



# City of Bethel Port Commission Agenda

Regular Meeting  
February 15, 2016 - 7 pm  
City Council Chambers, City Hall, Bethel, AK



## **Commissioners**

Alan Murphy  
Chair

Term Expires 2015  
(907)543-2805

Greg Roczicka  
Vice-Chair

Term Expires 2017  
(907)543-2903

[groczicka@hotmail.com](mailto:groczicka@hotmail.com)

Richard Pope  
Port Commissioner  
Term Expires 2017

(907)543-1900

[bethelalaskapc@qci.net](mailto:bethelalaskapc@qci.net)

Alisha Welch  
Council Member

Term Expires 2017  
(907)545-6026

[arwelch@cityofbethel.net](mailto:arwelch@cityofbethel.net)

## **Ex-Officio**

Peter A. Williams,  
Port Director

(907)545-4150

[pwilliams@cityofbethel.net](mailto:pwilliams@cityofbethel.net)

Nathan Greydanus  
Port Admin

(907)543-2310

[ngreydanus@cityofbethel.net](mailto:ngreydanus@cityofbethel.net)

Allen Wold  
City Dock Attendant

(907)543-2310

[awold@cityofbethel.net](mailto:awold@cityofbethel.net)

- i. **CALL TO ORDER**
- ii. **ROLL CALL**
- iii. **PEOPLE TO BE HEARD**
- iv. **APPROVAL OF AGENDA**
- v. **APPROVAL OF MINUTES FROM THE REGULAR MEETINGS**  
-APPROVAL OF MINUTES FROM THE RESCHEDULED MEETING DECEMBER 21, 2015
- vi. **SPECIAL ORDER OF BUSINESS**
- vii. **DEPARTMENT HEAD COMMENTS**
- viii. **UNFINISHED BUSINESS**  
-BMC CHAPTER 14.02  
-TERMINAL TARIFF #004 EFFECTIVE DATE
- ix. **NEW BUSINESS**  
-RESOLUTION SUPPORTING THE STATE OF ALASKA HARBOR AND FACILITY GRANT PROGRAM  
-FY 2016/FY 2017 BUDGET RE-NEWEL
- x. **COMMISSION MEMBER'S COMMENTS**
- xi. **ADJOURNMENT**



# City of Bethel, Alaska

## Port Commission

December 21, 2015

Rescheduled Meeting

Bethel, Alaska

**I. CALL TO ORDER**

A rescheduled meeting of the Port Commission held on December 21, 2015 at 7 p.m. in the City Council Chambers, Bethel, Alaska

Chair, Alan Murphy called the meeting to order at 7:02 P.M.

**II. ROLL CALL**

Comprising a quorum of the Commission, the following members were present for roll call: Comm. Murphy, Comm. Roczicka, Comm. Pope, Comm. Welch

Ex-Officio members present were:

Peter Williams, Allen Wold

**III. PEOPLE TO BE HEARD**

None

**IV. APPROVAL OF AGENDA**

<b>MOVED:</b>	Comm. Pope	Approval of Agenda
<b>SECONDED:</b>	Comm. Roczicka	
<b>VOTE ON MAIN MOTION</b>	4-0 All in favor.	

**V. APPROVAL OF MINUTES**

<b>MOVED:</b>	Comm. Roczicka	Approval of Minutes for November 23, 2015
<b>SECONDED:</b>	Comm. Pope	
<b>VOTE ON MAIN MOTION</b>	4-0 All in favor.	

**VI. DEPARTMENT HEAD COMMENTS**

- AML Lease
- Appraisal for the AML Warehouse, Slough Shop, Old Port Office future location.
- Jung and Active Property
- Tech Pro's progress

**VII. UNFINISHED BUSINESS**

**VIII. NEW BUSINESS**

<b>MOVED:</b>	Comm. Roczicka	Approved Terminal Tariff No. 4 of changes
<b>SECONDED:</b>	Comm. Pope	

<b>VOTE ON MAIN MOTION</b>	4-0 All in favor
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**IX. COMMISSION MEMBERS COMMENTS**

**X. ADJOURNMENT**

<b>MOVED:</b>	Comm. Murphy	Motion to adjourn
<b>SECONDED:</b>	Comm. Pope	
<b>VOTE ON MAIN MOTION</b>	4-0 All in favor.	

\_\_\_\_\_  
Alan Murphy, Chairperson

ATTEST:

\_\_\_\_\_  
Allen Wold, Recorder

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I. **City of Bethel Port Commission Meeting Minutes**

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JANUARY 18, 2016

Regular Meeting 7 p.m.

Bethel, Alaska

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**I. CALL TO ORDER**

MEETING CALLED TO ORDER AT 1907 (7:07 P.M.)

**II. ROLL CALL**

COMMISSIONERS PRESENT:

CHAIRMAN MURPHY, COMM. POPE, COMM WELCH

COMMISSIONERS ABSENT:

COMM. ROCZICKA

NO MEETING DUE TO LACK OF QUORUM.

**III. PEOPLE TO BE HEARD**

**IV. APPROVAL OF AGENDA**

**V. APPROVAL OF MINUTES**

**VI. PORT DIRECTOR'S REPORT**

**VII. UNFINISHED BUSINESS**

**VIII. NEW BUSINESS**

**IX. COMMISSION REPRESENTATIVES COMMENTS**

**X. ADJOURNMENT**

Respectfully Submitted:

\_\_\_\_\_  
Alan Murphy, Chairman

APPROVED THIS \_\_\_\_\_ day of \_\_\_\_\_ 2016.

ATTEST: \_\_\_\_\_



# PORT OF BETHEL

Post Office Box 1388  
Bethel, Alaska 99559  
Voice: 907-543-2310  
Fax: 907-543-2311



TO: Ann Capela  
FROM: Peter A. Williams- Port Director  
SUBJECT: January, 2016 Managers Report

## PORT ADMINISTRATION ACTION ITEMS AND ACTIVITIES

- **SMALL BOAT HARBOR-** Fifty cu.yds of rip-rap was put into place for the Access Rd. and more will be added as weather permits. A abandon vehicle was impound procedures were followed to remove it from the SBH.
  - **Port Shop-**251 East Ave; Lights and heater purchased completing the materials needed for the electricians. The funds for installation of the materials will have to be approved of by Council either by a budget mod, perhaps in late Feb., or in the FY17 budget.
  - **BBSP -Jung/Active Parcels-**No progress to report.
  - **City Dock-** AMLs' southbound wharfage charges for 2015 were reconciled. Connex's being prepared for use as a temporary Port Office. Impound procedures initiated two pieces of lost/abandon freight.
  - **Port Office-**A company was chosen to manage the relocation of the old office and for the design/ build of a new office. Contract and AM is being readied for the City Councils review on Feb.8<sup>th</sup>.
  - **Oscar Way/251 East Ave/City Dock Warehouse** –Affiliated Appraisals completed the building assessments with the fair market values of the monthly rental fees of these properties.
  - **Sand Shed-** The insulation that was installed has had a positive effect. Port Attendants are able to bring the temperature up so they are able to work inside. They are assembling portable toilets and floats.
  - **BMC-Chapter 14/Terminal Tariff** – Editing is continuing. Port Commission was unable to review the work completed in January due to a lack of a quorum. Our next meeting is February 15<sup>th</sup>.
  - **Budget-** Will be submitted on schedule. Working with the Finance Director to update Expenditures and Revenues.
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- **Personnel-** Port Attendants have completed the Haz. Comm. training and are working certificates for handling hazardous materials. Everyone has taken a winter vacation. The Admin Assitant is keeping up with the billing. The Port Attendants are still bring the bank deposits to the bank ,mail run and picking up the coins from the pump hose in housing.

Peter Williams  
Port Director



The City of Bethel currently has vacancies on the following Committees & Commissions.

**Marijuana Advisory Committee**

2 Alternate Vacancies

**Port Commission**

2 Commission Vacancies

2 Alternate Vacancies

**Energy Committee**

2 Committee Vacancies

2 Alternate Vacancies

**Finance Committee**

1 Alternate Vacancy

**Planning Commission**

2 Alternate Vacancies

**Public Safety and Transportation Commission**

2 Alternate Vacancies

**The City of Bethel is committed to citizen involvement in local government to develop programs and services, which provide efficient and positive benefits for residents, workers and visitors.**

**The City has established committees which are advisory in nature and commissions which are quasi-judicial. Qualifications to serve vary with the committees and commissions, but the most important qualifications are interest and a willingness to serve your community.**

**If you are interested in offering your services to Bethel's community, by volunteering a few hours of your time each month, please pick up an application at the City Clerk's office or contact the City Clerk at 543-1384 or at [lstrickler@cityofbethel.net](mailto:lstrickler@cityofbethel.net) for more information.**



## Chapter 14.08

### SEAWALL

Sections:

- 14.08.020 Mooring.
- 14.08.030 Berth regulations and privileges.
- 14.08.040 Safety ladders.
- 14.08.050 Seawall fence.

#### **14.08.020 Mooring.**

- ~~A. No watercraft shall be allowed to moor or tie up to the city seawall without prior approval having been obtained from the port director and without the execution of a moorage agreement with the port.~~
- ~~B. Mooring of watercraft along the seawall shall be limited to designated areas only.~~
- C. Adequate bumpers or fenders must be placed by the watercraft to prevent damage to the seawall.
- ~~D. The watercraft shall be secured only to mooring bits that are installed independently of the bulkhead.~~
- E. Mooring bits may only be placed by the city or with the city's permission, after approval by the city engineer as to the mooring bit's location. No mooring bit may be placed such that tie backs are damaged.
- F. Mooring agreements will be issued by the port director upon advance payment of moorage fees. All watercraft mooring along the seawall without executing a moorage agreement and paying the fee due under the agreement will be moved and/or impounded by the port director consistent with federal and state law.
- G. No watercraft shall be allowed to moor alongside another watercraft moored at the seawall for the purpose of loading or unloading without the port director's approval.
- H. ~~The floating docks situated~~ Mooring floats ~~along the seawall are for the use of vessels along the seawall only and only as~~ must be authorized by the port director.
- I. No floatplanes shall be allowed to moor at the ~~floating docks mooring floats or~~ along the seawall.
- J. No hazardous nor explosive freight ~~or material may be~~, as defined in CFR Parts 100-185, shall be stored along the seawall. Hazardous materials ~~or~~ loaded/unloaded to/from watercraft over the seawall.

K. Small vessels using mooring floats ~~the floating docks~~ shall not ~~load, discharge or transport too~~ load or discharge freight over the seawall to the docks land adjacent to the seawall any boxes, packages, or other that is too large or heavy to safely hand carry down the gangways. Heavy or bulky freight shall be loaded either at the small boat harbor or at the slough by the bridge or city the dock. No heavy equipment may be used along the seawall without the Port Directors permission.

L. No small vessels shall be allowed to refuel or transfer gasoline or other flammable liquids while moored at any floating docks along the seawall or adjacent uplands without the Port directors permission.

M. Persons under the influence of intoxicating liquors or drugs shall not be allowed on the ~~floating docks~~ any Port Facility. [~~Ord. 01-18 § 6; Ord. 209 § 5, 1992.~~]

#### **14.08.030 Berth regulations and privileges.**

A. The vessel owner shall neither sublease nor allow another vessel to use its assigned space. When a vessel leaves its mooring for a day or more, the owner or operator shall notify the port director, who may temporarily assign another vessel the vacant space.

