



PORT OF SKAGWAY

Port of Skagway Tariff No. 3

Naming Rates, Charges, Rules, and Regulations for Wharfage, Dockage, and Other Terminal Services
Applying on Port of Skagway Facilities at Skagway, AK

Issued By Municipality of Skagway
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ITEM 10 APPLICATION OF TARIFF

This tariff applies to all cargo, passengers, commercial business enterprises and their employees, and vessels utilizing the Port of Skagway's uplands, wharves, and/or facilities owned or operated by the Municipality of Skagway, Alaska, pursuant to Skagway Municipal Code (SMC) Title 12.

The use of the Port facilities is subject to specific authorization by the Port Director (for example see Qualifications for Use, ITEM 60; Berthing Policy, ITEM 210; Small Boat Harbor Regulations, ITEM 370). Users of the Port of Skagway shall fully comply with all applicable Federal and State statutes and regulations and local codes, ordinances, and resolutions. This tariff is published and filed as required by law and is, therefore, notice to the public, vessels, shippers, consignees, and carriers that the rates, rules, and charges apply to all users of the Port without further notice, quotation, or arrangement. Use of Skagway's Port facilities constitutes an acceptance of this tariff and the terms and conditions named in the tariff and applicable Municipal codes and ordinances. The Municipality of Skagway reserves the right to enter into a separate agreement including, without limitation, a berthing agreement, with vessels, passenger ships, carriers, shippers, consignees, and/or their agents concerning rates and services. In the event there is a conflict between such a separate agreement and this tariff, the terms of the separate agreement shall control.

ITEM 20 EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS

ABB/REF	EXPLANATION
CFR	Code of Federal Regulations
CSO	Company Security Officer
FSO	Facility Security Officer
NOS	Not Otherwise Specified
STB	Surface Transportation Board
STCC	Standard Transportation Commodity Code
SMC	Skagway Municipal Code
[A]	Addition/New
[C]	Change
[D]	Cancel/Eliminated
[I]	Increase
[NC]	No Change
[R]	Reduction/Decrease
%	Percent
(Underscored portion denotes change/addition.)	

ITEM 30 DEFINITIONS

Agent or Authorized Agent: The master or person in charge of the ship or any other person authorized by the owner or operator of the ship to act on behalf of the owner or operator with respect to the ship.

Berthing or Docking: Any vessel occupying a space adjacent to any wharf or facility, whether lines are attached or not attached to the wharf or facility.

Borough Manager or Manager: The Municipality of Skagway borough manager or their designee.

Charter: The reservation of an aircraft, boat, or bus for private use.

Commercial User: An individual or commercial business enterprise utilizing Municipality owned Port of Skagway facilities or lands for commercial, revenue-generating activities.

Dockage: Dockage is the charge assessed to a vessel for docking at a Skagway dock or terminal facility or for tying to a vessel so docked.

Entry into any port: Anchoring or mooring and allowing passengers to embark or disembark.

Explosives and other Hazardous Cargo: Powder, gun, or blasting; blasting caps and agents; dynamite; high explosives; ammunition other than small arms; and other cargo deemed hazardous by the Port of Skagway, including but not limited to hazardous materials under federal or state law.

Fish (Loose) & Other Marine Organisms (Loose): Individually sold whole or filleted fish or other marine organisms.

Freight Vessel: A merchant ship that carries cargo, goods, and materials from one port to another.

Holiday: Wherever reference is made in this tariff to "Holidays" it means the following:

New Year's Day	January 1
Martin Luther King Day	Third Monday in January
President's Day	Third Monday in February
Seward's Day	Last Monday in March
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	First Monday in September
Alaska Day	October 18
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day After Thanksgiving	Fourth Friday in November
Christmas Day	December 25

Holidays named above which fall on a Saturday or Sunday will be observed on the preceding Friday or following Monday, respectively. All work on a holiday is paid as 8 hours of holiday pay, plus overtime pay for actual hours worked.

Marine Organisms: The plants, animals and other organisms that live in the salt water of seas or oceans, or the brackish water of coastal estuaries. Includes mariculture, seafood, and other organisms or animals that may be used in consumable and/or non-consumable products.

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 boat harbor or other terminal facilities.

Passenger: any person whom a common carrier has contracted to carry from one place to another aboard a passenger ship and including a passenger provided carriage under a promotion, contest or other agreement for which the passenger did not compensate the person who provided travel aboard the passenger ship.

Passenger Manifest: A document stating the total number of passengers aboard a ship at the time it visits the Port of Skagway or the Municipality of Skagway.

Passenger Ship or Ship: A commercial vessel, ship or boat that is used in the common carriage of passengers in commerce.

Passenger Vessel: A merchant ship whose primary function is to carry passengers on the sea. This definition does not include freight vessels which have accommodations for limited numbers of passengers.

Person: Any individual, partnership, firm, association, joint stock company, corporation or combination of individuals of whatever form or character.

Point of Rest: Areas in the Port of Skagway designated by the Port Director for the receipt of inbound cargo or baggage from a vessel and the areas of the Port that is designated for the receipt of outbound cargo or baggage for loading to a vessel.

Port: The Port of Skagway includes docks, harbors, ferry and barge facilities, and waterfront zoned lands, as defined in SMC 12.01.010.

Port of Call: A place at which a passenger ship commences or ends a voyage or stops during a voyage and at which the passenger ship intends either to embark or disembark passengers or to which a passenger ship intends to tender passengers.

Port of Call Vessels: All other vessels calling at the Port of Skagway's wharves or facilities, and not defined as "Turn Around Vessels."

Port of Skagway Terminal: Municipality of Skagway owned large-vessel cruise berths and small-vessel cruise berth located at its waterfront in Skagway, Alaska (Broadway Dock, Ore Dock, and Ferry Float, respectively).

Revenue Passenger: Any person who has paid any amount for a ticket contract entitling that person to transportation aboard ship. The term does not include (1) the owner's or operator's employees or their immediate family members sharing their quarters; (2) the owner's or operator's contractors or subcontractors; or (3) musicians, artists, guest speakers, art auctioneers, interpreters, rangers, or similar persons traveling without charge and providing passenger services for the ship's owner or operator.

Skagway: Municipality of Skagway Borough, Alaska.

Small Boat Harbor Commercial User Fee: Fee imposed to provide for the safety, efficiency, and access of revenue passenger carrying vessels within the Small Boat Harbor, to offset costs incurred by the Municipality of Skagway in acquiring, leasing, constructing, repairing, improving, and equipping its harbor facilities to provide services to commercial users, as more specifically set forth in ITEM 410.

State's marine waters: The meaning given to "waters" in AS 46.03.900 except that they include only marine waters.

Stevedoring Contractor: Any person that has written authorization from the Port of Skagway to perform stevedoring services on Port of Skagway wharves or facilities.

Turn Around Vessels: Vessels that embark or disembark over half of the passengers listed on either departure or arrival manifests.

Vessel: In this tariff document, a vessel refers to any and all ships or boats or other types of amphibious transportation types that may utilize Municipality owned port wharves and docks (including but not limited to floatplanes and non-self-propelled barges).

Vessel Impact Fee: Fee imposed to provide for the safety, efficiency and access of passenger to offset costs incurred by the Municipality of Skagway in acquiring, leasing, constructing, repairing, improving, and equipping its port facilities to provide services to the passenger ships, as more specifically set forth in ITEM 220.

Visit: An instance where the Port of Skagway is a port of call occurring more than twenty-four (24) hours before or after another such instance by the same ship, excluding visits for emergency purposes.

Voyage: any travel on the State's marine waters.

Wharfage: The charges assessed against cargo for its passage over, under, or through any Port of Skagway wharf, pier, or facility, or loaded or discharged over the side of vessels berthed at any such facility.

ITEM 40 FORMS

All required forms for the Port of Skagway, as detailed below, can be accessed through the following URL link:

PORT OF SKAGWAY FORMS

- Port of Skagway Terminal Berthing Application
- Port of Skagway Terminal Annual Vessel Registration Form
- Port of Skagway Terminal Parking Permit
- Port of Skagway Passenger Report Form
- Port of Skagway Terminal Use Permit
- Port of Skagway Access Permit for Contractors
- Port of Skagway Small Boat Harbor Commercial User Fee Report Form
- Port of Skagway Commercial User Permit
- Port of Skagway Fresh Water Lading and Passenger Verification Form

All required forms for the Small Boat Harbor, as detailed below, can be accessed through the following URL link:

SSBH FORMS

- Small Boat Harbor Marine Maintenance Facility Use Agreement
- Small Boat Harbor Haul Out and Storage Application
- Small Boat Harbor Vessel Moorage Application
- Small Boat Harbor Wait List Application and Regulations

ITEM 50 PORT OF SKAGWAY FACILITIES

Ore Dock - Originally designed for bulk carriers in the ore concentrate trade was modified to serve as a cruise ship dock with one berth for vessels up to 965 feet. The Ore Dock is currently in the redevelopment phase to accommodate the newest generation of cruise vessels and support industrial activity more effectively.

Broadway Dock - Centrally located within the Skagway waterfront this dock can berth one vessel up to 965 feet.

Ferry Float - A shared municipal and state dock that accommodates Alaska Marine Highway ferries and small cruise ships up to 230' in length.

Freight Pier - A pass-pass style dock where cargo ships and barges can load and unload, extending from the port shore between the Ore Dock and Broadway Dock.

Small Boat Harbor - The Skagway Small Boat Harbor is a full-service marina with moorage for pleasure and commercial vessels up to 150 ft. Transient moorage is on a space available, first come, first served basis. There is a waiting list for annual moorage.

Small Boat Harbor Uplands Marine Storage - Upland storage is available adjacent to the harbor, with power and water in some areas for marine related items only.

Marine Maintenance Facility - 6400 sq ft, 3 bay, facility for vessel repairs and maintenance.

