

Proposed by:	Administration
Attorney Review:	11/07/2022
Vote:	<input type="checkbox"/> Aye <input type="checkbox"/> Nay <input type="checkbox"/> Absent

**MUNICIPALITY OF SKAGWAY, ALASKA  
RESOLUTION NO. 22-38R**

**A RESOLUTION OF THE MUNICIPALITY OF SKAGWAY, ALASKA, AMENDING PORT OF SKAGWAY TARIFF NO. 3.**

**WHEREAS**, the Skagway Port Department wishes to update certain provisions in the tariff document;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Assembly of the Municipality of Skagway that the Port of Skagway Tariff No. 3 is hereby amended as follows:

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**ITEM 80            DUTIES OF VESSEL OWNERS**

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- B.        Registration. Within four (4) hours after the vessel enters and berths at any dock in the Port, every owner, master or managing agent of any vessel using Skagway municipal docks shall register their name, telephone number, ~~post office~~ mailing address, and ~~street address~~ physical address, and the name and number of the vessel, its length, its breadth and registered tonnage, if any, and other information required, with the Port Director on forms to be provided by the Port for that purpose.

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**ITEM 90            VESSEL TO FURNISH MANIFESTS**

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4.        Passenger ~~vessel~~ manifests should include the full name, ~~date of birth and, passport number~~ of each passenger. Passenger vessel shall be responsible for retaining documentation necessary for passenger entry into the United States. if required for travel, and name and telephone number of a contact for each passenger.

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**ITEM 210          BERTHING POLICY**

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**SECTION 3:       CONFLICTS**

The passenger vessel company with ~~the earliest a~~ written agreement prior to arriving in Skagway will be granted ~~the greatest priority~~ over those companies with no written agreement in place. The Port of Skagway reserves the right to assign dock location based on operational requirements and safety considerations without regard to priority.

#### SECTION 4: FORFEITURE AND TRANSFER

- A. If a passenger vessel company informs the Port of Skagway of its intent to relinquish berthing rights, or if such operator fails to use the Port of Skagway's wharves or facilities as allowed in their written agreement, such rights will be forfeited at the Port of Skagway's option.
- B. Berthing rights are non-transferable and non-assignable, except to companies identified as affiliated to the operator as ~~otherwise~~ agreed to by Skagway in the berthing agreement.

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#### ITEM 220 VESSEL IMPACT FEE

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#### SECTION 5: RECORD-KEEPING AND INVESTIGATION.

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- D. In the event the Municipality is unable to ascertain the fees due to be remitted by the person responsible for their collection by reason of the failure of that person to keep accurate books, allow inspection, failure to file a return, or falsification of records, the Municipality may make an estimate of fees due based upon all of the information available. Such estimate may be referred to as a "forced filing." Notice of the estimate of fees due shall be furnished by certified mail or by hand delivery to the person or the person's agent and shall become final for the purposes of determining liability of that person to the city in 10 working days unless ~~that~~ that person earlier files an accurate return, supported by satisfactory records, indicating a lesser liability. If the Municipality prepares a forced filing return on behalf of a person which has failed to file a timely return, the Municipality may recover its actual costs incurred in preparing such return.

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#### SECTION 9: USE OF FEES.

The fees and other amounts collected under this chapter shall be deposited in the Municipality of Skagway Port Fund and applied to pay and reimburse costs incurred to:

- A. acquire, lease, develop, construct and equip port facilities or infrastructure and related municipal facilities or infrastructure that benefit or serve or facilitate the passenger ships ~~or their passengers;~~

- B. improve, maintain, repair or replace existing port equipment, facilities or infrastructure and related municipal equipment, facilities or infrastructure that benefit or serve or facilitate passenger ships ~~or their passengers~~;
- C. provide services to passenger ships ~~or their passengers~~;
- D. improve the safety and efficiency of the interstate and foreign commerce activities in which the passenger ships ~~or their passengers~~ are engaged;
- E. otherwise facilitate the marine enterprise and associated enterprises of the passenger ships ~~or their passengers~~; or
- F. for any other lawful purpose in any lawful manner.

## ITEM 230 DOCKAGE AND MOORAGE

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### SECTION 1: DOCKAGE CHARGES

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- B. Exceptions to Dockage Charges
  - ~~1. Exception 1: Vessels docked 12 hours or less will be assessed half the applicable 24 hour docking charge, subject to minimum docking charges shown above.~~
  - ~~2. Exception 2: Vessels docked 12 hours or less of the last 24 hour period will be assessed half the applicable 24 hour docking charge, subject to minimum docking charges shown above.~~
  - 31. Exception ~~3~~ 1: Alaska Marine Highway vessels are exempt from all docking and wharfage charges.