B. There shall be no refueling of vessels moored to the seawall without the Port Directors permission. Vessels must be moved to the petroleum dock or other designated fueling location.

C. The vessel owner or operator shall not allow another vessel to moor alongside the permitted vessel, except for the purpose of loading or unloading fish or cargo. When loading or unloading operations are completed, the outside vessel must move out.

D. Fish or freight which is loaded or unloaded to, from or across the permitted vessel, except for vessel provisions and ice, shall be subject to the payment of wharfage charges, as provided for by Rules 220 and 230 of the Port of Bethel Terminal Tariff, FMC-T No. 1.

E. The vessel mooring permit is limited to the moorage of a specific vessel, assigned to a specific location for a specific period of time, and does not provide for any shore-side facilities or property use.

F. The vessel owner shall be responsible for conducting his/her operations in a safe and lawful manner.

G. The vessel owner, master or agent shall indemnify and hold harmless the city from any and all claims and damages, including costs and attorney fees, caused by or resulting from any negligent, intentional or malicious act or omission while the vessel is moored to the seawall or other port property.

H. No welding shall be permitted without the permission of the port director, and then only after all possible precautions have been made to prevent fire and/or explosion. [Ord. 209 § 5, 1992.]

**14.08.040 Safety ladders.**

A. Mooring to safety ladders is prohibited.

B. Mooring in a manner that blocks safety ladders in unassigned areas is prohibited. [Ord. 209 § 5, 1992.]

**14.08.050 Seawall fence.**

A. Damaging, tampering with or removing of life rings is prohibited.

B. Removal of the seawall fence for access to moored vessels may only be done with the permission of the port director.

C. Replacement of the seawall fence is the responsibility of the permit holder, and must be replaced whenever the vessel is not at its moorings.

D. The permit holder is responsible for damage to the seawall fence at the assigned space for the period of the permit.

E. No modifications to the seawall fence are permitted without the approval of the port director, and the fence must be restored to its original form at the end of the period of the permit, unless otherwise authorized by the port director. [~~Ord. 209 § 5, 1992.~~]

Chapter 14.10

**SMALL BOAT HARBOR AND PORT FACILITIES**

Sections:

- 14.10.010 Port director.
- 14.10.020 Transactions to be conducted.
- 14.10.030 Registration.
- 14.10.040 Classification and use of mooring facilities.
- 14.10.045 Logs and log rafts on port facilities.
- 14.10.050 Unlawful acts.
- 14.10.060 Acts prohibited without the approval of the port director.
- 14.10.070 Rentals and fees.
- 14.10.080 Port facilities privilege agreement.
- 14.10.090 Duties of boat owners and operators.
- 14.10.100 Revocation of privileges.
- 14.10.110 Lien.
- 14.10.120 Removal of abandoned property.

**14.10.010 Port director.**

A. The port director and required assistants will supervise and manage the port facilities. The port director may hire a harbor master or other designee, and delegate duties as necessary for the operation and maintenance of the port facilities.

B. The port director, or his designee, shall supervise and manage the assignment of moorage stalls, the assignment of dry land storage and the use of the ~~boat lift~~, launching ramps, ~~grid iron~~ and all other facilities made available by the city. The port director may, in the interest of safety or convenience, require any boat owner to change from one (1) moorage to another and may, in the absence of the boat owner, move the boat without incurring liability to the city.

C. The port director may, at his discretion, refuse moorage or storage to any ~~boat vessel~~ which is ~~cumbersome derelict or abandon~~ or ~~has may become a menace cause harm~~ to the safety or welfare of another boat or its occupants. He may refuse the use of any facilities to a ~~boat vessel~~ that may cause damage to the facilities. He may, at his discretion, refuse berthing to boathouses, floats, scows, log rafts, barges and other cumbersome floating structures.

**D. Use of the Small Boat Harbor , USS 3790 ;Plat 82-13 port facilities by vessels greater than thrity-five feet (35 feet),** floating boat shelters, floating storage buildings, or houseboats is prohibited. The port director may refuse moorage or use of any of the ~~port~~ SBH facilities to any boat or boat owner violating any provision of this code.

E. The port director shall have the duty and exclusive power to post signs and to thereby designate the limit of port facilities speeds, classification and use of port

facilities moorage and storage areas, and such other signs and notices necessary to inform the public, and is authorized to direct all waterborne and vehicular traffic within the limits of the port facilities boundaries, including designated parking and storage areas. [~~Ord. 10-06 § 2; Ord. 209 § 5, 1992.~~]

**14.10.020 Transactions to be conducted.**

All registration of boats, payments of moorage and other charges, and other port facilities business shall be conducted at place designated by the Port Director on the ports facilities. ~~the port office.~~ [~~Ord. 10-06 § 2; Ord. 209 § 5 1992.~~],

**14.10.030 Registration.**

Every boat owner using the port facilities shall register his/her name, address, telephone number and the name and/or number of the boat with the Port of Bethel ~~port director~~ on forms provided for that purpose. [~~Ord. 10-06 § 2; Ord. 209 § 5, 1992.~~]

**14.10.040 Classification and use of mooring facilities.**

A. All of the mooring spaces in the port facilities can be classified as either open mooring or reserved mooring. The use of either classification of mooring facilities is contingent upon payment of the appropriate fee as set forth in this chapter.

B. Areas designated as open mooring shall be open to all members of the public. Such areas shall be used primarily for temporary mooring. Open mooring spaces shall be utilized on a first- (1st-) come, first- (1st-) served basis. No boat owner shall have exclusive rights to open mooring space. Should any boat leave, it shall have no exclusive right to return to the same space.

C. Use of Reserved Mooring Facilities.

1. ~~Every boat vessel~~ owner desiring to guarantee the availability of a mooring space, or to moor temporarily at any vacant reserved mooring space, shall apply to the Port of Bethel for a moorage agreement. ~~director.~~ No such space shall be so reserved or assigned until the mooring fee has been paid.

2 The Port of Bethel will issue a sticker that shows the vessel has a mooring agreement with the City of Bethel. The Sticker will be affixed to the vessel where it can be easily be seen.

~~2.~~ 3. Possession of a reservation for a reserved mooring space does not guarantee the holder any right to exclusive use of the reserved mooring for the duration of the reservation agreement. Possession of a reservation is a guarantee that the reserved mooring shall be available for the use of the holder of the reservation during those periods when the boat is within the port facilities. The port director may temporarily assign another boat to a reserved mooring as he determines it expedient when the boat assigned to a reserved mooring is away from the port facilities.

3. In the event that the holder of a reserved mooring returns to the port facility and finds his reserved mooring occupied, the holder shall contact the port director or his

designee. The port director or his designee will cause facilitate the temporarily assigned ~~boat~~ vessel to be moved to another location.

4. The ~~boat~~ vessel owner who possesses a reserved mooring shall not sublease or in any other manner permit the use of the mooring by another ~~boat~~ vessel owner without prior notification and approval of the port director.

5. No property rights are created by this section. The holder shall only have a permit to use the mooring reserved to him as provided for in this chapter.

6. A waiting list will be maintained by the port director of names of persons requesting reserved moorings at times when no reserved moorings exist. As reserved moorings become available they will be offered to the first (1st) name on the waiting list whose LOA fits the criteria for the mooring available.

**D.** No ~~boat~~ vessel shall be moored in any area designated by the port director as a loading area any longer than ~~it is necessary~~ one hour (1hour) for loading/unloading the ~~boat~~ vessel. No unattended ~~boats~~ vessels shall be left at any loading area.

~~E. No boat vessel shall block or be moored in any area designated by the port director as a launching area any longer than necessary for launching/hauling out the boat.~~

**F.** Any person moving a ~~boat~~ vessel they do not own may do so only if a vessel is entangled in such a manner as to allow a vessel to depart a mooring. A vessel owner shall report to the port director or his designee where the ~~boat~~ vessel was moved from and where the boat has been moved to.-

**G.** Any person having knowledge of a petroleum spill within the port facilities shall immediately report such spill to the port office or his designee; if the port office is closed, the spill shall be reported to the police department, fire department, USCG or the DEC.

**H.** No person shall bring into, moor or berth within the port facilities any ~~boat~~ vessel which is unseaworthy or is in such a badly deteriorated condition that it is liable to sink, ~~or damage port facilities or~~ damage other boats vessels. ~~or and which may become a menace to navigation except in cases of extreme emergency in which case~~ The boat vessel owner shall be liable for any damage caused by such boat a vessel. In the event a ~~boat~~ vessel sinks within the port facilities, the vessel ~~boat~~ owner shall mark its ~~the vessels~~ location, and provide for the raising and disposition of the boat and assume all liabilities for damage to city property and other vessels boats in the port facilities.

**I.** No aircraft or float plane shall land, operate within, or take off from the Small Boat Harbor. ~~port facilities or the entrance thereto.~~

**J.** Vehicles and boat trailers must be removed from the launching areas after a vessel ~~the boat~~ has been launched. And Vehicles and trailers can be parked only in areas designated and posted by the port director as parking areas. Vehicles and ~~boat~~ trailers.

may only be parked in areas not designated and posted as parking areas. may be removed and impounded.

**K.** 1. Vehicles and trailers not parked in designated or posted parking areas may be removed and put into storage and may impounded.

2. Vehicles and trailers that are inoperable, unregistered with the State of Alaska, may be removed at any time regardless of where they are parked.

3. Vehicles and trailers parked longer than four days ( 4 days) must have a parking permit issued by the Port of Bethel and affixed to their windshield on thier vehicle.

4. Trailers must be attached to a vehicle when they left in the Small Boat Harbor.

**L.** ~~K.~~ Launching or hauling out of boats on skids is prohibited; trailers or other wheeled conveyances shall be used for launching or hauling out boats. Boats shall be launched at designated launching areas only.

M.

**L.1** Beach storage of supplies, merchandise, or other property of boat owners shall be limited to areas designated by the ~~port director~~ Port of Bethel. Any supplies, merchandise or other property shall not be left in the Small boat Harbor for more than six hours ( 6 hours ).

**2.** Boat owners shall obtain a space assignment for storage of ~~vessel(s) property~~ from the ~~port director~~ Port of Bethel and pay a storage fees twenty-five dollars per month ( \$25.00 per month ) plus taxes.

M. Except as provided in BMC 14.10.045, no logs or firewood shall be unloaded and placed on the beach of the port facilities, and no log rafts shall be allowed within the port facilities or the entrance thereto.

N. No vessels will be allowed to be more than one (1) beam's width from the dock.  
[Ord. 10-06 § 2; Ord. 04-15 § 2; Ord. 209 § 5, 1992.]

#### **14.10.045 Logs and log rafts on port facilities.**

A. Any person may request permission from the port director or designee to bring logs or a log raft into port facilities for off-loading. The purpose for the logs must be for personal use and not commercial use; commercial operations use the cargo dock or beach No. 1. Personal use includes use of the logs for home heating, artistic purposes, steambaths, or constructing shelters, fish racks, or fences.

B. A request must be submitted to the port director at least eight (8) hours in advance.

1. The port director has the sole discretion to grant, deny, or cancel a request.

2. The decision of the port director to deny or cancel a request may only be reversed for abuse of discretion if appealed under subsection I of this section.

C. The request will state the size and number of logs, method for removing logs from the water, the location for storing and off-loading the logs or log raft, cutting, off-loading, and/or removing the logs in the port facilities.