ITEM 60 QUALIFICATIONS FOR USE

- A. Safe condition of vessel. To qualify or remain qualified for use of the Port of Skagway, a vessel must be seaworthy, must be equipped and maintained in accordance with subsection E of this ITEM 60, and must have sufficient motor power to permit the vessel to be maneuvered and controlled safely in and out of the Port under wind and water conditions which are not unusual for Skagway and the vessel must not constitute a hazard to other vessels.
- B. Demonstration. Whenever the Port Director has reasonable basis to believe that a vessel is not qualified under the conditions of this section, the Port Director may require, upon seventy-two (72) hours' notice to the owner, operator, master, or managing agent of any such vessel, that such vessel demonstrate that it is or remains qualified for use of the Port. An exception shall be made where repairs are being diligently pursued or where other extenuating circumstances prevent demonstration of qualification, but such exception shall be only for a reasonable time, considering the circumstances. If the Port Director determines the circumstances constitute an emergency, the Port Director may make a reasonable effort to notify the owner, operator, master or managing agent of the vessel, and take necessary action without the requirement of seventy-two (72) hours' notice.
- C. Refusal of Mooring. The Port Director may refuse mooring space to any vessel which does not qualify; it shall be a condition of every agreement that any vessel authorized to moor in the Port of Skagway shall remain qualified so long as it remains in the Port and that the failure to remain qualified may result in termination of the agreement by the Municipality in its sole discretion. The Port Director may terminate the agreement for any mooring space which is occupied by a vessel which is authorized to occupy such space, but which vessel is not qualified in accordance with this section. Upon failure of a vessel to qualify, the Port Director may require, upon written notice to the owner, operator, master, or managing agent of such boat, that the agreement has been canceled, that such vessel be removed from the Port within not less than one (1) week. Any such vessel remaining after the time specified in the notice shall be subject to impoundment or removal as a nuisance, in accordance with applicable federal, state, and local laws, without further notice by the Municipality.
- D. Self-propelling Capability. Every vessel must clear the Port under its own power on at least three (3) occasions each year. Two (2) such occasions must not be less than three (3) months or more than six (6) months apart. Failure to comply with this subsection shall raise a presumption that the vessel is not qualified.
- E. Required Equipment. All watercraft or vessels shall carry the equipment required by any applicable United States laws or regulations, as now or hereafter amended, and shall be numbered or designated in accordance with any applicable United States laws or regulations as now or hereafter amended. The failure of any vessel within the Port to comply with applicable United States laws or regulations shall be a violation of this tariff. Violations shall be reported to the U.S. Coast Guard.

- F. Commercial Use.
1. Commercial Operations. No berthing space shall be rented or leased to any firm or individual for the purpose of conducting any commercially oriented business enterprises at the facilities; except for those activities allowed per SMC 19.06.080 W – Waterfront Zone, commercial activities on vessels that have received permission from the Port Director, and that cruise vessels, and charter vessels, including aircraft, may pick up and discharge passengers at any space that such vessel or aircraft has the right to occupy, but may not pick up or discharge cargo at any space or any other part of the facilities of the Port except at spaces designated for such use.
 2. Commercial Use Permit. All commercial activities within the Port must be compliant with SMC 19.06.080 W- Waterfront Zone. The owner, operator, master, or managing agent of a vessel moored in the Port or an individual or entity intending to conduct commercially oriented activities at the vessel of such owner, operator, master, or managing agent or with the primary location of activities within the port, provided that such activities may not in any way interfere with the normal use of the Port by other users of the facility, must apply for a Commercial Use permit annually. The borough assembly may, by resolution, set additional terms and conditions for the issuance of such permits. The issuance of a permit under this section shall not in any manner reduce or replace any other requirement for permits or licenses but shall be in addition to such other permits or licenses.
- G. Types of Vessels. Barges, boathouses, boat shelters, log rafts, scows, pile drivers, and other cumbersome floating structures shall not be permitted to secure to the docks unless specific provisions for accommodations are made and the Port Director grants approval.
- H. Residence in the Port. Watercraft used as a combination domicile and pleasure, or commercial vessel shall not necessarily be prohibited from using the Port but must do so within the Small Boat Harbor and comply with all provisions of ITEM 370. Vessel owners must pay a Residence surcharge (same rate as single-family residential utility rate for water, sewer, and solid waste services, as approved by the Borough Assembly via resolution).
1. “Resident surcharge” is a fee assessed to the owner of a vessel when the vessel is used by any person as a residence, dwelling, or abode for ten (10) or more calendar days in any calendar month.
 2. Residence surcharge period and duty to report. The residence surcharge will be assessed on a calendar month basis. If a vessel is subject to the resident surcharge for longer than ten (10) days in that calendar month, a full month residence surcharge will be assessed. The owner of the vessel is responsible for paying the residence surcharge. The owner of the vessel is responsible for immediately notifying the Harbormaster when their vessel is being used as a place of residence. Once a vessel is used as a residence, the Harbor Department will continue to assess the residence surcharge until the owner of the vessel gives written notice to the Harbormaster that the vessel is no longer used for a residence.
 3. Residence surcharge. The owner shall pay a residence surcharge (single-family residential utility rate) per calendar month, or portion thereof, for each vessel used as a residence. For a vessel with more than four residents, the owner shall pay an additional surcharge of \$50.00 per calendar month, or portion thereof, for each additional resident.
 4. At no time of year shall a watercraft, used as a combination residence and pleasure or commercial vessel, be permitted in Port of Skagway and harbor facilities unless such vessel meets the following criteria:
 - a. Vessel is capable of getting underway at all times.
 - b. Vessel meets all U.S. Coast Guard requirements for safe navigation on the water.

- c. Vessel has on board an operating Type II or Type III marine sanitation device. Discharges from these devices within Port of Skagway and harbor facilities are prohibited, except when using pump-out equipment connected to the Port of Skagway sewer system.
 - d. The vessel occupant(s) are owners, and/or signers, of the moorage agreement. The agreement is a license, not a rental agreement. Therefore, the vessel occupants have no rental rights and no expectation of rental rights. Transient vessels which use the Port of Skagway and harbor facilities for two weeks or less are exempt from this subsection.
- I. Aircraft. Aircraft normally shall be moored only at the float specifically provided and designated for use by floatplanes. Under no circumstances shall aircraft be permitted to secure to the dock system if there is a shortage of space for the mooring of boats as determined in the sole discretion of the Port Director.

ITEM 70 TERMINAL USE PERMITS

A terminal use permit gives the permittee the right to the temporary non-exclusive use of the specifically named facilities for the purpose described in the permit, subject to the provisions of an approved permit application, a permit issued by the Municipality of Skagway, and this tariff. The Port Director may terminate the permit for any breach of the provisions of this tariff.

ITEM 80 DUTIES OF VESSEL OWNERS

- A. Application for Space. Every owner, master, operator or managing agent desiring to moor at a Skagway municipal dock shall apply to the Port Director. No dock space shall be used until so assigned and the rental is paid as herein provided.
- 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, mailing address and 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.
- C. Identification. If federal law, rule, or regulation does not compel the numbering or other identification of any boat or vessel, the Skagway Borough Assembly shall determine by resolution how such boats shall be identified, and thereafter no such boat or vessel nor any other boat or vessel shall be allowed in the Port unless it is properly identified. Failure by any owner, operator, agent, or master to so identify any boat or vessel using the Port shall be a violation of this tariff.
- D. Duties. In addition to the duties of registration and identification, every owner, master, operator or managing agent of any boat or vessel using Skagway municipal docks shall be required to use due diligence in performing the following requirements:
 - 1. Make available to the Port Director upon request an emergency operations plan, which must include protocols and procedures in the case of infectious or contagious disease on board the vessel.
 - 2. Use all reasonable precautions in keeping the vessel in a reasonably clean and sanitary condition, with special attention to pure water and sanitary toilets.

3. Use all reasonable precautions in keeping the vessel free from fire hazards of any type or nature.
4. Use all reasonable effort and precautions in keeping the vessel well-secured, securely moored with lines in reasonably fit condition, sufficiently pumped out at all times to keep the vessel afloat, and to otherwise attend the needs of the vessel to avoid need for attention by the Port Director.
5. Use adequate precautions to lock up and stow and otherwise safeguard all movable gear and tackle.
6. Promptly pay all charges and taxes assessed or levied according to law either against the vessel or its owner, and all charges for utilities requested and ordered for the vessel.
7. Supply and use adequate fenders to safeguard floats and vessels from chafing and other damage.

ITEM 90 VESSEL TO FURNISH MANIFESTS

Seventy-two (72) hours prior to arrival, vessels using Port of Skagway facilities must furnish the Port Director and Facility Security Officer (FSO) with a copy of the Dangerous Cargo Manifest as provided to U.S. Coast Guard or signed certification that the cargo loaded or offloaded includes no dangerous or hazardous cargo, as defined in 49 CFR. The Port of Skagway has the right to deny the movement of cargo deemed a threat to the safety and security of the Port of Skagway Terminal and/or community of Skagway, in the sole discretion of the Borough Manager and/or Port Director.

Unless otherwise outlined in a berthing agreement, within seventy-two (72) hours after departure from the Port of Skagway Terminal, vessels shall submit to the Port Department a manifest of all cargo loaded or unloaded at Port facilities that includes, at a minimum:

1. For cargo vessels – the number of units of each type of cargo in accordance with ITEM 240 WHARFAGE.
2. For Passenger vessels – a complete Passenger Report form that includes the total number of revenue passengers and total number of non-revenue passengers on board, that is signed and sealed by a representative of the ship. Passenger vessel shall be responsible for retaining documentation necessary for passenger entry into the United States.

ITEM 100 INSURANCE

Rates and charges named in this tariff do not include insurance of any kind. Skagway reserves the right to require users of Port facilities to maintain insurance of reasonable types and in reasonable amounts, and to provide certificates evidencing the same.

ITEM 110 INDEMNITY; FEES AND COSTS

To the fullest extent permitted by law, vessel owners, shippers, consignees, and other users of the Port (collectively “Users”) shall indemnify, defend, and hold harmless the Port and the Municipality of Skagway from and against any and all charges, losses, damages, expenses, causes of action, suits, demands,

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ISSUED BY: Municipality of Skagway, P.O. Box 415, Skagway, AK 99840

judgments, or liability (including but not limited to fees and charges of engineers, attorneys, and other professionals, and court, mediation and/or arbitration costs) of any kind and any nature whatsoever, including but not limited to death that may be incurred or arise from or grow out of the use of the Port's wharves, dock facilities, and/or uplands, or any other breach of, or failure to perform under, any obligation under the terms of this tariff and Skagway Municipal Code, including any omission to act. In this provision, "Users" and "Port" include the employees, agents, representatives, consultants, guests, invitees and contractors.