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## ITEM 240 WHARFAGE

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- B. Wharfage charges will be assessed as shown below, subject to the following minimum wharfage charges:

YEAR	MINIMUM WHARFAGE CHARGES
2023	\$350.00
2024	\$354.00
2025	\$357.00
2026	\$361.00
2027	\$364.00
2028	\$368.00

### WHARFAGE CHARGES

(Rates in dollars and cents)

TYPE OF CARGO	WHARFAGE PER UNIT		UNIT
Fuel:	UP TO 5 MILLION	OVER 5 MILLION	PER GALLON
YEAR			
2023			
2024			
2025			
2026			
2027			
2028			
Lumber, Cants, or Logs:			
2023	\$5.97	PER 1,000 BOARD FEET	
2024	\$6.03		
2025	\$6.09		
2026	\$6.15		
2027	\$6.21		
2028	\$6.27		
Empty Containers:			
2023	\$15.50	PER CONTAINER	
2024	\$15.66		
2025	\$15.81		
2026	\$15.97		
2027	\$16.13		
2028	\$16.29		
Gravel, Pit run, sand, crushed aggregate, Process stone or boulders:			
2023	\$0.50	SHORT TON	
2024	\$0.51		
2025	\$0.51		
2026	\$0.52		
2027	\$0.52		
2028	\$0.53		
Explosives and other Hazardous Cargo:			
2023	\$14.82	SHORT TON	
2024	\$14.97		
2025	\$15.12		
2026	\$15.27		
2027	\$15.42		
2028	\$15.58		
Ore ship loading and Storage up to 90 days:			
2023	\$20.00	METRIC TON (WET)	
2024	\$20.20		
2025	\$20.40		
2026	\$20.61		
2027	\$20.81		

2028	\$21.02	
After 90 Days Ore facility ground usage per day:		
2023	\$1.00	METRIC TON (WET)
2024	\$1.02	
2025	\$1.04	
2026	\$1.06	
2027	\$1.08	
2028	\$1.10	
Fish, loose:		
<u>2023</u>	<u>\$.055</u>	PER POUND
<u>2024</u>	<u>\$.060</u>	
<u>2025</u>	<u>\$.060</u>	
<u>2026</u>	<u>\$.065</u>	
<u>2027</u>	<u>\$.065</u>	
<u>2028</u>	<u>\$.070</u>	
<u>Freight, NOS</u>		
<u>2023</u>	<u>\$2.00</u>	METRIC TON
<u>2024</u>	<u>\$2.02</u>	
<u>2025</u>	<u>\$2.04</u>	
<u>2026</u>	<u>\$2.06</u>	
<u>2027</u>	<u>\$2.08</u>	
<u>2028</u>	<u>\$2.10</u>	

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## ITEM 270 SECURITY

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- C. When actual security is required to be provided by the Port of Skagway, the security fees assessed will be \$50.00 per hour per security personnel used in lieu of the above listed fees.

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## ITEM 330 ACCEPTANCE, RETENTION, OR DELIVERY OF CARGO CONDITIONAL

- A. Right to refuse cargo under certain conditions. Right is reserved by the Port of Skagway in its sole discretion, without responsibility for demurrage, loss or damage attaching, to refuse, to accept, receive, or unload or permit a vessel to discharge:
1. Passengers or cargo for which prior arrangements for space, receiving, unloading, or handling have not been made with the Port of Skagway by the shipper, carrier, consignee, or vessel;
  2. Cargo not packed for safe transportation;

3. Cargo deemed perishable, or hazardous;
4. Cargo, the value of which may be determined as less than the probable terminal charges;
5. Cargo during a period of severe congestion, adverse weather, or other emergency or adverse condition, when, in the judgment of the Port Director, the circumstances then prevailing will prevent the Port of Skagway from providing access to Municipal facilities.

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**ITEM 390 CHARGES FOR MISCELLANEOUS SERVICES**

- A. Kayak Storage – Small Boat Harbor
1. \$7.50 per month per vessel
  2. \$50 annually per vessel

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**BE IT FURTHER RESOLVED** that this resolution shall be effective immediately upon adoption.

**PASSED AND APPROVED** this \_\_\_ day of \_\_\_\_\_ 2022, by the Assembly of the Municipality of Skagway, Alaska.

\_\_\_\_\_  
Andrew Cremata, Mayor

ATTEST:

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Steve Burnham Jr.  
Borough Clerk

(SEAL)