D. A request is good for allowing logs or a log raft in the port facilities for three (3) days. The logs or log raft, as well as all debris from the logs or log raft, must be removed within three (3) days from the port facilities unless extended at the discretion of the port director or designee.

E. Any logs, log raft, and/or debris that remains after the three- (3-) day request shall be declared abandoned and a public nuisance, and may be impounded, removed, sold, or otherwise disposed of in the following manner:

1. The port director shall send a registered or certified letter, with a return receipt, notifying the person at the address listed on the user's request, that the logs, log raft, and/or debris has been impounded and may be removed, sold or otherwise disposed of within seven (7) days after the date of the letter, unless the user:

a. Redeems the property by payment of all the charges listed in the letter, which shall include expenses for clearing and storing the logs, log raft, and/or debris;  
or

b. Timely submits a written appeal to the port commission under subsection I of this section.

2. If the property is not redeemed and no appeal is filed, the logs, log raft, and/or debris may be disposed of by public auction if valued by an independent appraiser at over one thousand dollars (\$1,000), or, if valued at one thousand dollars (\$1,000) or less, may be disposed of as junk, donated to a governmental agency or local nonprofit agency, or destroyed.

F. The user is liable for any expenses incurred by the city for the removal, storage, and/or disposal of the logs, log raft, and/or debris. Additionally, even if the logs, log raft, and/or debris are sold, the user shall be liable for any remaining charges not covered by the sales proceeds. Interest and collection costs shall be included regarding any charges that are not paid within thirty (30) days of the billing by the port director under subsection E of this section. Penalties may also be imposed and the city may seek injunctive relief in accordance with BMC 14.02.086. Additionally, the user shall be subject to loss of privileges for use of the port facilities until all charges, interest, collection costs, and any penalties are paid.

G. *Repealed by Ord. 10-06.*

H. In accordance with BMC 14.02.070, any person acting under this section shall be strictly liable to the city without regard to fault or negligence for any damage to the port facilities or any property owned by the city caused directly or indirectly by the log raft or logs while entering into or while in the port facilities.

I. Any appeal must be filed in writing with the port commission within seven (7) days after the port director denies or cancels a permit, or issues a letter that assesses charges, interest, collection costs, and/or penalties, or denies the user use of the port facilities. Any appeal of a decision of the port commission issued under this subsection shall be in writing and filed with the city council within seven (7) days of the date of the written decision by the port commission. [Ord. 10-06 § 2; Ord. 04-15 § 3.]

**14.10.050 Rules and Regulations Unlawful acts.**

It is unlawful for any person within the small boat harbor to:

- A. Operate or to be in actual control of any boat when under the influence of intoxicating liquor, illicit narcotics, or other dangerous drugs;
- B. Operate or cause to be operated any boat within the small boat harbor that exceeds the posted speed limit or causes a wake or wave action;
- C. Operate or cause any boat to be operated recklessly or otherwise engage in a course of conduct that is dangerous or a nuisance to persons or property;
- D. Throw or otherwise cause to be deposited any gasoline, oil, sewage, trash, garbage or debris of any type into the water's entrance or upon the grounds of the small boat harbor;
- E. Create, become or maintain any nuisance;
- F. Allow dogs or any other animal to run at large. Dogs shall be on a leash and accompanied by the owner who shall be responsible for removing any offal left by the dog;
- G. Allow children under the age of twelve (12) years within the float or beach area of the small boat harbor unless they are accompanied by a responsible adult;
- H. Disregard, deface, remove, tamper with, or damage any sign or notice posted by the port director;
- I. Fail to register with the port director any boat prior to occupying the small boat harbor facilities;
- J. Pump bilge water into the small boat harbor;
- K. Deposit, place or leave any cargo, merchandise, supplies, articles or things upon any float, ramp, decline, walk or other public place except at such places as may be designated as loading areas;

L. Dump any offal or refuse, including but not limited to waste materials from canneries, fish processors, and other land- or water-based facilities within the small boat harbor or in such close proximity as to cause overflow or drift of such material into the small boat harbor or the entrance thereto;

M. Store any explosives, gasoline, or any other flammable substance in drums, cans, or any other type of containers;

N. Set any net or fish-taking device unless it is attended at all times and does not interfere with the movement of boats within the small boat harbor;

O. Swim, waterski, jetski;

P. Refuse to comply with any lawful order of the port director or his designee;

Q. Operate on any wharf or float any wheeled conveyance including, but not limited to, three (3) wheelers, motorcycles, bicycles, tricycles, in or on which a person or persons is carried or transported, with the exception of wheel chairs, and those conveyances used only to transport provisions to and from the boat. [Ord. 209 § 5, 1992.]

**14.10.060 Rules and Regulations ~~Acts prohibited without the approval of the port director.~~**

~~The following acts are prohibited; without the approval of the port director:~~

~~A. Using a boat~~ No person shall use a vessel as a residence;

B. Major maintenance and repair work, including but not limited to sandblasting, welding, burning and outfitting;

C. No person shall ~~Tapping, connecting, disconnecting,~~ or interfering or tampering with electrical outlets, meters or devices installed within the small boat harbor facility;

D. No person shall ~~Building~~ any type of float, shed, floating boat shelter, or structure within the small boat harbor;

E. No person shall move ~~Moving~~ or altering any wharf, float, gang plank, ramp or other facility;

F. ~~Posting of signs;~~

G. Other than the Port of Bethel no person shall conduct ~~Conducting~~ any commercial business within the small boat harbor. [Ord. 209 § 5, 1992.]

**14.10.070 Rentals and fees.**

A. A schedule of mooring charges and fees shall be established by the port commission. The charges and fees shall be effective if approved by ordinance adopted by the city council.

B. The rental of moorage space shall be on a seasonal basis. At the discretion of the port director, monthly rentals or moorage may be charged by prorating the seasonal fees.

C. At his discretion, the port director may charge a new renter on a prorated basis from the date of entry into the small boat harbor.

D. Mooring, rental, storage, or other small boat harbor facility fees shall be paid in advance. The watercraft or other equipment or gear of a person who fails to register with the port director or to pay moorage, rental, storage or other fees in advance of using the small boat harbor facilities will be moved and/or impounded by the port director consistent with federal and state law.

E. The port director shall prepare a receipt for all moneys paid for small boat harbor fees. The receipt shall be prepared in triplicate **duplicate**. The payer shall be given the original copy, a copy shall be given to the city clerk with the payment, and a copy shall be retained by the port director. [~~Ord. 01-18 § 7; Ord. 209 § 5, 1992.~~]

#### **14.10.080 Port facilities privilege agreement.**

A small boat harbor privilege agreement in a form approved by the city council shall be signed by the applicant and, in the event the applicant is not the boat owner, endorsed by the boat owner agreeing to the terms and provisions thereof. The following terms and provisions shall be made part of the small boat harbor privilege agreement.

A. Applicant also agrees to pay, in advance, moorage, rental, storage and other fees and charges at rates established by the city.

B. The applicant agrees that any unpaid fees and charges shall become a lien against the boat described in this agreement.

C. Nothing herein contained shall be interpreted to impose upon the city any obligation or responsibility for the care and protection of any private property, including ~~boats~~ vessel, this agreement being limited to privileges of the Port of Bethels' facilities ~~moorage space~~ only. Applicant expressly consents and authorizes the city to move the boat in the event that rents, fees or charges are not paid, ordinances or regulations are violated, or in the event of necessity or emergency. Applicant further agrees to hold the city harmless against the loss, damage or theft of the boat, including its equipment, nets, gear, tanks, lines or other personal property on, attached, or related to said boat. [~~Ord. 10-06 § 2; Ord. 01-18 § 8; Ord. 209 § 5, 1992.~~]

#### **14.10.090 Duties of boat owners and operators.**

A. Every boat owner using the small boat harbor facilities shall take reasonable precautions to see that their boat is kept clean, well secured, free from fire hazards of all types, sufficiently pumped out to float and otherwise attend to the requirements of the boat to avoid damage to other boats or to the small boat harbor.

B. The port director may but is not obligated to replace defective mooring lines, pump out ~~boats~~ vessel which are in danger of sinking, or move any boat which may be creating a hazard to other boats or the small boat harbor facilities. The boat owner shall pay the city's actual costs for these services. [~~Ord. 209 § 5, 1992.~~]

**14.10.100 Revocation of privileges.**

Small boat harbor privileges will be revoked in the event of the default in the performance of any obligation or failure to comply with any ordinance or regulation of the small boat harbor. Small boat harbor privileges may be revoked by the port director if the noncompliance continues for a period of thirty (30) days from the date a certified letter noticing the default is mailed to the permittee. [Ord. 209 § 5, 1992.]

**14.10.110 Lien.**

The city shall have a lien upon any watercraft vessel or other property for which rent, fees, moorage, wharfage or other fees, charges or services are not paid when due. [~~Ord. 01-18 § 9; Ord. 209 § 5, 1992.~~]

**14.10.120 Removal of ~~abandoned~~ unattended property.**

Any nets, gear, tanks, lines and other personal property which is deposited, stored, or otherwise placed on any of the small boat harbor facilities ~~without a permit~~ for a period of over twenty-four (~~24~~) 6 hours is declared to be abandoned and a public nuisance and may be impounded, removed, sold, or otherwise disposed of in the manner provided for in XXXXX BMC 14.02.100. [~~Ord. 209 § 5, 1992.~~]

## Chapter 14.04

### CARGO DOCK/PETRO PORT

Sections:

- 14.04.040 Manifest.
- ~~14.04.050 Preferred vessels.~~
- 14.04.060 Fishing from city cargo dock and petroleum dock prohibited.
- 14.04.070 Fine.

#### APPLICATION OF TARIFF

100

The rates, charges and are set forth in the tariff and are addressed in the Bethel Municipal Code, Chapter 14.

(a) GENERAL APPLICATION OF TARIFF:

Vessel charges and assessments provided in the tariff are applicable to all vessels, self-propelled, or other than self-propelled, when such vessels are provided with dockage services, or other vessel services named in this tariff. Rates, charges, rules and regulations provided herein apply to any and all merchandise received at, or shipped from, the facilities, or properties, operated under the jurisdiction and control of the Port of Bethel, and specifically to the City Dock, Petroleum Dock, Seawall, appurtenant structures thereto, and waterways under the management of the Port Director. Information and applications for services are maintained at the Port of Bethel office.

(b) SUBJECT TO CHANGE:

The rates name in the tariff, revisions, or supplements thereto, are based upon ordinary traffic and labor conditions. If and when these conditions change because of demand of labor for increased wages, strikes, congestion, or other causes not reasonably within the control of the Port of Bethel, resulting in an increased cost of service, the rates are subject to change without notice, or the charge for services may be assessed on the basis prescribed in this Tariff.

(c) TARIFF EFFECTIVE:

The rates, charges, rules and regulations named in the tariff, additions, revisions, or supplements thereto will apply on all freight and/or cargo received at facilities subject to this tariff on and after revisions, or supplements thereto. Unless otherwise specified, all transit freight/cargo received at and undelivered prior to effective dates of tariff, revisions, or supplements thereto, will be charged the rates in effect on the date such freight/cargo was received, until entire lot, or shipment, has been withdrawn.