In the event that Skagway shall be required to bring any action to enforce any of the provisions of this Tariff, in addition to all other payments required hereunder, the party or parties against whom such action is taken shall be required to reimburse Skagway for all of Skagway's reasonable actual attorney's fees and costs in connection with such action.

ITEM 120 LIABILITY FOR LOSS OR DAMAGE LIMITED

The stevedoring contractor (if any) and/or Port Director and Skagway shall not be responsible for any loss or damage caused by fire, frost, heat, dampness, leakage, the elements, evaporation, natural shrinkage, wastage or decay, animals, insects, leakage or discharge from fire protection systems, rock slide or other movement of the earth, earthquake, flood, collapse of buildings or structures, breakdown of plant or machinery or equipment, or by floats, logs, or piling required in breasting vessels away from wharf; nor shall it be answerable for any loss, damage, or delay arising from insufficient notification or from war, insurrection, shortage of labor, combinations, riots or strike of any persons in its employ or in the services of others or from any consequences arising therefrom. In this provision, "Port Director" includes the employees, agents, and contractors who are directly responsible to the Port Director.

ITEM 130 RIGHTS RESERVED

The Port of Skagway reserves the right to furnish all equipment, supplies and materials and to perform all services in connection with the operation of Port of Skagway facilities under the provisions of this tariff.

The Port of Skagway reserves the right to enter into an agreement with any vessel, its owners or agents and cargo owner, shipper or consignee concerning rates and services, provided such arrangements do not conflict with applicable Federal, State, or local laws.

ITEM 140 RESPONSIBILITY LIMITED

No person or commercial business enterprise shall be permitted to perform any services on Port of Skagway wharves or facilities without having an approved Port Access permit on file and written authorization for such work from the Port Director. The Port of Skagway shall not be liable for the injury of persons on its wharves or facilities, nor shall it be liable for any loss, damage or theft occasioned by such persons' presence on the wharves or facilities.

Any person, permitted to perform services on Port of Skagway wharves or facilities, shall be liable for the injury of persons in their employ and shall also be held responsible for loss, damage, theft, or injuries, including death, to third parties occasioned by themselves or persons in their employ.

ITEM 150 RESPONSIBILITY FOR PROPERTY DAMAGE

Every person and every vessel responsible for any damage to any Port of Skagway property of any kind or character while using Port of Skagway facilities shall be liable for and charged with the cost and expense of replacement or repair if the property is damaged or destroyed. The expense of repairing the damage including all surveys shall be charged against the person or vessel, or both, responsible therefore.

ITEM 160 PENALTY FOR UNAUTHORIZED USE OF PORT FACILITIES

Vessels, individuals and commercial business enterprises which use the Port of Skagway facilities without the permission of the Port Director, including but not limited to failure to register for berthing or failure to receive approval of required permits before accessing the Port of Skagway Terminal, shall be subject to removal at the discretion of the Port Director, at the sole expense of the vessel or business owner, master or managing agent. The vessel or business owner, master or managing agent shall be held responsible for all loss or damage arising from such unauthorized use and subsequent removal.

ITEM 170 PROHIBITED ACTS

- A. It is unlawful for any owner, master, operator or managing agent or other person to commit any of the following acts:
1. Exceeding the following vessel approach velocities. Tug assist may be required.

The fendering system at the Port is designed for the following conditions:

Vessel Displacement	Allowable Approach Velocity Perpendicular to Dock Face		
	Knots Feet	Minute Feet	Second
Long Ton*			
30,000 or less	0.21	21	0.36
30,000 to 50,000	0.16	16	0.28
50,000 to 70,000	0.14	14	0.23
Greater than 70,000	0.1	10	0.18

*One long ton equals 2,240 pounds.

2. To operate or cause to be operated any vessel within the limit of the small boat harbor more than five (5) miles per hour, but in no case shall the speed be in excess of that which causes a disturbing wake or that which is otherwise unsafe.
3. To operate or cause to be operated any vessel in a reckless manner and in willful or wanton disregard for the safety of persons or property within the Port.

4. To operate or cause to be operated any vessel in a negligent manner likely to endanger the safety of persons or property within the Port.
5. To operate or to be in actual physical control of any vessel when under the influence of intoxicating liquor or narcotic drugs.
6. To authorize or knowingly permit any vessel to be operated by any person who is under the influence of intoxicating liquor or narcotic drugs.
7. To operate any vessel in a manner which unreasonably or unnecessarily interferes with other watercraft or vessels, or with the free and proper navigation of the waterways of the Port.
8. To authorize or knowingly permit any vessel to be operated by any person who, by reason of physical or mental disability, is incapable of operating such vessel under the circumstances.
9. To do or omit to do in or upon the Port any act, if the doing or omission unreasonably endangers or is likely to unreasonably endanger persons or property.
10. To violate any provision of this tariff, or any rule, regulation, order or posted sign made pursuant to this tariff.
11. To leave any boat, vessel or floating structure moored at any of the Port facilities unattended while any fire is burning thereon. The fuel flow to such range, stove, space heater or furnace shall not be controlled by a drip valve carburetor, but rather a safe control of a type approved by the Port Director. Any fire shall be deemed unattended unless the owner or operator is within one hundred feet (100') of the vessel, or some person over the age of eighteen (18) years and capable of moving the boat or vessel is aboard or within one hundred feet (100') of the same.
12. To create or maintain any nuisance within the Port or to conduct or carry on any unlawful business or occupation in the Port; and all the provisions of the Skagway Municipal Code defining offenses and prescribing penalties for the violation thereof are hereby expressly extended to the Port.
13. For any owner or person in charge of any dog or animal to allow or permit the dog or animal to run at large upon or to be tethered or restrained to any part of a float or dock, or to permit any dog to become or create a nuisance thereon. Only the dogs of owners of vessels legally moored in the Port, or the dogs of the guests of such vessel owners, shall be permitted on the docks and floats, but then only when on a leash and for such minimum time as is necessary to go between the vessel and shore.
14. To deposit, place or leave any cargo, merchandise, supplies, freight, articles or things upon any dock, float, ramp, decline, walk, or other public place in the Port except at such places as may be designated as loading and unloading spaces by the Port Director. Materials used in repairing or rebuilding vessels shall not be stored on any float or dock.
15. To tap, connect, disconnect, interfere with or tamper with any water outlet, water pipe, water connection or any electrical wiring, electrical outlet, or electrical device of any kind, installed or maintained in the Port, without first having obtained the permission of the Port Director; or to interfere with or tamper with any wharf, float, gangplank, ramp, or any other facility of the Port.
16. To write or post any written or printed matter or sign upon any bulletin board constructed or maintained by Skagway in the Port without first having obtained permission of the Port Director.
17. To erect, place, post or maintain any advertising matter, sign or other printed matter other than legal notices on any part of the Port facilities, without approval thereof first being obtained from the Port Director. All unauthorized advertising and signs shall be removed by the Port Director.
18. To disregard, deface, remove, tamper with or damage any sign or notice posted or erected by the Port Director or by direction of the Skagway Borough Assembly relating to the use of the berthing areas or other uses of the Port.

19. To moor or anchor any boat, vessel or other floating structure within two hundred feet (200') of any of the float, dock facilities or entrances or exits of the Port in such a manner as to obstruct access to the Port or its float and dock facilities.
 20. To install or secure to any float, dock or stall, either permanently or temporarily, any bumper other than standardized, pre-molded rubber or vinyl bumpers of a commercial manufacture.
 21. To conduct any commercially oriented business enterprise at the Port facilities not compliant with SMC 19.06.080 unless specifically authorized or approved by the Port Director in compliance with SMC 19.06.080 and as provided under this tariff. Preparation and repair of a cruise vessel, commercial fishing boat, or its gear and the pickup and discharge of charter passengers by vessels or aircraft authorized to use Port facilities is not conduct of a commercially oriented business within the meaning of this subsection.
 22. To engage in the practice of private subleasing or "hot berthing" of an assigned moorage or dockage space. Any subleasing or "hot berthing" assignments shall be made only by the Port Director, who shall collect the normal applicable use fee therefor.
 23. Generating waste through hull scraping, painting, hull washing, sanding or other vessel maintenance activities in a manner that may release waste, including oily or hazardous contaminants, into the environment.
 24. Conducting any in-water painting, paint scraping, or any other process that occurs underwater which removes paint from the hull.
 25. The discharge of graywater, treated sewage, and untreated sewage in the harbor basin.
 26. The discharge of wash water from exhaust gas cleaning systems (EGCS) from all fuel combustion machinery (excluding main engines in use for propulsion) into the environment while a vessel is at anchor or at berth within the Port of Skagway.
- B. No person under the age of sixteen (16) years shall be allowed on the small boat harbor dock and floats, or in the Port, unless in the company and under the control of such person's parent or guardian or some other person over the age of eighteen (18) years, and for the time and place exercising the responsibilities of such person's parent or guardian. A person under the age of sixteen (16) years may apply to the Port Director and for good cause shown may be granted a permit to go on the dock and floats or in the Port without accompaniment. Such permit may be restricted and conditioned as, in the judgment of the Port Director, is warranted by the circumstances. Such permit shall be revocable by the Port Director, in the sole discretion of the Port Director, if the permittee abuses the privilege of access to the Port. Good cause for the purposes of this section shall consist of:
1. Care of vessels;
 2. Entering or exiting the Port by boat;
 3. Residence aboard a vessel legally in the Port;
 4. Employment requiring access to the Port; or
 5. Other legitimate and compelling reasons where denial of access would create an undue hardship on the person.

