fees and launch fees) effective January 1, 2008. **[Resolution 07-97]**
- 11/26/07 Amends the tariff by increasing daily launch fees from \$5 to \$10, annual permits to \$100, excluding all vessels propelled solely by human power which remains at \$5. **[Resolution 07-122]**
- 12/8/08 Amends the tariff regulations Subsection 225 re: electric billing for transient vessels according to a flat rate for stays of 15 consecutive days or less. **[Resolution 08-127]**
- 11/9/09 Amends the tariff regulations by providing for automatic annual adjustments to moorage and dockage rates by an amount equal to the five previous full years' average increase in the anchorage consumer price index for all urban consumers. **[Resolution 09-116]**
- 1/25/2010 Amending the port and harbor tariff subsection 200, "assignments to a permanent slip from the waiting lists," to allow permanent slip assignments January through June each year. **[Resolution 2010-005]**

Seward Marine Industrial Center Shiplift System

- 3/27/90 Tariff adopted by City Council, effective April 6, 1990 following approval by Federal Maritime Commission (FMC).
[Resolution 90-22]
- 4/9/90 Amendment No. 1 adopts rules and regulations for repair berth stations adjacent to the shiplift system effective April 20, 1990 following approval by FMC.
[Resolution 90-34]
- 7/22/91 Amendment No. 2 revised rates to reflect actual cost of operations of shiplift effective August 1, 1991 following FMC approval.
[CNL]
- 9/28/92 Amendment No. 3 set annual availability cost fee & provided for declining block rate for electrical service provided by Harbor Dept. effective October 15, 1992 following FMC approval.
[Resolution 92-165]
- 6/14/93 Amendment No. 4 revised tariff to increase certain tariff fees to enable city to fund harbor improvements, effective August 1, 1993.
[Resolution 93-92]
- 6/12/00 Authorized and instituted the SMIC Upland Boat works policy.
[Resolution 00-57]
- 7/24/00 Revision to SMIC Upland Boat Works Policy.
[Resolution 00-77]
- 9/24/00 Revision to SMIC Upland Boat Works Policy, deleting the prohibition on silica sand as a blast material.
[Resolution 00-109]
- 11/8/02 Amend tariff to adjust moorage fees by 2.8% to previous years' CPI
[Resolution 02-112]
- 2/9/04 Decreased dockage rate for SMIC facilities from \$1.00 to \$.41 per foot of length per day.
[Resolution 04-15]
- 12/14/04 Amend harbor tariff to increase moorage rates and dockage by 12.96%, increasing linear foot rate from \$31.69 to \$35.80 and increasing water rates from \$4.25 to \$6.02 per 1,000 gallons effective 1/1/05.
[Resolution 04-128]
- 05/09/05 Amend harbor tariff to increase moorage rates by 57.4% from \$35.80 to \$56.35 per linear foot to fund East & South harbor construction, upland amenities & Z-float.
[Resolution 05-28]
Failed Unanimous

- 05/09/05 Amend harbor tariff to increase moorage rates by 35.58% from \$35.80 to \$48.54 per linear foot to fund East & South harbor construction and upland amenities.
[Resolution 05-30]
Failed 5-2
- 05/23/05 Amend harbor tariff to increase moorage rates 12.58%, 12.%, and 11.% over a 3-yr. period to fund East & South harbor construction and upland amenities.
[Resolution 05-37]
Failed 6-1
- 09/12/05 Amend harbor tariff to increase passenger fee from \$1.50 to \$3.50 per passenger, and modify failure to remit penalties, effective 1/1/06.
[Resolution 05-80]
- 09/12/05 Amend harbor tariff by increasing moorage rate by 10/% effective 1/1/06.
[Resolution 05-81]
- 11/13/07 Amends the tariff by increasing all moorage, wharfage, boat lift and other harbor rates and fees (excluding passenger fees and launch fees) effective January 1, 2008.
[Resolution 07-97]
- 12/8/08 Amends the tariff regulations and SMIC electricity charges in Subsection 225 to cover the cost to offer the service and introduce a customer charge and change the utility rate, plus add a fuel adjustment factor.
[Resolution 08-127]
- 11/9/09 Amends the tariff regulations by providing for automatic annual adjustments to moorage and dockage rates by an amount equal to the five previous full years' average increase in the anchorage consumer price index for all urban consumers.
[Resolution 09-116]