(d) ACCEPTANCE OF TARIFF:

Use of Port of Bethel facilities will be deemed as an acceptance of the tariff, revisions, or supplements, and the terms and conditions named therein

(e) RESERVATIONS OF AGREEMENT RIGHTS:

Right is reserved by the Port of Bethel to enter into agreement with carriers, shippers, consignees and/or their agents concerning rates and services, providing such agreements are consistent with existing local, state and national law governing the civil and business relations of all parties concerned.

**14.04.040 Manifest.**

Masters, owners, agents or operators of vessels are required to furnish the port with complete copies of vessel manifests and bills of lading, showing names of consignees and a listing of commodities with weights of all freight loaded or discharged at the facilities of the port. The port director must receive manifests and bills of lading prior to the arrival of inbound vessels. Outbound manifests and bills of lading listing cargo loaded across the port will be furnished to the port director concurrent with the departure of outbound vessels. [Ord. 209 § 5, 1992.]

**14.04.050 Preferred vessels. Vessel Berthing**

(a) The Port of Bethel must be notified 24-hours in advance of any intent to dock/undock a vessel(s) at any of Port of Bethel facilities.

(b) Vessel(s) wishing to reserve a berth must notify the Port of Bethel at least twenty four hours in advance with a Notice of Intent of the vessel(s)s arrival/ departure time and date. The Port of Bethel to the best of the Ports ability will honor the request but reserves the right too schedule access ot any Port facilitiy.

(c) The Port Director shall allocate all berths reserved by any vessel(s). The Port Director shall use the Navigational Rules, -International and Inland Rules, (COLOREGS) when doing so and pay special attention to General Definitions, Rule 3(g) and Narrow Channels, Rule 9(g) of the COLORREGS when determining who has priority of a berth.

(d) Vessels will use sufficient tugs to dock/undock the from a berth if necessary to do so in a safe manner.

(e) Safe working speed will be maintained given prevalent conditions.

(f) Line handlers shall be used and be the responsibility of the vessel using the berth.

(g) In all cases, prudent seamanship and the current Navigational Rules apply..

(e) Smoking is prohibited on any wharf, pier or any port or harbor facility

### **Safety and Housekeeping xxxx**

~~COLORREGS. The Common carriers shall have priority use of the cargo dock. Resupply tanker barges shall have priority use of the petroleum dock during the time of discharge or taking on fuel. However, after the fueling operation is completed, the subject vessel no longer has priority. When more than one (1) vessel is brought up river by the river pilot together, the first (1st) vessel arriving at the pilot bar shall have first (1st) berthing with the port cargo dock. [Ord. 209 § 5, 1992.]~~

#### **14.04.060 Fishing from city cargo dock and petroleum dock prohibited.**

~~Fishing from the petroleum dock and the city cargo dock is prohibited. [Ord. 13-06 § 2; Ord. 94-19 § 2.]~~

#### **14.04.070 Fine.**

For each violation of BMC 14.04.060, the city may assess a penalty in the amount of twenty-five dollars (\$25). The city may assess and collect this penalty without a court appearance [Ord. 94-19 § 2.].





# CITY OF BETHEL

P.O. Box 1388 • Bethel, Alaska 99559-1388

907-543-2310

FAX 907-543-2311

Port Attendant 907-545-4310

## RULES FOR USING THE SMALL BOAT HARBOR

- 1.) All boats (vessels) using the Small Boat Harbor must have a current Small Boat Harbor use permit. These can be purchased from any Port Attendant or from the Port Office located at 919 Front St.
- 2.) You may tie up to the Floats ONLY if you have rented space in advance.
- 3.) All trash is to be put in a DUMPSTER. ONLY trash from your boat may be put in the Dumpsters. Other trash should be put in a Dumpster near your home.
- 4.) Use of port personnel or equipment for boats, vehicles or debris is \$105.00 per hour plus tax.
- 5.) ALL ANIMALS MUST BE ON A LEASH.
- 6.) Vehicles must be parked in a designated parking place. NO Parking is allowed in front of the Access Ramps. These areas are for loading and unloading only. Vehicles found parked in these areas may be towed away at the owners expense.
- 7.) TRAILERS PARKED IN THE Small Boat Harbor MUST BE ATTACHED TO A VEHICLE. TRAILERS NOT ATTACHED TO A VEHICLE WILL BE IMPOUNDED AT THE OWNERS EXPENSE. If you need to leave a trailer because you need to run an errand, please contact Small Boat Harbor Attendant at 545-4310 or the Port Office at 543-2310.
- 8.) NO SWIMMING is allowed in the Small Boat Harbor or its entrance channel at any time.  
No waterskiing, wakeboards, or towable tubes in Small Boat Harbor or entrance channel.
- 9.) CHILDREN ARE NOT ALLOWED ON THE FLOATS UNLESS ACCOMPANIED BY THEIR PARENTS.
- 10.) The speed limit in the Small Boat Harbor is a NO WAKE trailing your vessel. This includes the entrance channel.
- 11.) Vessels that do not have a Small Boat Harbor use permit or that are left unattended for more than 30 days may be considered abandoned and may be removed at the owners expense. These may be auctioned off at the beginning of the next season.
- 12.) To reclaim a vessel that has been removed for the above reason, you will need to contact the Port Director at the Port Office Monday thru Friday from 8 am to 5 pm. Fee for reclaiming a boat will include the cost of removal and a use permit if the vessel does not have one.
- 13.) Use only designated bumpers on your boat. NO TIRES ARE ALLOWED.
- 14.) Double parking of vessels on floating docks is not permitted.
- 15.) Operation of a vessel under the influence of intoxicating liquor, illicit narcotics or other dangerous drugs is unlawful.
- 16.) No logs or firewood shall be unloaded or placed on the beach of the Small Boat Harbor. Log rafts shall not be allowed within the Small Boat Harbor. Only those with a BNC log permit will be allowed to bring logs into the Small Boat Harbor entrance channel.
- 17.) Floats will be removed on the 1st of October, please remove your vessel before then.
- 18.) PLEASE CONTACT THE SMALL BOAT HARBOR ATTENDANT AT 545 -4310 or the PORT OFFICE AT 543-2310  
If you intend to LEAVE A VEHICLE or VEHICLE AND TRAILER for more than THREE DAYS.
- 19.) Nets and other gear and personal belongings will be removed after 6 hours. The Port of Bethel will hold it for 30 days at which time it will be disposed of.

### NOTE

VEHICLES, TRAILERS and VESSELS, BY LAW, should be registered with the STATE OF ALASKA DEPT. OF MOTOR VEHICLES. A license should be visible on the vehicles and trailers and Alaska registration visible on the vessel.

Signature of Use Permit Purchaser

Date

Mailing Address

Phone Number



# PORT OF BETHEL

## TERMINAL TARIFF NAMING RATES, RULES, AND REGULATIONS for TERMINAL SERVICES

At

THE PORT OF BETHEL, ALASKA

### TERMINAL TARIFF #004

Adopted by Ordinance 09-10  
Effective June 5, 2009

Amended by Ordinance 10-32  
Effective December 3, 2010

Amended: Ordinance 13-05  
Effective: June 7<sup>th</sup> 2013

Except for the Inbound Petroleum  
Products (thru put fee), shall  
become effective March 1<sup>st</sup> 2014

#### **NOTICE TO THE PUBLIC**

*This tariff is published and filed as required by law and is, therefore, notice to the public, shippers, consignees, And carriers, that the rates, rules and charges apply to all traffic without specific notice, quotation, or arrangement.*

**TABLE OF CONTENTS**

	<b>PAGE NO.</b>
Notes	05
Table of Contents	02-04
Explanation of Symbols, Abbreviations and Conversions	06
Definitions (Bethel Municipal Code, Section 14.02.020)	07-09
	<b>ITEM NO.</b>
<b>SECTION 1 - GENERAL RULES AND REGULATIONS</b>	
Application of Tariff	100
Third Party Access - Including Stevedores and Longshoreman	101
Limits of Liability	102
Application of Rates	103
Insurance	104
Responsibility for Collection and Terms of Payment	105
Delinquent Accounts	106
Liability for Loss, Damages, or Injury	107
Rights of the Port	108
Shipper Requests and Complaints	109
Demurrage or Delays	110
Manifests Required of Vessels	111

**SECTION 2 - DESCRIPTIONS AND SCHEDULE OF CHARGES**

	<b>ITEM NO.</b>
General Definitions	200
(a) Berthing	
(b) Free Time for Cargo and Moorage	
(c) Load Limits	
(d) Normal Working Hours	
(e) Call Outs	
(f) Reservations	
(g) Responsibility for Housekeeping\	
(h) Point of Rest	
Dockage - General information	201
(a) Definition	
(b) How Calculated / Basis for computing charges	
(c) Required to Vacate Berth	
(d) Charges on Vessel Shifting	
(e) Dock Assignments	
(f) Resource Allocation Rules	
(g) Government Vessels	
(h) Fees and Charges / Dockage Rates and Cargo Transfer	
(i) Haul-outs	
(j) Seawall Mooring Rates	
Storage - General Information	202
(a) Definition	
(b) Conditions Governing Acceptance of Cargo for Monthly Storage	
(c) Calculations	
(d) Conditions Governing Acceptance of Cargo for Daily Storage	
(e) Minimum Charges	
(f) Storage Rates - Open Areas	
(g) Storage Rates - Hazardous Materials (HAZMAT)	

Wharfage - General Information 203

- (a) Definition
- (b) Taxes
- (c) Application
- (d) Oversight
- (e) Fees and Charges / Schedule of Charges
- (f) Demurrage / Definition
- (g) Demurrage / Minimum Charges

Handling - General Information 204

- (a) Definition
- (b) Spillage
- (c) Line Handling
- (d) Exception - Application of Man-Hour Rates on Handling
- (e) Fees and Charges / Stevedoring Permits – Third Party Contractors
  - (1) Full Service Permit
  - (2) Specialty Permit
  - (3) Independent Permit
  - (4) Windshield Decals
  - (5) Vehicles and Equipment Listing

Labor 205

- (a) Rates
- (b) Specific Labor Cost Services
- (c) Schedule of Man-Hour Rates
- (d) Electric Power
- (e) Fresh water
- (f) Gray Water Removal
- (g) Refuse Removal and Disposal Charges
- (h) Used Oil Disposal
- (i) Solid and Liquid Waste Materials

Vessel Overhaul 206

- (a) Repairs and Maintenance

***NOTES:***

**EXPLANATION OF SYMBOLS AND ABBREVIATIONS**

Cont.	Continued
Period -	12 hours or less
Ft. -	Foot
Cu. -	Cube
Gal. -	U.S. gallons
Lbs. -	Pounds
LOA -	Length Overall
MT-	Metric Ton
N.O.S. -	Not Otherwise Specified
PUA -	Preferential Use Agreement
LT-	Long Ton
ST-	Short Ton
Sq. -	Square
Wt. -	Weight
\$-	U.S. Currency
Day -	Calendar Day

**CONVERSION TABLES**

1 Pound -	0.453592 Kilograms
1 Kilogram -	2.20462 Pounds
1 Short Ton -	2000 Pounds
1 Short Ton -	0.892857 Long Tons
1 Short Ton -	0.907185 Metric Tons
1 Long Ton-	2,240 Pounds
1 Long Ton -	1016.05 Metric Tons
1 Long Ton -	1.120 Short Tons
1 U.S. Gallon -	3.78543 Liters
1 Gallon Fresh Water -	8.34 Pounds
1 Short Ton Fresh Water -	239.808 Gallons
1 Foot -	0.304801 Meters
1 Meter -	3.28083 Feet