ITEM 180 NUISANCES

- A. Derelicts. For the purpose of this policy and in the interest of the greatest use of the facilities of the Port and the Port of Skagway waters by the general public, vessels in the Port and elsewhere on such waters which are derelicts and unfit and unseaworthy, or which are maintained in such manner as to make them liable to sinking for lack of being pumped or other maintenance, or

- which have been declared unqualified by the Port Director, or which are maintained in a manner as to constitute a fire or other hazard, and sunken boats and boats in imminent danger of sinking, are hereby declared to be nuisances and subject to abatement and removal from the Port, or other Skagway waters, by Skagway without liability of Skagway for any damage done by virtue of the removal or for any of its consequences.
- B. Sunken or Obstructive Boats. When any vessel or watercraft or obstruction has been sunk or grounded, or has been delayed in such a manner as to stop or seriously interfere with or endanger navigation, moored boats or any Port vessels, the Port Director may order the same immediately removed; and if the owner or other person in charge thereof after being so ordered does not proceed immediately with such removal the Port Director may take immediate possession thereof and remove the same, using such methods as in the Port Director's judgment will prevent unnecessary damage to such vessel or watercraft or obstruction. The expense incurred by Skagway in such removal shall be paid by the owner, and in case of failure to pay the same Skagway may maintain an action for the recovery of those expenses.
- C. Floating Objects. All vessels, watercraft, logs, piling, building material, scows, houseboats, or other articles of value found adrift in Port of Skagway waters may be taken in charge by the Port Director and may be subject to reclamation by the owner thereof on payment by him to Skagway of any expenses incurred by Skagway; and in case of failure to reclaim, may be sold or disposed of as abandoned property.
- D. Other Nuisances.
1. Refuse of all kinds, structures or pieces of any structure, dock sweepings, dead animals or parts thereof, timber, logs, piles, broomsticks, lumber, boxes, paint, empty containers, and oil of any kind floating uncontrolled on the water, and all other substances or articles of a similar nature are hereby declared to be public nuisances, and it is unlawful for any person to throw or place, or cause or permit to be thrown or placed, any of the above-named articles or substances in the Port or Skagway water, or upon the shores thereof, or in such position that the same may or can be washed into the Port or municipal waters, either by high tides, storms, floods or otherwise. Nets, gear, and other material left on any float or dock for more than ninety-six (96) hours are hereby declared a nuisance.
 2. Any person causing or permitting such nuisances shall remove the same; and upon failure to do so, the same may be removed or caused to be removed by the Port Director. When the Port Director has authorized such nuisances to be removed or stored commercially, all costs of such commercial removal or storage shall be paid by and recoverable from the person creating the nuisance. The abatement of any such public nuisances shall not excuse the person responsible from any other applicable penalties and fees provided by this tariff.
- E. Abatement or Disposal. Nuisances described under this section constituting a clear and present danger to the public health and welfare may be removed, impounded, and disposed of by Skagway. Other nuisances under subsection D of this section may be impounded, disposed of by destruction, private sale, or any other means deemed reasonable by the Port Director and, in the case of boats or other valuable property, procedures providing due process to the property owner. All expenses incurred by Skagway in any such abatement shall be borne by the person/entity responsible for the same.

ITEM 190 ABANDONED PROPERTY

- A. Any boat in the Port or in any of the Port of Skagway waters which is abandoned may be impounded, removed, sold, or otherwise disposed of as provided herein, consistent with due process and any applicable federal regulations. Failure of any boat owner, master, operator, or managing agent to register or pay berthing fees or service fees, interest and penalties provided by this tariff within one hundred eighty (180) days of payment due date shall be presumed to constitute an abandonment.
- B. Procedure for Impounded Vessels and Stored Items.
1. Impound fee. When Skagway has impounded or removed any vessel or stored item, the owner, master, operator, or managing agent thereof shall be subject to and liable for a storage charge set by the borough assembly by resolution and shall be subject to and liable for all expenses incurred by Skagway by reason of the impounding or removal.
 2. Notice to Owner. Immediately upon impounding or removing any vessel or stored item, Skagway shall cause to be posted in the Harbormaster's office or bulletin board, the clerk's office, and on the bulletin board at the entrance of the United States Post Office, notice of such action taken by Skagway. A copy of the notice shall be mailed by certified mail, return receipt requested, to the owner, master, or registered agent of the vessel at his last known address, which address shall be the same as that furnished to the Port Director. The notice shall contain the name, description and/or number of the vessel or stored item; the name and address, if known, of the owner, master, operator or managing agent; the location of the vessel or stored item; the reason for the impoundment; and the opportunity for a hearing before the Port Director no later than twenty (20) days following the postmark date of the mailed notice. For documented vessels, the same notice shall be mailed to any mortgage holder whose name and address are recorded with the U.S. Coast Guard.
 3. Notice of Sale. Any vessel or stored item impounded or removed shall be held by Skagway for a period of not less than thirty (30) days, during which Skagway shall publish in a newspaper of general circulation in Skagway a notice describing the vessel or stored item in general terms, its name and/or number, if any; the name and address of the owner, master, operator or managing agent, if known; or if not known, shall state the location of the vessel or stored item; and the intention Skagway to sell the same at public auction, on a day and at a place and time certain, for cash to the highest bidder unless the vessel or stored item is sooner redeemed. At any time prior to the start of the auction, the owner, master, operator or managing agent may redeem the vessel or stored item by a cash payment of all Skagway charges against the item.
 4. Sale. The proceeds of the sale shall be first applied to the costs of sale, then to berthing/storage and service fees accrued, and the balance, if any, shall be held in trust by Skagway for the owner of the vessel or stored item to claim; and if not claimed within one (1) year, the balance shall be deposited into the Port fund. Upon the sale being made, Skagway shall make and deliver its bill of sale, without warranty, conveying the vessel or stored item to the buyer.
 5. Other Disposition. If at the public sale there are no bidders for the vessel or stored item, Skagway may destroy, sell at private sale, or otherwise dispose of the vessel or stored item. The disposition is to be made without liability to the owner, Port Director, Harbormaster, Skagway, or lienholder of the boat.

6. Collection. If after the sale of the vessel an unpaid balance remains on the delinquent account, remaining owed charges and fees will be sent to a collection agency.

ITEM 200 LEASING UPLANDS

Leasing. Port uplands shall be leased subject to the regulations outlined in SMC Title 16.

ITEM 210 BERTHING POLICY

This ITEM 210 will govern the determination of priority for vessels calling at the Port of Skagway's wharves or facilities, except for the Small Boat Harbor, which shall be governed by ITEM 370.

SECTION 1: BERTHING APPLICATION

All vessels must make written application to the Port of Skagway, using the Port of Skagway Terminal Berthing Application Form, and obtain permission to berth prior to docking at any Port facility. The application must show the length and draft of the vessel, the requested facilities, the character of the cargo, and any other required information. All vessels moored at Skagway's wharves or facilities or alongside vessels so moored are at the owner's risk for loss or damage.

SECTION 2: PRIORITY OF VESSELS

- A. All scheduled vessels will have berthing priority over unscheduled vessels.
- B. Passenger vessels will have berthing priority over freight vessels at the Broadway and Ferry Peninsula docks.
- C. "Turn around" passenger vessels will have berthing priority over "port of call" passenger vessels.

SECTION 3: CONFLICTS

The passenger vessel company with a written agreement prior to arriving in Skagway will be granted 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 agreed by Skagway in the berthing agreement.

SECTION 5: NOTICES

Passenger vessel companies, industrial users, or their designated agents will forward all berthing schedule requests to the Port of Skagway. Advance requests are encouraged. Notice must be addressed to:

Port Director
Cody Jennings
c.jennings@skagway.org

Except as otherwise provided in this tariff or a written berthing agreement, all notices required to be provided by the Port of Skagway shall be provided using the last known contact information for the intended recipient of such notice.

SECTION 6: FERRY FACILITY

- A. Terms of Skagway/State of Alaska agreement incorporated. All terms and conditions of the "Agreement for Construction and Maintenance of a Dock and Ferry Terminal for the Municipality of Skagway," dated August 2, 1978, as amended January 6, 1981, which govern the management, operation or use of the ferry and barge facility, are incorporated herein by reference, and have the same force and effect as if fully set forth herein.
- B. Skagway may grant permits for the nonexclusive use of the dock for mooring, for loading and discharging cargo, and for the loading and discharging of passengers and vehicles.
- C. Reservations. Requests for reservations for mooring assignments or for use of storage space at Skagway municipal facilities shall be submitted to the Port Director as far in advance as practicable, normally not less than five (5) working days and shall be subject to confirmation forty-eight (48) hours in advance of expected arrival time.
- D. Moorage Not Exclusive. Assignment to moorage is not exclusive and shall include only the right to dock the vessel, to embark and disembark passengers and their luggage, and to assemble and distribute cargo over the dock and transfer bridge, subject to the provision that such use shall not interfere with ferry operations. Moorage assignments are not transferable except with written consent of the Skagway Borough manager or the Port Director. Moorage assignments shall be revocable by the Skagway Borough manager or Port Director without compensation for costs incurred thereby to the vessel, upon written notice to the vessel except when otherwise provided in the assignment.
- E. Use of the Skagway's Transfer Bridge. All non-ferry-related traffic to and from the dock shall use the Port transfer bridge. Skagway grants to the State of Alaska (State) full use of the Skagway-owned loading and unloading facility transfer bridge for ferry-related business at no cost to either the State or passengers and vehicles loading and unloading from a State-owned vessel. Skagway additionally grants to the State the use of the structure of the Port's transfer bridge for carrying state-owned oil lines, water lines, and electric service lines at no cost.
- F. Vessels shall follow passenger manifest requirements listed in ITEM 90 VESSEL TO FURNISH MANIFEST.

ITEM 220 VESSEL IMPACT FEE**SECTION 1: PURPOSE.**

The purpose of imposing vessel impact fees is to provide for the safety, efficiency and access of passenger vessel and visiting passengers and offset costs heretofore and hereafter incurred by the Municipality of Skagway in acquiring, leasing, constructing, repairing, improving and equipping its port facilities to provide services for ships who visit the Municipality of Skagway and to partially mitigate the burden and impacts of increased utilization of municipal services and municipal infrastructure by ships.

SECTION 2: FEES.

- A. The amount of the fee imposed on passenger vessels shall be assessed per revenue passenger on the passengers listed on the passenger manifest of the passenger vessel as follows:
1. Upon each visit by a passenger vessel docking at any municipal owned or leased wharf port facility a passenger fee of \$8.50 per revenue passenger shall be assessed. Effective January 1, 2024, the rate at any municipal owned or leased wharf port facility will increase to \$13.00 per revenue passenger;
 2. Upon each visit by a passenger vessel docking at any privately owned or leased wharf port facility, which facility is located on tidelands owned by the Municipality of Skagway, a passenger fee of \$3.50 per revenue passenger shall be assessed. Effective January 1, 2024, the rate at any privately owned or leased wharf port facility will increase to \$8.00 per revenue passenger;
 3. Upon each visit by a passenger vessel that anchors a short distance away and tenders passengers to or from a municipal port facility or leased by the Municipality or owned or leased by any private person or entity, a passenger fee of \$8.50 shall be assessed. Effective January 1, 2024, the rate for any anchoring and tendering vessel will increase to \$13.00 per revenue passenger.
- B. A passenger subject to the fee imposed is liable for the payment of the fee. The fee shall be collected from the passenger by the person who provides travel aboard a passenger vessel and shall be paid to the Municipality in the manner and at the times specified.
1. Unless the terms of a separate agreement with Skagway provide otherwise, a passenger ship or a passenger subject to the vessel impact fees may protest the payment of the vessel impact fees charged under this chapter by paying the fee within the time established for payment of the fee and providing the manager with a written statement of protest specifying the amount of fees paid and the basis for the protest. The manager's decision regarding the protest shall be in writing and shall be a final decision. Such decision may be appealed to the Superior Court in the First Judicial District for the State of Alaska at Juneau, Alaska.
 2. If the person responsible for collecting the fee protests liability on an assessment under SMC12.05.090(d) which has become final, that person shall pay the fee under written protest setting forth the basis for the protest. No action for a refund may be maintained nor may a defense to nonpayment be maintained in a civil action unless the amount in dispute has been paid by that person under written protest filed with the manager at or before the time of payment. Such decision may be appealed to the Superior Court in the First Judicial District for the State of Alaska at Juneau, Alaska.

SECTION 3: FEE EXEMPTIONS.

The vessel impact fees provided shall not apply to noncommercial vessels, vessels in the Small Boat Harbor, warships, ships without berths or other overnight accommodations for passengers and vessels operated by the state, the United States, or a foreign government. The burden of proving an exemption shall be on the person claiming the exemption. Persons claiming an exemption shall be required to obtain an exemption certificate from the borough manager.

SECTION 4: ADMINISTRATION AND RETURNS.

- A. A person required under this chapter to collect from a passenger and remit to the Municipality the fees imposed by this chapter shall:
 - 1. collect the fee from the passenger on or before completion of the visit, regardless of billing practices, installment agreements, credit procedures, or bad debts; and
 - 2. pay the fee to the Municipality within thirty (30) days of invoice date of due fees.
- B. A person required to collect and remit the fee imposed by SMC 12.05.010 shall file with the Municipality a passenger report within seventy-two (72) hours upon departure as required in ITEM 240, wharfage.
- C. The passenger report must be signed under penalty of perjury by the person filing the return. The report must include:
 - 1. the name and call sign of the passenger ship providing the visit; and
 - 2. the total number of passengers subject to the passenger fee;
- D. Confidential and private material.
 - 1. Except as otherwise provided in this section, passenger reports filed with the Municipality for the purpose of complying with the terms of this chapter and all information obtained from such returns are private and confidential and such returns and information shall be kept from inspection by private persons.
 - 2. This section does not prohibit the delivery to a person, or the person's duly authorized representative, of a copy of any return filed by that person.
 - 3. This section does not prohibit the publication of statistics presented in a manner that prevents the identification of particular persons.
 - 4. This section does not prohibit the disclosure of such returns or information through enforcement or collection proceedings, or when required by court order, or prohibit furnishing such returns and information on a reciprocal basis to other agencies or political subdivisions of the State or United States concerned with the enforcement of tax laws.
 - 5. This section does not prohibit making the following information available to the public: the names of ships subject to the collection and payment of fees, whether or not the ship is current in payment of fees, the total fees due, and names of ships which have been issued an exemption certificate. The manager may, from time to time, make public the names of the ships and owners, operators or agents delinquent in payment of fees and the amount thereof; provided, that the names of owners, operators or agents who have executed a confession of judgment for the delinquent fees and penalties, and who are current in their fee payments under such confession of judgment as of the date on which the names are made public, will not be made public.
- E. The borough manager may adopt policies, procedures, rules and/or regulations to administer and enforce this chapter.

SECTION 5: RECORD-KEEPING AND INVESTIGATION.

Amended Version #5 (adopted March 7, 2024)

ISSUED BY: Municipality of Skagway, P.O. Box 415, Skagway, AK 99840

- A. A person required to file a return under this chapter shall preserve in hard copy or electronic format for three years all books, records, and any other data utilized to complete the return, including, but not limited to:
 - 1. passenger manifests; and
 - 2. passenger names, addresses, and telephone numbers;
- B. A book, record, or other piece of data required to be preserved under this section must be available for inspection and copying in the Municipality at any time upon oral or written demand by the city.
- C. For the purpose of ascertaining the correctness of a return or for the purpose of determining the amount of fees collected or which should have been collected by any person, the borough manager or designee may hold investigations and hearings concerning any matters covered by this chapter and may examine any relevant books, papers, records, or memoranda of any such person, and may require the attendance of such person or any officer or employee of such person.
- 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 Municipality in ten (10) working days unless 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.

SECTION 6: LIENS AND OTHER COSTS.

The amount of delinquent fees, finance charges, and costs, including attorney fees shall constitute a lien on real and personal property of the owner, operator or agent of a ship to the extent allowable under A.S. 29.25.010(17) and otherwise not precluded by federal law.

SECTION 7: LIABILITY.

Any person violating any of the provisions of this chapter or failing or refusing to comply with a lawful request or demand of the manager authorized or made under this chapter shall be subject to the general penalty provision in SMC 1.20.010.

SECTION 8: 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;

- C. provide services to passenger ships;
- D. improve the safety and efficiency of the interstate and foreign commerce activities in which the passenger ships are engaged;
- E. otherwise facilitate the marine enterprise and associated enterprises of the passenger ships;
- F. for any other lawful purpose in any lawful manner;
- G. to mitigate the projected costs of the long-term protection of life, health, safety, and critical port infrastructure from the serious threat of rockslides and other natural disasters, which directly threaten the safe use of the Port by vessels and the safety of passengers.

ITEM 230 DOCKAGE AND MOORAGE

Unless the vessel has made advance reservations, dockage and moorage charges shall commence when a vessel is made fast and shall continue until such vessel is completely freed from and has vacated the berth. Vessels that make advance reservations for a berth shall be charged dockage or moorage based on the reservation request plus any additional time beyond original reservation until such vessel is completely freed. Any reservation may be changed or cancelled up to twenty-four (24) hours prior to arrival at a Port of Skagway Terminal. No deductions shall be made for weekends or Holidays or because of weather or other conditions unless approved by Port Director. The length shown in Lloyds Register or the certificate of registry will apply. If the length is not shown in these documents, the linear distance measured from the extreme point of the bow to the extreme point of the stern will apply.

SECTION 1: DOCKAGE CHARGES

Dockage charges will be assessed as shown below, subject to the following minimum dockage charges.

Year	Minimum Dockage Charge
2023	\$325.00
2024	\$350.00
2025	\$350.00

(Rates in dollars and cents per foot per each twenty-four (24) hour period within which the visit occurs, rounded up to the nearest hour. No reduction is made for visits that occur within a fraction of a twenty-four (24) hour period.) (See Exceptions 1)

- A. The following dockage charges apply to dock facilities outside of the Small Boat Harbor.

VESSEL LOA	2023	2024	2025	2026
0/149'	\$2.90	\$2.99	\$3.08	\$3.17
150'/199'	\$3.10	\$3.19	\$3.29	\$3.39
200'/299'	\$3.40	\$3.50	\$3.61	\$3.72
300'/399'	\$3.76	\$3.87	\$3.99	\$4.11
400'/499'	\$4.20	\$4.33	\$4.46	\$4.59
500'/599'	\$4.79	\$4.93	\$5.08	\$5.23
600'/699'	\$5.22	\$5.38	\$5.54	\$5.70
700' and over	\$5.50	\$5.67	\$5.83	\$6.01

Amended Version #5 (adopted March 7, 2024)

ISSUED BY: Municipality of Skagway, P.O. Box 415, Skagway, AK 99840

A vessel not engaged with passengers or cargo shall vacate when the berth is required for another vessel to load or discharge passengers or cargo. A vessel on notice to move which refuses to vacate will be assessed dockage at five (5) times its applicable rate starting at the time vessel is notified to vacate.

- B. Exceptions to Dockage Charges
 - 1. Exception 1: Alaska Marine Highway vessels are exempt from all docking and wharfage charges.
- C. Monthly Dockage Rate. The Port Director is authorized to approve a monthly dockage rate equivalent to no more than one-half (1/2) of the daily total dockage rate for the given month. This adjusted rate may be granted through submission of a special request as follows:

Tug Operators. Vessels employed solely in the business of providing tug service to vessels calling at any dock or terminal facility of the Municipality of Skagway may apply directly to the Port Director for monthly dockage rates.

SECTION 2: MOORAGE CHARGES

- 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") within the small boat harbor. Charges shall continue until such vessel is completely freed from and has vacated the berth. A vessel berthed at any time within a twenty-four (24) hour period, from 12:01 a.m. to midnight (12:00 a.m.) shall incur a full day's charge. The Port Director may, in their sole discretion, waive a daily charge for a vessel provided that the vessel stay is no more than four (4) hours.
- B. Moorage charges shall be calculated on the overall length of the vessel, the linear distance measured from the extreme point of the bow to the extreme point of the stern will apply.

SECTION 3: ANNUAL MOORAGE – SMALL BOAT HARBOR

- A. \$14.80 per foot from January 1 – December 31
- B. Senior Citizen Discount: Fifteen percent (15%) discount will apply to annual moorage fees paid by residents of Skagway who are age sixty-five (65) or older for personal pleasure craft.