## DEFINITIONS

The following definitions are used throughout the Terminal Tariff and are listed in the Bethel Municipal Code (BMC), Chapter 14.02, Section 14.02.020, for reference:

1. **Abandon Vessels- A.S.30.30.010-**“ a vessel in a wrecked,junked, or substantially dismantled condition “- and left on any Port Facility without the Port Directors permission.
2. **Beam-** The greatest overall width of a vessel.
3. **Berth-** The space allotted to a vessel at anchor or at a wharf.
4. **Boat Owner-** The actual, or registered, owner, charterer, master, agent, or person in the navigational control, or person responsible for the operation of the boat.
5. **City-** The City of Bethel.
6. **Delinquent List-** The record of vessels, their owners, or agents, or other users of the Port of Bethel who have failed to pay charges when due, or who have not furnished proper cargo statements to the Port Director.
7. **Derelict-**~~As defined in A.S.30.30.090 Any watercraft moored, or otherwise located, within the Port which is forsaken, abandoned, deserted, or whose owner fails to contact the Port Director within seven (7) days after written notice declaring the watercraft to be abandoned is attached to said watercraft.~~
8. **Dockage-** A charge made for vessels at wharves, or moored on, or to, City property.
9. ~~Floating Decks/~~**Mooring Floats-**mooring floats equipped with, or without, gangways that are secured to the seawall, or appurtenant to it, for the use of small vessels.
10. **Free Time-** The period during which cargo and or vessels may occupy space at the Port of Bethel free of charges as specified in Item 200 of the Port of Bethel Terminal Tariff.
11. **Handling-** The service accorded to cargo movement to, or from, a vessel.
12. **Harbormaster-** The individual charged with directly supervising and facilitating cargo, freight, fuel, and Small Boat Harbor operations; the Port Director's designee.
13. **LOA-** The overall length of a watercraft measured from the most forward point at the stem (bow) To the after most part of the stern of the watercraft, to include the motor.
14. **Haul-out-** When a vessel is pulled, skidded, lifted, or floated and left partially or completely upon any Port facility or Port property.
15. ~~Local Boats-~~ ~~Watercraft operating out of the Port and whose owners, or operators, are residents of the City of Bethel.~~

**16. Moorage-** The act or an instance of mooring, the place a vessel may be moored, a charge for mooring.

### DEFINITIONS (Continued)

**17. Moorings-**~~a place where a vessel is moored~~ Any weight, chain, rope, float, structure, or any appliance used for anchoring purposes by a watercraft which is not carried aboard a watercraft as part of it.

**18. Motor Vehicles-** A vehicle that is self-propelled except a vehicle moved by human, or animal power.

**19. Person-** An individual, firm, association, organization, partnership, business trust, corporation, company, or any other business entity.

**20. Port Director-** The Director of the Port, or the Port Director's designee.

**21. Port Facilities-** All docks, floats, berths, wharfs, seawalls, and other landing, launching, mooring, cargo, or other facilities located within the Port of Bethel.

**22. Port of Bethel, or Port-** All navigable streams, rivers, continuous waterways, the adjacent shorelines and facilities thereto under the ownership, or control, of the City located within the corporate limits of the municipality, including, but not limited to, the Petroleum Dock, the City Cargo Dock, the Small Boat Harbor, the City Seawalls, and any other similar facilities excepting those areas within the exclusive jurisdiction of the State, or Federal, government.

**23. Small Vessels-** Boats, or other crafts, less than ~~thirty-two(32)~~ thirty-five ( 35) feet length overall (LOA) including, but not limited to, motor boats, steam ships, float planes, canal boats, tugs, barges, sailing vessels, and every structure, or vehicle designed, or adapted, to be navigated either wholly, or partially, on water and used to transport people, or property.

**24. Seawall-** The bulkhead constructed of pipe piling, or other material, along the waterfront of the City of Bethel.

**25. Summer Season-** June 1st through October 31st

**26. Transit cargo or transit freight-** Cargo or freight onboard which upon arrival at ~~the~~ a Port Facility is not to be discharged at the a Port Facility, or put the overside, transferred, to another vessel, and the cargo or freight is destined to a place other than a Port Facility.

**27. Though-rated cargo-** Inbound cargo at the Port of Bethel and transferred to a vessel other than the vessel upon which it arrived with a final destination other than the Port of Bethel's facilities.

**28. Transient Watercraft Vessel-** A watercraft vessel whose home port is registered or documented other than that the City of Bethel. ~~or any watercraft vessel that is not registered by an exclusive, or term, moorage agreement with the Bethel Small Boat Harbor.~~

**29. Vessel-** (a) Every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water. The US Code, Title 1, Chapter 1, (b)any ship or craft, or any structure capable of navigation, International Convention on Salvage 1989. (c)Every description of water craft, including non –Displacement craft and seaplane, used or capable of being used as a means of transportation on Water, International Collision Regulations 1972 - COLREGS

### DEFINITIONS (Continued)

- 30. Wharf-** includes every pier, bulkhead, dock, seawall, landing float, gridiron, and other structure to which vessels make fast, or upon which persons, or cargo, are discharged from a vessel, or from which persons, or cargo, are loaded upon a vessel.
- 31. Wharfage Demurrage-** The charge made against any cargo and commodities left on or attached to a Port Facility City premises beyond the time specified in Item 202 of the Port of Bethel Terminal Tariff.
- 32. Winter Season-** November 1st through May 31st
- 33. Terminal Charges-** The charges included in the current Port of Bethel Terminal Tariff as filed with the Federal Maritime Commission. Terminal charges include only charges for facilities, goods, or services provided by the City of Bethel. See Vessel
- 34. Watercraft or Boats-** ~~Any vessel, or small vessel, including, but not limited to houseboats, float planes, waterborne aircraft, floats, scows, rafts, pile drivers, or any other floating structure adapted to be navigated from place to place, used for recreational, commercial, or other purpose upon the waterways within the Port, or moored at any place within the Port.~~
- 35. Small Boat Harbor, or Harbor-**USS 3790 Plat 82-13 ~~That the area so designated as platted for use as the Bethel Small Boat Harbor.~~
- 36. Loading Areas-** ~~That An area designated by the Port Director that may not be a Public Access area for the purpose of loading and unloading small items into a boat for non-commercial purposes and is not subject to wharfage charges.~~
- 37. Launching Area-** ~~That area designated by the Port Director Platted Public Access areas for the purpose of launching and retrieving boats.~~
- 38. SBH Parking Area-** That area designated and posted by the Port Director for the purpose of parking motor vehicles and boat trailers
- 39. Tariff Charges-** These charges include all dockage, wharfage demurrage, terminal charges, moorage fees, rentals, and any other charges, or fees, authorized by the Port Commission and approved by the City Council for use of the Port. Tariff charges shall also include any amounts a

person owes the Port under the Bethel Municipal code (BMC), Sections 14.02.070 and 14.02.085 or 14.08.030 (G). Bethel City Ordinances 01-18-2 and 209-05, 1992, are applicable

**SECTION 1**

**GENERAL RULES AND REGULATIONS**

**ITEM NO.**

**APPLICATION OF TARIFF**

**100**

The rates, charges and tariffs set forth in this document are addressed in the Bethel Municipal Code, Chapter 14, Section 14.02.050.

**(a) GENERAL APPLICATION OF TARIFF:**

Vessel charges and assessments provided in this tariff are applicable to all vessels, self-propelled, or other than self-propelled, when such vessels are provided with dockage services, or other vessel services named in this tariff. Rates, charges, rules and regulations provided herein apply to any and all merchandise received at, or shipped from, the facilities, or properties, operated under the jurisdiction and control of the Port of Bethel, and specifically to the City Dock, Petroleum Dock, Seawall, appurtenant structures thereto, and waterways under the management of the Port Director. Information and applications for services are maintained at the Port of Bethel office.

**(b) SUBJECT TO CHANGE:**

The rates named in this tariff, revisions, or supplements thereto, are based upon ordinary traffic and labor conditions. If and when these conditions change because of demand of labor for increased wages, strikes, congestion, or other causes not reasonably within the control of the Port of Bethel, resulting in an increased cost of service, the rates are subject to change without notice, or the charge for services may be assessed on the basis prescribed in this Tariff.

**(c) TARIFF EFFECTIVE:**

The rates, charges, rules and regulations named in this tariff, additions, revisions, or supplements thereto will apply on all freight and/or cargo received at facilities subject to this tariff on and after revisions, or supplements thereto. Unless otherwise specified, all transit freight/cargo received at and undelivered prior to effective dates of tariff, revisions, or supplements thereto, will be charged the rates in effect on the date such freight/cargo was received, until entire lot, or shipment, has been withdrawn.

**(d) ACCEPTANCE OF TARIFF:**

Use of Port of Bethel facilities will be deemed as an acceptance of this tariff, revisions, or supplements, and the terms and conditions named therein.

**SECTION 1****GENERAL RULES AND REGULATIONS****ITEM NO.****APPLICATION OF TARIFF (Continued)****100****(e) RESERVATIONS OF AGREEMENT RIGHTS:**

Right is reserved by the Port of Bethel to enter into agreement with carriers, shippers, consignees and/or their agents concerning rates and services, providing such agreements are consistent with existing local, state and national law governing the civil and business relations of all parties concerned.

**THIRD PARTY ACCESS INCLUDING STEVEDORES AND LONGSHOREMEN****101****(a) DEFINITION:**

All labor must be contracted through shipping agents, stevedoring agencies, or vessel agents, owners/operators. This item provides information regarding access, responsibilities, and requirements related to third party employers and employees. Third party access applies to stevedores, longshoremen, independent contractors, and other non-Port employees with business at the Port. Third party contractors performing stevedoring operations shall be permitted through the Port of Bethel. Refer to fees and charges listed elsewhere in this document.

**(b) CARE IN THE PERFORMANCE OF OPERATIONS:**

Third party employees shall exercise care in the performance of their operations in order to prevent injury to, or death of, any person and damage to, or destruction, or loss of property, whether of the Port, of the third party, of the vessel being loaded/unloaded, or of another party (Bethel Municipal Code, Sections 14.02.070 and 14.02.080).

When cargo/freight is in an elevated position, such as suspended from a crane hook, a safety line should be attached to the load and handled by a Safety Watch person to prevent spillage, or unplanned descent, which has the capability to produce injury, or death. In all cases, the Safety Watch should ensure that individuals are prevented from walking under a raised load and remain clear of cargo/freight operations.

Safety helmets (hard hats) and safety vests are required when working cargo and freight on, or at, Port of Bethel facilities. The use of steel-toed shoes/boots is strongly recommended.

**SECTION 1****GENERAL RULES AND REGULATIONS****ITEM NO.****THIRD PARTY ACCESS INCLUDING STEVEDORES AND LONGSHOREMEN (Continued) 101**

A person, who is involved in an incident within the Port, or any Port facility which results in the injury, or death of a person, or any property damage, shall immediately notify the Port Director. If the office of the Port Director is closed, notification shall be given to the Bethel Police Department. The notification shall include the name and address of the person, the type and extent of the injury and the time when the injury occurred, and such other information as shall be requested in an accident form provided by the Port Director. (Bethel Municipal Code, Section 14.02.080; Ordinance 209.5, 1992)

**(c) COMPLIANCE FIRE AND SAFETY PRECAUTIONS:**

Any third party operating at the Port of Bethel shall take all necessary safety and fire precautions, and comply with recognized commercial and marine safety practices, procedures, and regulations. Any welding/open flame "hot work" must be approved by the Port Director, or Harbormaster, and the City of Bethel Fire Department. When "hot work" is being conducted, a Fire Watch will be assigned for the entire duration of the work being performed. The Fire Watch shall not be assigned other duties while performing this vital safety function and shall, at all times while "hot work" is ongoing, be not more than 20 feet from the work area.