SECTION 4: TRANSIENT MOORAGE – SMALL BOAT HARBOR

\$0.60 per foot per day and \$6.00 per foot per month from January 1 – December 31

ITEM 240 WHARFAGE

- A. Charges will be assessed on all cargo including ship's stores and fuel. Over-stowed cargo, ship's gear and dunnage will not be charged wharfage.
- B. Wharfage charges will be assessed as shown below

WHARFAGE CHARGES
(Rates in US dollars and cents)

TYPE OF CARGO	WHARFAGE PER UNIT		UNIT
Fuel:			PER GALLON
YEAR	UP TO 5 MILLION	OVER 5 MILLION	
2023	\$0.021	\$0.018	
2024	\$0.021	\$0.018	
2025	\$0.021	\$0.018	
2026	\$0.022	\$0.019	
2027	\$0.022	\$0.019	
2028	\$0.022	\$0.019	
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		
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 Waste Shipments:			
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		

Amended Version #5 (adopted March 7, 2024)

ISSUED BY: Municipality of Skagway, P.O. Box 415, Skagway, AK 99840

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) & Other Marine Organisms (Loose)		
2023	\$.055	PER POUND AFTER THE FIRST 4,000 POUNDS
2024	\$.060	
2025	\$.060	
2026	\$.065	
2027	\$.065	
2028	\$.070	
Freight, NOS		
2023	\$2.50	SHORT TON
2024	\$2.52	
2025	\$2.54	
2026	\$2.56	
2027	\$2.58	
2028	\$2.60	

ITEM 250 WEIGHTS

Cargo moving outbound in ship or barge loads for which no commercial scale weights are available, will be subject to terminal charges based on estimated weight obtained by survey of vessel by qualified person acceptable to Port Director and vessel owner, operator, agent, or charterer.

ITEM 260 DEMURRAGE, RAIL CARS OR VESSELS

In furnishing the service of vessel berthing, ordering, billing out, loading, or unloading vehicles and/or rail cars, and of handling cargo to and from vessels, no responsibility for any demurrage or delay whatsoever on either rail cars, vehicles or vessels shall be assumed by the Port Director.

ITEM 270 SECURITY

- A. Access to the Port of Skagway terminal(s) is restricted to those parties licensed and engaged in the business of the terminal or have business on the terminal as approved by the Port Director. This shall also include a Transportation Worker Identification Credential (TWIC) for those subject to regulations. All other persons shall be escorted by a credentialed terminal worker licensed by the Port.

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- B. In order to fulfill its responsibilities for security, including but not limited to responsibilities mandated under the Maritime Transportation Safety Act of 2002 and the US Coast Guard regulation 33CFR105, the Port of Skagway will assess against and collect from ocean going vessels, whether passenger vessel or cargo vessel or any combination, their owners, or operators for the use of the terminal working areas at Port operated facilities, a Port Security Fee. Such fee, in the amounts set forth below, shall be in addition to all other fees and charges due under this tariff. At the Port of Skagway's sole discretion, charges may be assessed to cargo and/or vessels for additional security costs associated with an increase in MARSEC level mandated by the US Department of Homeland Security.

Charges for Port Security are as follows unless otherwise specified in a berthing agreement:

Assessed for vessels loading or offloading passengers and cargo, the following Security Fees will apply:	BASELINE SECURITY FEE: PER DOCKING	MAXIMUM MONTHLY SECURITY FEE
2023	\$100.00	\$300.00
2024	\$103.00	\$309.00
2025	\$106.00	\$318.00
2026	\$109.00	\$327.00
2027	\$112.00	\$336.00
2028	\$115.00	\$345.00

- C. When actual security personnel are required to be provided per US Coast Guard regulation 33CFR105 and are provided by Port of Skagway staff, the security fees assessed will be \$50.00 per hour per security personnel used in addition to the baseline security fee.
- D. When actual security personnel are required to be provided per US Coast Guard regulation 33CFR105 and are provided by a Port Terminal Use Permit Holder or other third party contracted service, in addition to the baseline security fee billed by the Port of Skagway, a security fee may be established and billed directly to the vessel owner by the Port Terminal Use Permit Holder or other third party contracted service.

ITEM 280 FRESH WATER SERVICE

When requested, the Port of Skagway may furnish fresh water for vessels at the charges shown below, plus the water hookup charge.

(Rates in US dollars and cents)

YEAR	CHARGE PER 1,000 GALLONS	WATER HOOKUP CHARGE
2022	\$5.36	\$75.00
2023	\$5.36	\$100.00
2024	\$5.91	\$100.00
2025	\$6.21	\$100.00
2026	\$6.52	\$100.00

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Any fraction of 1,000 gallons will be charged as 1,000 gallons. Vessel to furnish labor to hook up and disconnect hoses. Port of Skagway may, upon request and if available, furnish hose suitable for dispensing water.

ITEM 290 VESSEL OILY WASTE OR GARBAGE DISPOSAL

- A. Operators of vessels needing to discharge oily waste or garbage at the Port facilities shall notify the Port Director at least twenty-four (24) hours in advance. The Port Director will provide the vessel operator with directions to receptacles for the disposal of such items. The vessel operator shall provide at least 24 hours advance notice in the case of:
1. Garbage regulated by the Animal & Plant Health Inspection Service (APIS) of the U.S. Department of Agriculture under 7 CFR 330.400 or 9 CFR 94.5
 2. Medical wastes, or
 3. Hazardous wastes defined in 40 CFR 261.3.
- B. If a vessel contacts the Port Director regarding disposal of medical or hazardous wastes as described above, the Port Director will provide a list of persons able to transport and treat such wastes. The vessel operator shall arrange directly with such a person to handle such wastes, and payment of services will be made directly to the person so engaged. Any such person is not an agent or employee of the Port of Skagway, nor shall the Port of Skagway be liable for any act or omission of any person so engaged by the vessel operator.
- C. REFUSE COLLECTION: When requested, the Port of Skagway may collect refuse from vessels up to three hundred (300) passengers at the charges shown below.

Solid Waste Disposal Rates	Frequency	2024	2025	2026
Ships, vessels - 1-125 passengers	Per ½ hour	\$526.18	\$576.17	\$630.91
Ships, vessels - 126-300 passengers	Per ½ hour	\$957.48	\$1,048.44	\$1148.05

- D. The discharge by vessel of any oily waste or garbage at the Port of Skagway's wharves and facilities shall only be in accordance with the terms of this tariff item, applicable international agreements or regulations and applicable federal, state and local laws, codes, ordinances, resolutions and regulations.
- E. The vessel operator shall be responsible for any costs or charges incurred by the Port Director for services not covered by this tariff item. Such costs and charges will be billed to the vessel operator along with an additional one hundred twenty-five percent (125%) of the incurred costs and charges.

ITEM 300 STEVEDORING SERVICES

Stevedoring services are provided by independent contractors at Port of Skagway facilities and must have an active Commercial Use Permit on file as defined in ITEM 60.F.2 to conduct business at the Port of Skagway Terminal. Vessels shall enter into their own contract arrangement for stevedoring services with Terminal Use Permit Holders or directly with stevedoring entities. For the purpose of this rule, stevedoring services include, but are not limited to line handling, the loading/unloading of cargo between a ship and the point of rest, loading/unloading cargo or baggage to/from rail cars or trucks or other means of land

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conveyance to/from the terminal facility, and accessorial services pertinent thereto, including line handling. A current list of Terminal Use Permit Holders is available on request from the Port Director.

ITEM 310 VEHICLES AT PORT OF SKAGWAY TERMINAL

A. VEHICLES ON WHARF. Except for security, stevedoring, and Municipality owned port vehicles, cargo consisting of vehicles, and emergency vehicles, no motor vehicles may go on Port of Skagway Terminal wharves unless the operator of the vehicle has first obtained a written permit from the Port Director and paid the applicable annual vehicle access fee. Security and stevedoring vehicles must be marked with tags as such and permitted, but no fee is required.

B. TERMINAL VEHICLE ACCESS PERMITS. Vehicle access permits are required for all vehicles used for commercial business enterprises and their employees utilizing the parking and/or vehicle staging areas at the Port of Skagway Terminal between 5:00am – 9:00pm, April 15 – October 31. Limit one (1) vehicle per permit—valid for registered vehicles only. Non-refundable/non-transferable. Parking availability not guaranteed.

The charges for vehicle access and parking permits are as follows:

VEHICLE ACCESS PERMIT ANNUAL VEHICLE FEES	
# Vehicles	Rate
1	\$250
2 – 3	\$500
4 – 6	\$1,000
7 -10	\$1,500
11 - 20	\$3,000
21 +	\$6,000

ITEM 320 WHARF STORAGE

- A. Wharf storage is the charge assessed for the storage of cargo, equipment and/or other materials remaining on the wharf and/or unleased waterfront uplands after the expiration of free time. See ITEM 400 for storage at the Small Boat Harbor.
- B. Free time is the specified number of days during which cargo, including vessels, containers, and miscellaneous items, may occupy space assigned to it within the staging area without being subject to demurrage or storage charges. Free time will be five (5) days for inbound cargo, and ten (10) days for outbound cargo. Saturdays, Sundays and Holidays are excluded from free time.
- C. The following daily storage charges will apply to ship cargo:
1. The first five (5) days..... \$ 3.00 per short ton
 2. Each additional day..... \$ 4.00 per short ton
 3. Minimum storage charge..... \$ 250.00 per shipment
- D. Vessels or commercial users needing storage within unleased areas of the Port of Skagway must request space through an application for storage. Storage location and space allocation will be

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approved by the Port Director. Rate for storage on unleased areas in the Port of Skagway Terminal will follow rates and terms set forth in ITEM 400.

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.
- B. Right to remove, transfer, or warehouse. Hazardous or offensive cargo, or cargo which by its nature has the potential in Skagway's sole discretion, to damage other cargo, terminal facilities, or equipment, is subject to immediate removal from the wharf, either from the premises or to another location on the premises. All expenses and risk for loss or damage shall be the responsibility of owner, shipper, shipper's agent, the vessel's agent or consignee. Cargo remaining on the wharf or terminal premises after expiration of free time, may be removed to public or private warehouses, and all expense of removal, storage and risk or loss or damage shall be the responsibility of the owner, shipper, consignee, or vessels or the agent of the owner, shipper or vessel as determined by shipping documents, vessel manifests or other source.
- C. Right to withhold delivery of freight. Right is reserved by port operator to withhold delivery of the cargo until all Port/Terminal charges and advances against said cargo have been paid in full.
- D. Right to sell for unpaid charges. Cargo on which unpaid Port/Terminal charges have accrued may be sold to satisfy such charges and costs, provided the owner or responsible party has been given notice to pay charges and to remove the cargo and has failed to comply. Cargo of a perishable nature or of a nature liable to damage other cargo may be sold at public or private sale without further public notice advertising, provided the owner or responsible party has been given notice of arrival and has failed, or refused to take delivery.
- E. Explosives and Hazardous Cargo. The acceptance, handling or storing of hazardous materials shall be subject to special arrangements with the Port Director and governed by the applicable rules and regulations of Federal, State, and local authorities, and such acceptance is conditional upon immediate removal from Skagway's wharves or facilities by the owner of such cargo. The following commodities will not be accepted at Skagway's wharves or Port facilities: Liquid Hazardous Materials, in bulk, in containers other than DOT approved intermodal IM 101 or IM 102 tanks, or tank cars.
- F. Owner's Risk.
1. Glass, liquids or fragile articles will be accepted only at owner's risk for breakage.
 2. Cargo requiring refrigeration will be accepted only at owner's risk of spoilage.
 3. Cargo on open wharf premises will be accepted only at owner's risk for loss or damage.

4. Timber and log or lumber rafts and all watercraft, if and when permitted by the Port Director to be moored at the Port of Skagway, are at owner's risk for loss or damage.

NOTE 1: The Port of Skagway reserves the right to refuse wharf storage of any cargo which in the Port Director's judgment may impair wharf usage or cause a condition of hazard, safety or hindrance.

ITEM 340 DELAYS, WAIVER OF CHARGES

Vessels, owners, shippers, or consignees shall not be entitled to a waiver of any Port charges because of delay arising from the failure or breakdown of terminal equipment, or delays arising from any other cause not reasonably within the control of the Port Director.

ITEM 350 PORT & HARBOR VIOLATIONS AND FINES

Title 12 – Ports & Harbors Violations and Fines			
Name of Violation	Fine	Frequency	Code
Fail to Apply for Mooring Space	\$25	Each incident	12.08.060(A)
Fail to Register Boat with Harbormaster	\$25	Each incident	12.08.060(B)
Fail to Identify Boat	\$25	Each incident	12.08.060(C)
Duty of Boat Owners to Keep Boats Clean, Safe and Secure	\$25	Each incident	12.08.060(D)(1)-(6)
Operating in Harbor in Excess of 5 mph or causing disturbing wake	\$50	Each incident	12.08.080(A)(1)
Leaving Boat Unattended while Fire is Burning Thereon	\$50	Each incident	12.08.080(A)(10)
Create or Maintaining Nuisance	\$25	Each incident	12.08.080(A)(11)
Dogs Running at Large	\$50	Each incident	12.08.080(A)(12)
Deposit, place or leave things on the Docks	\$25	Each incident	12.08.080(A)(13)
Tampering with Harbor infrastructure without Permission	\$50	Each incident	12.08.080(A)(14)
Posting on Harbor Facility Bulletin Boards without Permission	\$25	Each incident	12.08.080(A)(15)
Posting Advertisement on Harbor Facility without Permission	\$50	Each incident	12.08.080(A)(16)
Disregard, Damage, Remove or Tamper with Harbor Signs	\$100	Each incident	12.08.080(A)(17)
Obstructing Access to Harbor	\$100	Each incident	12.08.080(A)(18)
Installation of Non-Standardized Bumpers	\$25	Each incident	12.08.080(A)(19)
Operating Boat in Harbor in Reckless Manner	\$50	Each incident	12.08.080(A)(2)
Unauthorized Commercial Operations	\$100	Each incident	12.08.080(A)(20)
Subleasing Mooring Spaces	\$50	Each incident	12.08.080(A)(21)
Operating Boat in Harbor in Negligent Manner	\$50	Each incident	12.08.080(A)(3)

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Operating Boat while DUI of Alcohol or Drugs	\$1,000	Each incident	12.08.080(A)(4)
Authorizing someone to Operate a Boat While DUI of Alcohol or Drugs	\$500	Each incident	12.08.080(A)(5)
Operate in Manner which Interferes with normal Operations	\$25	Each incident	12.08.080(A)(6)
Authorizing Someone not capable to Operate Boat	\$50	Each incident	12.08.080(A)(7)
Endangering Person or Property	\$100	Each incident	12.08.080(A)(8)
Violating this Tariff or any rule or Regulation or posted signs	\$50	Each incident	12.08.080(A)(9)
Failure to Render Aid and Give Identification After Accident	\$200	Each incident	12.16.010(A)
Failure to Report Accident to Authorities within 1 hour	\$200	Each incident	12.16.010(B)
Aiding and Abetting Violations	half	Each incident	12.16.020

ITEM 360 PAYMENT OF CHARGES

- A. Responsibility for Charges to Vessel. The vessel, its owners or agents and cargo owner, shipper, or consignee docking at or using the facilities covered by this tariff shall be responsible, jointly and severally, for the payment of all charges assessed in accordance with this tariff.
- B. Responsibility for Charges to Cargo. All charges named in this tariff will be assessed against the cargo, when not absorbed by the vessel and are due from the cargo owner, shipper, or consignee. Charges which the vessel, its owner or agents have been apprised, will be collected from and payment of same must be guaranteed by the vessel, its owners, or agents. The vessel, its owners or agents, when permitted to make their own deliveries of cargo from wharf, will be held responsible for payment of any charges against cargo delivered by them and accruing to the terminal.
- C. Payment of Charges. All charges for services rendered by the Port of Skagway for the use of terminal facilities are due and payable as they accrue upon completion of such services or uses. Unless otherwise specified in this document. This subsection does not apply to vessels that have a berthing/ moorage agreement in place, or when prior credit approval is received from the Port of Skagway's financial department.
The Port Director may request payment of charges in advance as follows:
1. For all charges to the vessel before a vessel begins loading or discharging.
 2. For all charges to the cargo before the cargo leaves the custody of the terminal.
 3. For all charges to perishable goods or cargo of doubtful value, or household goods prior to the commence of services named herein.
- D. Finance Charges on Delinquent Accounts. All charges and fees, except for charges to be paid in advance, and except for damages to wharf property, will be declared delinquent after the invoice or remittance due date, and, as such, will be charged a finance charge of ten percent (10%) of the delinquent balance after a ten day (10) grace period. All extra expenses, including legal expenses, litigation cost, or costs of agents employed to effect collection shall also be assessed to, and payable by, such accounts.
- E. Handling of Delinquent Accounts. Any Port of Skagway user with charges and fees one hundred eighty (180) days past due will trigger the Abandoned Property process in ITEM 190. In the case of delinquent accounts without physical property within the Port of Skagway or which, after property has been impounded and revenue from the sale of impounded property has been

applied to the account, have remaining charges or fees owed by the owner, all existing account dues will be sent to a collections agency twenty (20) days following the postmark date of a notice sent certified mail, return receipt requested, to the owner, master, or registered agent of the property at their last known address, which address shall be the same as that furnished to the Port Director.

- F. Future Services Rendered. No future services shall be rendered to delinquent account holders until all owed charges, fees, interest, and penalties are paid and the account is up-to-date with liens removed. If future services are needed, previously delinquent account holders must pay one hundred percent (100%) of projected services fees in advance and are liable for future payment of any additional incurred and billed charges.

ITEM 370 SMALL BOAT HARBOR REGULATIONS

A. Use.

1. Access. The Small Boat Harbor shall be open to all on an equal basis. Except as provided herein, no special preference shall be granted to accommodate one (1) type of user over another. The extensions of the municipal streets and sidewalks and public access to the harbor shall be maintained at all times. Commercial enterprises or businesses conducting business of a permanent or continuing nature within the Small Boat Harbor, or from a vessel using the facilities must: 1) have a valid State and Municipal business license; 2) have an active Commercial User Permit on file; and 3) follow the conditions and terms set forth in this document. A commercial fishing vessel or charter boat operator, not conducting services within the Skagway Small Boat Harbor, would not be considered a commercial business enterprise in this case since the business is essentially conducted elsewhere and the Small Boat Harbor is merely a point for embarking and disembarking.
2. Use of Harbor. The mooring or use or presence of any boat within the Small Boat Harbor shall constitute an agreement by the owner, operator, master or managing agent to conform to the provisions of this tariff.

B. Classification of harbor areas.

1. Stalls. Numbered areas shall be set apart and designated for use of privately-owned boats, both commercial and pleasure, upon the owners thereof having first made arrangements with the Harbormaster and having paid applicable fees for such use as hereinafter provided. Each stall shall be numbered in such a manner that its location can be readily determined. No property rights or rights to exclusive use are created by the usage of a mooring space; rather, the user of a stall is granted only preferential berthing privileges for the use of the assigned moorage for so long as the user has a vessel and pays applicable moorage fees.
2. Size and Types of Vessels. No vessel with a length in excess of one hundred forty (140) feet shall be allowed to enter the Small Boat Harbor except in an emergency. Under no circumstances shall excessively large vessels be allowed to secure to the float systems. Barges, boathouses, boat shelters, log rafts, scows, pile drivers, and other cumbersome floating structures shall not be permitted to secure to the floats unless specific provisions for accommodations are made and the Harbormaster grants approval.
3. General Public Open Mooring. All float spaces and stalls except those reserved are designated general public open-mooring areas. The Harbormaster may designate and

mark stalls and spaces at other facilities as general public open-mooring areas. All such general public open-mooring areas shall be open to all members of the public for transient and other temporary use for mooring boats. No boat or boat owner shall have exclusive right to a general public open-mooring space or stall. Should any boat moored at such space or stall leave it for any purpose, it shall have no exclusive right to return to the same space or stall if upon return it is found that the space is occupied by another boat. To constitute a break in mooring, a boat must be absent from the boat harbor for not less than twenty-four (24) consecutive hours. The Harbormaster may, at the Harbormaster's discretion, deny to any boat the use of general public open mooring.