All vehicles using Port of Bethel facilities must have an ABC Dry Chemical Fire Extinguisher in the vehicle, or the vehicle will be denied access (United States Coast Guard Safety Inspection Number 2960940 dated June 13, 2007).

**(d) THIRD PARTY AND PORT INDEPENDENT CONTRACTORS:**

The term "Third Party Employers," refers to employers of stevedores, vessel employees, longshoremen, independent contractors, and all other non-City employees.

In any service relationship the Port of Bethel and any third party shall be independent contractors, each to the other, and shall not be agents, or employees, one for the other, for any purpose.

**SECTION 1****GENERAL RULES AND REGULATIONS****ITEM NO.****THIRD PARTY ACCESS INCLUDING STEVEDORES AND LONGSHOREMEN (Continued) 101****(e) EFFICIENT AND EXPEDITIOUS VESSEL WORK:**

In order to ensure efficient and expeditious loading and discharge of vessels, and the maximum utilization of the full capacity of the Port of Bethel, third party employers will:

- (1) Make use of the appropriate facilities and equipment furnished by the Port of Bethel.
- (2) Have at least one (1) qualified supervisor present at the loading/unloading site at all times while cargo/freight operations are in progress.
- (3) Have at least one (1) responsible officer, or representative available for contact by the Port of Bethel at all times, with full power and authority to make all operational decisions, including granting permission to customers to claim and/or pick up cargo, freight, or equipment. At a minimum, the third party will keep the Port of Bethel fully informed at all times as to how and where such officer, or representative, can be contacted by the Port.
- (4) Cooperate fully with the Port of Bethel in all respects by advising as far in advance as possible the type of vessel, Master's estimate of the quantity of cargo to be loaded, or discharged, estimated time required to load, or discharge, and any special problems that may exist or arise; determining the equipment needed for the operation, and coordinating sequence and timing of operations for the convenience and efficiency of Port operations.
- (5) Promptly restore terminal and/or dock working areas to a clean, safe and orderly condition on completion of third party operations.

**LIMITS OF LIABILITY****102**

(a) No provision contained in this tariff shall limit or relieve the City of Bethel and Port of Bethel from liability for its own negligence nor require any person, vessel or lessee to indemnify or hold harmless the City of Bethel and Port of Bethel from liability for its own negligence.

(b) Indemnity-Third party employers and employees shall defend, indemnify and hold harmless the City of Bethel and the Port of Bethel, its employees, and agents from and against any claims, damages, losses, and expenses (including attorney's fees) for injury to a death of any third party employees or the injury to real or personal property.

(c) Insurance-Third party employers shall be required to obtain and/or maintain the following insurance coverage:

Workers Compensation insurance (including Longshoremen and the Harbor Workers Act Coverage) under all applicable federal and state statutes and municipal ordinances, and shall carry a minimum of \$1,000,000 in employer's liability insurance (including liability under the Jones Act). Third party employers shall carry and maintain, at their own expense, insurance not less than the amount and the coverage herein specified, and the City of Bethel, its employees and agents shall be named as additional insured under the insurance coverage so specified, including all liability coverage with exception of Worker's Compensation. There shall be no right of subrogation against the City or its agents, and this waiver of subrogation shall be endorsed upon the policies. Insurance shall be placed with companies acceptable to the City of Bethel; and these policies providing coverage thereunder shall contain provisions that no cancellation or material changes in the policy relative to the business and operations conducted on the City of Bethel's Port Property shall become effective except upon 30 days prior written notice thereof to the City of Bethel.

Commercial General Liability limits not less than \$1,000,000 per Occurrence and \$2,000,000 annual Aggregate for bodily and property damage including coverage for premises and the operations liability, products and completed operations liability, contractual liability, broad form property liability, and personal injury liability. Occurring on, in or about the vessels being loaded by third party employees, or the premises of the Port and the adjoining areas.

Commercial Automobile Liability covering all owned, non owned, hired, and rented vehicles with limits of liability of not less than \$1,000,000 Combined Single Limit for Bodily Injury and the Property Damage per each occurrence or loss.

Third party employers shall be required to submit to the City of Bethel certificates of insurance evidencing the forgoing coverage, and said certificates shall provide that the City is to be given 30 days prior written notice of any alteration or cancellation.

**SECTION 1**

**GENERAL RULES AND REGULATIONS**

**ITEM NO.**

**APPLICATION OF RATES**

**103**

- (a) Unless otherwise provided, rates are given in dollars per short ton, lineal feet, cubic feet, square feet, or U.S. gallon, whichever creates the greater revenue.
- (b) Users of Port facilities are required to furnish copies of invoices and a separate manifest for both inbound and outbound cargo and/or freight. Invoices and manifests shall be on company letterhead and will contain the name of the consignee, accurate weight, a personal contact, and a voyage number. Additional pages, if required, must clearly indicate company name and voyage number to avoid confusion.
- (c) Specific commodity rates will take precedence over any general or specified rates.
- (d) All current rates and fees schedules will be available at the Port of Bethel office and posted on-line at [www.cityofbethel.org](http://www.cityofbethel.org).

**INSURANCE**

**104**

Rates named in this tariff do not include insurance of any kind.

**RESPONSIBILITY FOR COLLECTION AND TERMS OF PAYMENT**

**105**

- (a) **RESPONSIBILITY FOR CHARGES:**  
 Vessels, their owners, agents, masters, and shippers, or consignees, of goods docking at, or using, the facilities covered by this tariff, agree to be responsible, jointly and severally, for the payments of charges assessed in accordance with this tariff. Rates, rules and regulations of this tariff and liability for charges apply without regard to the provision of any bills of lading, charter party agreement, third party agreement, contract, or any other conflicting documents (Bethel Municipal Code, Section 14.02.055).

**SECTION 1****GENERAL RULES AND REGULATIONS****ITEM NO.****RESPONSIBILITY FOR COLLECTION AND TERMS OF PAYMENT (Continued)****105**

Any charges accruing to the use of Port of Bethel facilities and/or services that are not contested within twenty (20) calendar days from the date of the invoice will become fully due and payable. Any contested charges submitted after twenty (20) calendar days will be considered invalid and will not be considered.

**(b) TERMS AND CONDITIONS OF PAYMENT:**

Use of Port of Bethel facilities; or services, is conditioned upon satisfactory assurance of the Port that applicable charges will be paid when due. All charges are due and payable, in U.S. currency, as they accrue, or upon completion of service, or use.

The Port of Bethel may require payment of charges in advance, as follows:

- (1) By the vessel, its owners, or agents before vessel is assigned a berth and commences loading, or unloading, operations.
- (2) By the cargo owner, shipper, or consignee before cargo leaves the custody and control of the Port of Bethel.
- (3) For all charges on perishable cargo, or cargo of doubtful value, and household Goods.
- (4) Payment terms are cash unless the Port of Bethel customer, prior to the use of Port facilities and/or services, has established credit worthiness, or has posted adequate security acceptable to the Port of Bethel and has thereby been relieved of cash payment requirements by the Port.

**(c) COMPLIANCE WITH TERMINAL USE PERMIT CONDITIONS:**

Use of Port facilities and services shall comply with the conditions of the Terminal Tariff as published by the Port of Bethel. (Refer to item 207)

**SECTION 1****GENERAL RULES AND REGULATIONS****ITEM NO.****DELINQUENT ACCOUNTS****106****(a) TIME OF DELINQUENCY:**

All invoices will be declared delinquent 31 days after the date of the invoice, and as such, will be charged a monthly finance charge of 3.00% (36% per annum), or portion thereof, for that the particular invoice. Any and all extra expense, including legal fees, litigation costs, or costs of agents employed to affect collection shall also be assessed to, and payable by such accounts (Bethel Municipal Code, Section 14.02.085).

**(b) DELINQUENT LIST:**

The Port of Bethel will maintain a current listing of all vessels, their owners and/or agents whose invoices are delinquent. Those individuals, or entities, on the delinquent list will not be allowed to use any Port of Bethel facilities, or services, until their past due account is settled in full.

**LIABILITY FOR LOSS, DAMAGES, OR INJURY****107****(a) LIMITS OF RESPONSIBILITY:**

No persons other than employees, or agents, of the holder of an authorized Stevedoring Permit shall be permitted to perform any services on any premises, or at any facilities, of the Port of Bethel, except upon written authorization of the Port Director, or the Harbormaster.

The Port of Bethel will not be responsible for any loss, damage, injury, or death, including, but not limited to, loss, damage, injury, or death, caused by earthquakes, fire, frost, heating, dampness, leakage, the elements, evaporation, natural shrinkage, wastage, or decay, animals, rats\*, mice, or other rodents, moths, weevils, or other insects, leakage, or discharge from sprinkler fire systems, collapse of building, or equipment, or by floats, logs, or pilings required in breasting vessels away from the Dock, or seawall, nor will it be liable for any loss, damage, injury, or death, or delay arising from insufficient notification, or from war, insurrection, shortage of labor, combinations, riots, or strikes of any person in its employ, or in service of others, or from any consequences arising here from, except, the Port of Bethel shall not be relieved from liability for its own negligence. (Bethel Municipal Code, Section 14.02.090).

**SECTION 1****GENERAL RULES AND REGULATIONS****ITEM NO.****LIABILITY FOR LOSS, DAMAGES, OR INJURY (Continued)****107****(b) CONTROL PROCEDURES:**

\*The Alaska Board of Game has issued stricter rat and rodent control procedures in 2007, making it a misdemeanor for vessels with rats and rodents on board to enter into, or use, Alaskan waters. These more stringent steps were initiated due to an increase in rodent populations in various Alaskan ports, and the ability of rats and rodents to survive as far north as Nome (Alaska Administrative Code, Chapter 5, and Section 5AAC92.141).

**(c) SERVICES ON PORT OF BETHEL PREMISES:**

Except for the portion resulting from the negligence of the Port of Bethel, if any, owners, shippers, consignees, and carriers shall indemnify, defend, save and hold the City of Bethel, Port of Bethel, harmless from and against all charges, losses, damages, liabilities, expenses, causes of action, suits, claims, demands, or judgments of any nature whatsoever that may be incurred, or rise from, or grow out of, use of Port of Bethel facilities.

**(d) PROVISIONS:**

The provisions of this item are applicable to all persons, corporations, associations and the like who in any manner come upon, or use, the terminal facilities, except to agents, or employees of the Port. All such persons, corporations, associations and the like shall be strictly liable and responsible for damage to property or for damage or injury to, or for death of, any person, or persons, which may be occasioned by any acts, or omission of such persons, or the acts, or omissions of their agents, or employees. All such persons who come upon, or use, the terminal facilities shall be deemed to have irrevocably agreed to indemnify the Port of Bethel for any such loss, or damage to persons, or all such liability, together with all costs and expenses incurred by the Port in investigating, or defending, claims therefore, including, but not limited to, court costs, expert's fees and attorney fees.