4. Gridiron. The Harbormaster may make uniform rules determining what types of vessels may and may not use the gridiron, as well as allowable weight of any such vessels. No owner or operator shall occupy gridiron space except for such reasonable times as are required to accomplish bottom painting, repairs, and other customary gridiron uses. The use of the gridiron and the length of time during which it may be used shall be in the discretion of the Harbormaster. The Skagway Borough Assembly, by resolution, may set fees for the use of the gridiron.

C. Allocation of stalls.

1. Stalls -- Vessel Registration. Use of all stalls and moorage shall be authorized in the name of the user making application for such use or occupants on a preferential-usage basis, by a vessel owned by the user or occupier and specifically designated on the usage agreement by name and/or Coast Guard registration number. No other vessel may occupy a stall or moorage so authorized for use except on a temporary basis upon agreement of the user and approval of the Harbormaster.
2. Preference Rights.
 - a. The user of a stall or moorage shall have a preference for renewal of the permitted use so long as such user owns a vessel, pays the prescribed fees, and complies with the provisions of this tariff. The sale by the authorized user of the vessel named in the moorage agreement constitutes termination of the moorage agreement unless the user replaces the vessel with a boat of similar size or demonstrates to the satisfaction of the Harbormaster that the user intends to replace the vessel within a reasonable period of time. The user who sells the vessel designated in the moorage agreement may retain the moorage only if the user acquires another vessel, and the user shall not sublet or otherwise assign the user's interest in the berth to another person. The practice of selling the stall with the vessel is strictly prohibited. A berth so vacated shall be assigned by the Harbormaster to the next person on the approved waiting list.
 - b. Preference in usage of stalls or alongside moorage on an annual basis shall be given to U.S. citizens or organizations owning the boat to be moored, or persons having permanent resident status from the U.S. Immigration and Naturalization Service. Foreign citizens may acquire the right to use annual reserved moorage on an as available basis but shall not be entitled to automatic renewal; on the termination of the authorized use period, U.S. citizens and permanent residents on the waiting list shall have priority to acquire the right to occupy the space.
3. Maximum Utilization of Stalls. Stall assignments shall be made to ensure maximum usage of stall space. The Harbormaster shall establish minimum and maximum boat lengths and maximum beams permitted for each type and size stall available. Stall assignments or uses not in compliance with established maximums and minimums shall not be made except in unusual or temporary situations, and only with the express approval of the

Harbormaster or his designee. No vessel may be assigned or use more than one (1) stall which is under the control or ownership of Skagway.

4. Seniority of Stall Users. A seniority list of stall users shall be maintained by the Harbormaster as a basis for reassignment of stalls to those wishing to improve their stall locations.

ITEM 380 SMALL BOAT HARBOR PARKING

There are three distinct parking areas. Parking is only permitted in designated areas.

- A. Parking Policies.
 1. No camping, loitering, or occupying vehicles overnight
 2. No vehicle/bus staging for commercial operations not related to the Small Boat Harbor unless approved by the Port Director, including rental cars.
 3. Starting October 15, the Vehicle/Trailer parking area will be prioritized for winter boat storage.
 4. Parking in RV Spaces located at the North of the Small Boat Harbor Parking Lot is prohibited.
- B. Parking Areas.
 1. Seawalk Parking Lot - Along Congress Way overlooking the Small Boat Harbor. No overnight parking.
 2. Small Boat Harbor Parking Lot – Immediately adjacent to the Harbormaster Office – Overnight parking is permitted. Vehicles unattended for more than twenty-four (24) hours are required to leave keys with the Harbormaster. Vehicles with trailers or lone trailers are not allowed to park in the harbor parking lot. Maximum stay fourteen (14) days.
 3. Vehicle/trailer or lone-trailer parking – Area to the west of RV spaces and east of Small Boat Harbor storage area along the northern boundary of the Small Boat Harbor. Overnight parking is permitted. Vehicles unattended for more than twenty-four (24) hours are required to leave keys with the Harbormaster. Maximum stay seven (7) days.

ITEM 390 CHARGES FOR MISCELLANEOUS SERVICES

- A. Kayak Storage – Small Boat Harbor
 1. \$7.50 per month per vessel
- B. Pressure Washer
 1. \$27.00 per hour; one-hour minimum
- C. Grid Fee
 1. \$15.00 per tide
- D. Haul-Out Fee – Small Boat Harbor
 1. Clemar/Sealift
 - a. \$210.00 round-trip: from water to stands and back
 - b. \$155.00 round-trip: stay on trailer three (3) hours maximum
 - c. \$125.00 per hour; one (1) hour minimum yard move
 2. With flatbed truck
 1. \$65.00 per hour; one (1) hour minimum

- E. Boat Launch Ramp Fee
1. \$10.00 per launch; includes all boats, kayaks, canoes, etc.
 2. \$50.00 annual pass per vessel; includes all boats, kayaks, canoes, skiffs, motorized watercraft, and all other similar watercraft.
- F. Commercial Launch Ramp at Harbor
1. \$20.00 daily
 2. \$300.00 annual
- G. Waiting List Fee – Small Boat Harbor
1. \$50.00 initial fee to be added to waiting list
 2. \$10.00 annual fee
- The waiting list fee will not be renewed automatically. Invoices will not be sent. It is the responsibility of the individual to contact the Harbormaster if they wish to remain on the list and pay the fee. Failure to do so will result in removal from the waiting list.
- H. Harbor Crane Use Fee
1. \$20.00 per hour with a one-half (1/2) hour minimum; or
 2. \$50.00 annual fee
- J. Transient Electrical Rates at Harbor
1. \$10.00 per day for 30 amp; and
 2. \$20.00 per day for 50 amp
- K. Harbor Labor Services
1. \$100.00 per hour; one-half (1/2) hour minimum
 2. Services may include septic pump out, bilge pump out, net change, small vessel line handling, waste oil processing, towage services, oil spill cleanup, among others.

ITEM 400 SMALL BOAT HARBOR STORAGE

- A. Free time shall not exceed seven (7) days.
- B. Cargo occupying the staging area for more than seven (7) days is subject to storage charges for one (1) month. Occupation of the staging area for more than one (1) month shall be subject to additional storage charges prorated daily.
- C. Storage is the charge assessed for pre-arranged use of space in the storage area after the expirations of free time.
- D. Long Term Marine Related Storage in the Small Boat Harbor. When permitted by the Harbormaster, and when such space is available, areas of storage space may be reserved for the storage of boats and other marine related items for periods of not less than thirty (30) days, subject to the following conditions:
1. No space will be made available for use having less than two hundred fifty (250) square feet in gross area.
 2. Storage charges shall be for thirty (30) days minimum, with charges prorated on a per-day basis after thirty (30) days.

(Rates in US dollars and cents)

YEAR	Per square foot per month
2022	\$0.21
2023	\$0.21
2024	\$0.22
2025	\$0.22

- E. Liveboards on the Hard
1. Stay Limit: Limit to fourteen (14) days. A seven (7) day extension may be granted with an approved workplan submitted to the Harbormaster in writing.
 2. Insurance Requirement: Must maintain active insurance coverage and provide proof of such insurance to the Harbormaster.
 3. Fees: Any stay longer than ten (10) days shall pay a full month “resident surcharge” (ITEM 60.H.).
- F. The boat owner must keep the area around their boats clean daily, or the yard will do so at the owner’s expense. No boats will be launched unless the area around the boat is clean.
- G. Boats in storage must go in the water at least annually or every twelve (12) months with six (6) month extension on written approval from the Harbormaster.

ITEM 410 SMALL BOAT HARBOR COMMERCIAL USER FEE

SECTION 1: FEES

All commercial vessels, including but not limited to fishing charters and kayaks, shall pay the following rates per revenue passenger as a tariff for loading and unloading passengers at the Skagway Small Boat Harbor:

(Rates in US dollars and cents)

YEAR	Unload	Loading
2023	\$1.04	\$1.04
2024	\$1.07	\$1.07
2025	\$1.10	\$1.10

SECTION 2: ADMINISTRATION AND RETURNS

- A. Cruise Lines: In the event that cruise lines do not provide the specific Loaded and Unloaded passenger numbers tendered in the Small Boat Harbor in their Passenger Report Form (ITEM 90), the computation of Total Small Boat Harbor Commercial User Fee charges will be based on calculating ninety percent (90%) of the reported revenue passengers from the Passenger Report Form. This calculated value will then be applied to both Unload and Loading rates, as outlined in the rate table provided above.
- B. Commercial Users: All non-cruise line commercial users shall submit to the Port Department a Commercial User Fee Report Form (ITEM 40) and make the corresponding Fee Payment within thirty (30) days following the conclusion of the reporting quarter.

ITEM 420 MARINE MAINTENANCE FACILITY

Users must complete a Small Boat Harbor Marine Maintenance Facility Use Agreement prior to utilizing the facility.

- A. Fees.
1. Bay Rental April 1 – September 30: \$32.00 per day

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2. Bay Rental October 1 – March 31: \$48.00 per day
3. Cleaning deposit: \$500.00 per rental period

ITEM 430 UPLAND VESSEL MAINTENANCE AND REPAIR

- A. Sandblasting & Scraping. When stripping, sanding, scraping, painting, coating and/or varnishing any portion of the vessel, all particles, oils, grits, dusts, flakes, chips, drips, sediments, debris and other solids shall be collected and managed to prevent release into the environment. Drop cloths, tarps, drapes, shrouding or other protective devices are required to collect and manage such material and must be adequately secured around the vessel to resist wind from causing a release of collected solids. Any loose material on ground must be cleaned immediately following work.
- B. Hot-work and Hot-work Permits. Any welding, brazing, soldering, or any other type of hot work must be pre-approved by the Harbormaster.

ITEM 440 PORT ACCESS PERMIT

Independent contracted companies providing services directly to the Municipality of Skagway at or on restricted-access port facilities must have a Port Access Permit on file prior to accessing or beginning work at port facilities.

ITEM 450 BUSINESS LICENSING AND MUNICIPAL SALES TAX

- A. Business Licensing. All Port of Skagway users must adhere to SMC 5.04.020 (A). It is unlawful for any person, firm or corporation to engage in a business within the municipality without first applying for and obtaining a Municipality of Skagway business license.
- B. Sales Taxation. Any entity that is berthed at the Port of Skagway, including privately owned docks, is considered within Municipal boundaries and is subject to SMC 4.08 SALES TAXATION while berthed.