**SECTION 1****GENERAL RULES AND REGULATIONS****ITEM NO.****RIGHTS OF THE PORT****108****(a) RIGHTS RESERVED:**

The Port of Bethel reserves the right to furnish equipment, supplies, and materials, and to perform all services in connection with the operation of its facilities, under rates and conditions named herein.

**(b) RIGHT TO APPROVE:**

The Port of Bethel reserves the right to approve, if it so deems necessary, the vessel agent's, or owner/operators, use of their own equipment, supplies and materials and performing all services in connection with the operation of the loading and unloading of cargo and gear. When, during the course of cargo/freight/logging operations, and in the opinion of the Port Director and/or Harbormaster, a condition, or issue, concerning safety, or damage to any Port of Bethel facility, manifests itself, the operation in question shall be halted until the situation is corrected.

**(c) RIGHT TO REFUSE FREIGHT**

The Port of Bethel reserves the right, without responsibility for demurrage, loss, or damage attaching, to refuse to accept, receive, or unload, or to permit vessels to discharge freight:

- (1) For which previous arrangements for space, receiving, unloading, or handling have not been made by shipper, consignee, or carrier.
- (2) Deemed extra offensive, perishable, or hazardous.
- (3) The value of which may be determined as less than the probable Port charges.
- (4) Not packed in packages, or containers, suitable for standing the ordinary handling incident to its transportation. Such freight, however, may be repacked, or reconditioned, at the discretion of the Port of Bethel, and all expense, loss, or damage incident thereto, will be the responsibility of the shipper, consignee, owner, or carrier.
- (5) Applicable portions from the Code of Federal Regulations (CFR) 49, Parts 100-185 Pertain.

**(d) RIGHT TO REMOVE, TRANSFER, OR WAREHOUSE FREIGHT:**

Hazardous, or offensive, freight, or freight which, by its nature, is liable to damage other freight, is subject to immediate removal, either from Port of Bethel facilities, or to other locations within said premises, with all expense and risk of loss, or damage, becoming the responsibility of the owner, shipper, or consignee.

**SECTION 1****GENERAL RULES AND REGULATIONS****ITEM NO.****RIGHTS OF THE PORT (Continued)****108**

Freight remaining at Port of Bethel facilities after expiration of free time (15 calendar days are allowed for local cargo/freight, and 30 calendar days are allowed for through-rated cargo/freight), and freight remaining after the clearance of a vessel, may be piled, or re-piled, to make space, transferred to other locations, or receptacles, on/at Port of Bethel premises, or removed to public, or private warehouses, with all expense and risk of loss, or damage, becoming the responsibility of the owner, shipper, consignee, or carrier.

**(e) EXPLOSIVES:**

The acceptance, handling, or storage of explosives, or excessively flammable material will be subject to special arrangements with the Port of Bethel and governed by rules and regulations of federal, state and local authorities. A separate hazardous material (HAZMAT) manifest must be provided in writing to the Port of Bethel before any operations involving these types of materials commence (CFR-49, Parts 100-185, apply). Special arrangements with the Port of Bethel may include handling fees.

**(f) OWNER'S RISK:**

Glass, liquids, and fragile articles will be accepted only at owner's risk for breakage, leakage, or chafing. Freight on open ground, or on open wharf, is at owner's risk for loss, or damage.

Owners and operators of any waterborne craft, and any equipment on the aforementioned craft, or on Port of Bethel land-areas facilities, will be held liable for any damage to Port of Bethel facilities caused by their alongside vessels and/or equipment, and will have thirty (30) calendar days in which to restore, repair, or pay for said damages.

**SHIPPER REQUESTS AND COMPLAINTS****109**

Shipper requests and complaints may be made by any shipper by filing a written statement with the Port Director, City of Bethel, and Post Office Box 1388, Bethel, Alaska 99559.

**SECTION 1****GENERAL RULES AND REGULATIONS****ITEM NO.****DEMURRAGE OR DELAYS****110**

In furnishing services related to loading and unloading vessels, no responsibility for any demurrage whatsoever will be assumed by the Port.

Delays in loading, unloading, receiving, delivering, or handling freight, arising from combinations, riots, or strikes of any person in the employ of the Port of Bethel, or in the services of others, or arising from any other cause not reasonably within control of the Port of Bethel, will not entitle the owners, shippers, consignees, or carriers of the freight to a waiver of wharf demurrage, or any other terminal charges, or expenses, that may be incurred.

The Port of Bethel does not accept liability for losses to vessel owners/operators, third party contractors, and others that are caused by adverse weather.

**MANIFESTS REQUIRED OF VESSELS****111**

Masters, owners, agents, or operators, of vessels are required to furnish the Port of Bethel with complete copies of vessel manifests showing the port of discharge and the weights and measurements of all freight loaded, or discharged at the facilities of the Port of Bethel. Manifests shall, at a minimum, include Equipment Number, Consignee, Shipper, Quantity, Weight of Commodity, and Remarks. Manifests must be submitted to the Port of Bethel 24 hours in advance, for arrivals or departures. The Port Director must receive manifests and bills of lading prior to the arrival of inbound vessels. Outbound manifests and bills of lading listing cargo loaded across the port will may be furnished to the Port Director concurrent with the departure of outbound vessels with prior agreement by the vessel and the Port Director. Failure to submit a manifest as required herein may result in a fine of two hundred fifty dollars (\$250.00) and a denial of Port use privileges. If the Port of Bethel or the City is required to provide personnel for the purpose of checking freight on or off any vessel at any Port facility, the master, owner, agent, or operator of said vessel shall be charged the hourly man-hour labor rate for Port personnel established under Section 2, Item 205 of this Tariff.

**SECTION 2****DESCRIPTIONS AND SCHEDULE OF CHARGES****ITEM NO.****GENERAL DESCRIPTIONS****200****(a) BERTHING:**

The Port of Bethel must be notified 24-hours in advance of any intent to dock/undock vessels at any of its facilities and appurtenances. Vessels intending to berth/moor, or depart, Port of Bethel facilities shall use sufficient tugs to dock/undock the vessel/barge in a safe manner. Safe working speed will be maintained given prevalent conditions. Line Handlers shall be used. In all cases, prudent seamanship and current Rules of the Road apply.

**(b) FREE TIME FOR CARGO AND MOORAGE:**

- (1) Cargo - The initial period during which cargo may occupy space assigned to it on Port of Bethel property, free of wharf demurrage, or terminal storage charges, immediately prior to the loading, or subsequent to the discharge, of such cargo on, or off, the vessel.

Cargo/freight, or equipment, in working areas, or that otherwise interferes with activities at the Port of Bethel, may be moved by Port personnel. In such cases, labor and equipment charges may be assessed.

Free time of fifteen (15) days is allowed for local cargo and thirty (30) days is allowed for through-rated cargo.

- (2) Moorage Free Time - Durations of one (1) hour, or less, during which a vessel may occupy space assigned to it at a Port of Bethel facility free of moorage charges. Example of moorage free time would be a short stop for a medical emergency, or to pick up/drop off personnel.

**(c) LOAD LIMITS:**

Cargo shall be stacked, or piled on, or at, Bethel Port facilities so as to produce a uniform loading for the areas covered. Containers shall not be stacked higher than four (4) high, and flats shall not be stacked higher than ten (10) high. No containers, or flats, shall be closer than six (6) feet to the perimeter of the City Dock.

**(d) NORMAL WORKING HOURS:**

~~Normal working hours for Bethel Port personnel are generally 0700 to 1900 (7:00 a.m. To 7:00 p.m.) Hours, seven (7) days per week from June 1 through October 31 (summer season), and 0800 to 1700 (8:00a.m. to 5:00p.m.), five (5) days per week from November 1 through May 31<sup>st</sup> (winter season). Holidays are routinely worked, as necessary, or required, throughout the summer season to facilitate terminal operations, during the winter season the following holidays are observed by Bethel Port~~

~~Personnel: Veteran's Day, Thanksgiving Day, day after~~

Normal office working hours are Monday through Friday 8am too 5pm throughout the year except for Holidays observed by the City of Bethel. Section 2; Item 205 will apply to any labor if provided for the purpose of any duties stated in the Terminal Tariff outside normal working hours.

June 1<sup>st</sup>-Oct 31<sup>st</sup>- City Dock Attendants and Small Boat Attendants may perform duties outside normal working hours, with the Port Directors' permission and or direction, without Section 2; Item 205, I as long as those duties do not interfere with the duties of the Small Boat Harbor. Charges in Section 2; Item 205 will be charged only with the Port Directors' approval.

**SECTION 2**

**DESCRIPTIONS AND SCHEDULE OF CHARGES**

**ITEM NO.**

**GENERAL DESCRIPTIONS (Continued)**

**200**

~~Thanksgiving, Chief Eddie Hoffman Day, Christmas Eve, Christmas Day, New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Alaska Day, Veterans Day, Thanksgiving Day and the Day After Thanksgiving Day~~ and every day designated by public proclamation by the President of the United States, or the Governor of the State of Alaska, as a legal holiday. Hours will be posted at the Port Office.

**(e) CALL OUTS:**

Call outs of Bethel Port personnel per person, before, or after, established working hours, shall be \$200.00 per hour with a minimum two (2) hour charge. Taxes are in addition to the callout cost. Pre-arranged afterhours access will be \$100.00 per person per hour with a minimum two (2) hour charge.

**(f) RESERVATIONS:**

Reservations shall be made by facsimile, telephone, email, HF 4125, the Automated Information System (AIS) when available, or marine VHF, channels 10, or 16. Mainline carriers need to provide at least 24 hours advance notice of arrivals and departures. Local carriers need to provide a minimum of eight (8) hours advance notice of arrival and departures. Failure to notify the Port of Bethel of arrivals, departures, and cancellation of a confirmed schedule, or reservation, less than 24 hours in advance may result in a charge of \$250.00. Taxes will be assessed over and above this cancellation charge.

**(g) RESPONSIBILITY FOR HOUSEKEEPING:**

Users of Port of Bethel facilities/property will be required to maintain it in an orderly manner as prescribed by the Port Director, or Harbormaster. If a user does not properly clean up the space(s) used, the Port Director, or Harbormaster, shall order the work performed and the

user will be billed at cost plus a thirty (30%) percent overhead charge.

Housekeeping of flammable cargo requires special provisions. Users, shippers, consignee, and persons in charge of ships will be held responsible for the following:

- (1) Providing steam, or other heating means, to assure proper flow of petroleum products requiring such heat.
- (2) Removal of temporary lines upon completion of receipt, or discharge of flammable liquids.
- (3) Preventing, or containing, any and all spillage, or leakage, associated with the receipt, or discharge, of their cargo(s). Spillage and/or leakage of petroleum products, or flammables must be cleaned up immediately.

**SECTION 2****DESCRIPTIONS AND SCHEDULE OF CHARGES****ITEM NO.****GENERAL DESCRIPTIONS (Continued)****200**

- (4) Cleaning all petroleum products from lines located on, or adjacent to, the Terminal after vessel completes loading, or discharge.

**(h) POINT OF REST:**

Point of Rest is defined as that area on, or at, a Port of Bethel facility that is assigned for the receipt of inbound cargo from a vessel and from which inbound cargo may be delivered to the consignee, and that area which is assigned for the receipt of outbound cargo from shippers for vessel loading.

**DOCKAGE - GENERAL INFORMATION****201****(a) DEFINITION:**

Dockage is the charge assessed against a vessel for berthing at a wharf, piling structure, pier, bulkhead structure, or bank of land, or for mooring a vessel so berthed.

**(b) CALCULATION:**

The period of time upon which dockage will be assessed shall commence when the vessel is made fast to a wharf, or when a vessel is made fast to a vessel so berthed, or when a vessel comes within, or moors within, a slip, and shall continue until such vessel is completely free from and has vacated such berth, or slip. In calculating dockage, billing rates are expressed in 24-hour periods, with a minimum of 12-hour per charged footage. For billing purposes, partial periods will be rounded up to the next half period.

**(c) VESSELS REQUIRED TO VACATE BERTH:**

The Port of Bethel reserves the right to order a vessel to shift its position at a wharf, to change berths, or to vacate a berth, when not actually engaged in loading, or discharging, freight/ cargo, or when occupying a berth beyond the time scheduled by the Port Director, or Harbormaster. Any vessel upon notice to move which refuses, or fails, to move, may be shifted, or moved by tug, or otherwise, and any expenses, damage to vessels, or berth during such removal will be charged to the vessel so moved.

**(d) CHARGES ON VESSEL SHIFTING:**

When a vessel is shifted directly from one berth to another berth operated by the Port of Bethel, the total time at such berths will be considered together in computing the dockage charge.

**SECTION 2****DESCRIPTIONS AND SCHEDULE OF CHARGES****ITEM NO.****DOCKAGE - GENERAL INFORMATION (Continued)****201****(e) DOCK ASSIGNMENTS:**

The Port Director, or Harbormaster, have sole authority to determine how a vessel must use the Port of Bethel (e.g. the exact location for berthing), to reserve the vessel's arrival and departure time, and to maintain a written schedule of such reservations prepared from the Vessel Docking Request forms.

**(f) RESOURCE ALLOCATION RULES:**

Vessels berthed, but not taking on, or discharging, freight/cargo, may be required to shift berths, or move elsewhere, so the Port of Bethel can accommodate vessels with freight/cargo to load, or discharge. In any event, the Bethel Port Director and/or Bethel Harbormaster have full authority to reset berthing and Port of Bethel use priorities.

**(g) GOVERNMENT VESSELS:**

Government vessels may use the Port of Bethel. Only vessels belonging to Alaska Marine Highway System are exempt from all charges at Port of Bethel facilities. Government vessels such as those registered with the U.S. Navy, National Oceanic and Atmospheric Administration, U.S. Fish and Wildlife Service, and Alaska Department of Game, may use Port of Bethel Facilities on a space available basis if they call infrequently (no more than twice in any one calendar year) and for short periods of time (24 hours, or less). In such instances they are exempt from dockage charges only, but must pay for all other services when rendered. All government ships must vacate facilities belonging to the Port of Bethel when requested to do so. Government agencies that have User Agreements on file with the City and Port of Bethel will pay for dockage and other services as outlined in individual agreements, for the duration of those agreements.

**SECTION 2**

**DESCRIPTIONS AND SCHEDULE OF CHARGES**

**ITEM NO.**

**DOCKAGE – FEES AND CHARGES**

**201**

**(h) DOCKAGE RATES/CARGO TRANSFER:**

Dockage rates/cargo transfers, expressed in \$ (U.S. dollars) per 24-hour period, with a minimum 12- hour per charged footage, will be assessed as follows (except as otherwise provided):

<b>Overall Length of Vessel (Ft.)</b>		<b>Charge Per 24-Hour Day</b>		
<i>Over</i>	<i>But Not Over</i>	<i>2013</i>	<i>2014</i>	<i>2015<sup>201</sup></i>
0	100	153.00	157.59	162.32
101	125	181.00	186.43	192.02
126	150	209.00	215.27	221.73
151	175	264.00	271.92	280.08
176	200	295.00	303.85	312.97
201	225	328.00	337.84	347.98
226	250	359.00	369.77	380.86
251	275	391.00	402.73	414.81
276	300	423.00	435.69	448.76
301	325	455.00	468.65	482.71
326	350	490.00	504.70	519.84
351	375	575.00	592.25	610.02
376	400	610.00	628.30	647.15
401	425	646.00	665.38	685.34
426	450	682.00	702.46	723.53
451	475	715.00	736.45	758.54
476	500	753.00	775.59	798.86
501	525	790.00	813.70	838.11
526	550	828.00	852.84	878.43
551	575	865.00	890.95	917.68
576	600	903.00	930.09	957.99
601	625	978.00	1,007.34	1,037.56
626	650	1,165.00	1,199.95	1,235.95
651	675	1,353.00	1,393.59	1,435.40
676	700	1,540.00	1,586.20	1,633.79
701	725	1,728.00	1,779.84	1,833.23
726	750	1,915.00	1,972.45	2,031.62
751	775	2,103.00	2,166.09	2,231.07
776	800	2,290.00	2,358.70	2,429.46
801	Up	\$2,300.00 plus \$5.00 for each foot LOA in excess of 800 feet		

**SECTION 2**

**DESCRIPTIONS AND SCHEDULE OF CHARGES**

**ITEM NO.**

**DOCKAGE – FEES AND CHARGES**

**201**

**(i) HAUL-OUTS:**

When a vessel is hauled out of the water and placed partially or completely upon any Port facility, including but not limited to the City Dock and Beach #1 during June 1 and October 15 of each year, the vessel will be charged a daily dockage rate for the length of the vessel.

- a) The owner or authorized representative for the vessel submits a completed Property Storage Request; and
- b) The Property Storage Request is approved, in writing, by the Port Director; and

The vessel is parked only in one of the two (2) designated storage areas

(2) Vessels that do not follow all three conditions or that are returned to the water, however briefly will incur dockage fees and the charges as set out in the Bethel Tariff.

(3) Upon advanced written showing of the significant need, the Port Director may authorize, in writing storage at a different location. Such authorizations are not guaranteed, even when boats are inoperable and unable to easily move to the designated areas.

**SEAWALL MOORING:**

A vessel assigned a Seawall mooring permit will be charged a one time fee of twenty – six US dollars (\$26.00) per lineal foot at the rate for the summer season. Rates for the summer season (June 1 through October 31) will be assessed as follows: Vessels moored alongside the Seawall, or the east side of the City Dock within Brown’s Slough, will be charged \$26.00 per lineal foot of designated wall space. Moored vessels will not extend out from the Seawall more than 100 feet maximum. Outboard vessels shall not be longer than the inboard vessel to which they are moored. Moorage of more than two (2) vessels wide is not allowed. Vessels will not be allowed to moor outboard of each other in Brown’s Slough. The daily dockage rate will apply for any vessel in excess of 100 ft or two vessels wide. Rates listed above in the LOA Table do not include taxes.

Vessels that are moored outboard of the first vessel and have a load will be charged a daily dockage rate and the rate for a seawall mooring permit shall not apply. Daily

dockage rates will be applied to vessels not in their designated berth as stated in there Seawall mooring permit.

Vessels moored in Brown's Slough during the winter season (November 1 to May 31) will be charged ten cents per square foot per month. All winter storage must be prearranged with the Port Director/City Manager for all Port facilities.

**Vessels will not be allowed to moor outboard of each other in Brown's Slough at any time.**

**SECTION 2****DESCRIPTIONS AND SCHEDULE OF CHARGES****ITEM NO.****STORAGE – GENERAL INFORMATION****202****(a) DEFINITION:**

Terminal Storage is the service of providing warehousing, or other terminal facilities, for the storing of inbound, or outbound, freight/cargo, or gear/equipment, after the expiration of free time. This includes closed or covered storage, open or ground storage, bonded storage when available, and refrigerated storage when available after storage arrangements have been made.

**(b) CONDITIONS GOVERNING ACCEPTANCE OF CARGO FOR MONTHLY STORAGE:**

When space is available and arrangements are entered into prior to arrival of freight/cargo at the Terminal, monthly storage may be permitted on in-transit freight/cargo interchanged with, or between, cargos carriers at rates set forth herein.

**(c) CALCULATIONS:**

Equipment/Freight/cargo received for storage on the City dock and Beach One will be billed on a semi-monthly (twice per month) rate during the summer season (June 1 through October 31), and on a monthly (once monthly) rate during the winter season (November 1 through May 31). Storage on all other Port Facilities will be billed on a monthly basis.

**(d)** If storage for winter season (November 1 to May 31) is paid in full at the start of the winter season the customer will receive a five percent discount. If equipment/freight/cargo is pre-paid there will be no refunds if removed before May 31 (end of winter season).

**SECTION 2**

**DESCRIPTIONS AND SCHEDULE OF CHARGES**

**ITEM NO.**

**STORAGE – GENERAL INFORMATION (Continued)**

**202**

**(e) CONDITIONS GOVERNING ACCEPTANCE OF CARGO FOR DAILY STORAGE:**

When space is available and arrangements are entered into prior to arrival of freight/cargo at the Terminal, storage may be permitted on in-transit freight/cargo interchanged with, or between, cargos carriers at rates listed below.

**STORAGE – FEES AND CHARGES**

**202**

**(f) MINIMUM CHARGES:**

- (1) Minimum charges for storage, open areas: \$0.30 per square foot, monthly, or semi-monthly, depending on the season.
- (2) Minimum charges for storage, closed areas: \$0.30 per square foot, monthly, or semi-monthly, depending on the season.
- (3) Minimum charges for hazardous materials (HAZMAT): \$0.50 per square foot, monthly, or semi-monthly, depending on the season.
- (4) All charges listed in 1-3 above are “before taxes.”

**(g) STORAGE RATES - OPEN AREAS:**

Commodity	Monthly Charge (Nov 1-May 31)	Semi-Monthly (Jun 1-Oct 31)
*Equipment	\$0.30 per sq. ft.	\$0.30 per sq. ft.
All Other Freight/Cargo	\$0.30 per sq. ft.	\$0.30 per sq. ft.
Gravel, sand, Rock (All Types and Sizes - No free Time for Gravel, Sand, and Rock)	\$0.30 per sq. ft.	\$0.30 per sq. ft.
**Hazardous Materials	\$0.50 per sq. ft.	\$0.50 per sq. ft.
Logs any size <u>when piled and unbanded</u>		\$0.30 per sq. ft. per week, no free time

Vessels \$ .30 per sq..ft. per week, no free time

**SECTION 2**

**DESCRIPTIONS AND SCHEDULE OF CHARGES**

**ITEM NO.**

**STORAGE – FEES AND CHARGES (Continued)**

**202**

\*Equipment includes all types of rolling stock, flats with and without freight/cargo, chassis', empty and loaded containers, boats including tugs, small craft with or without trailers, private/ personal-owned vehicles awaiting pickup or outbound transit, barges, and cranes.

**(h) (STORAGE RATES - HAZARDOUS MATERIALS (HAZMAT))**

\*\* The maximum storage period for hazardous materials (HAZMAT) on the City Dock and/or Beach #1 (short-term storage area) is ten (10) calendar days. Failure to remove HAZMAT off the City Dock and/or Beach #1 within this established time period will result in a doubling of storage rates. Long-term storage areas are defined as the City Dock East Addition and the Port's Storage Yard located adjacent to the Petroleum Dock.

**(i)** Anything stored or residing in/on Port Facilities & not removed from the Facilities for 9 (nine) continuous months and not used for stevedoring purposes will be billed double the storage fees. The Port of Bethel has the right after 24 (twenty-four) months or 2 (two) years of continuous storage to seize and remove or remove and dispose of anything that is stored at any Port of Bethel facility longer than 2 years.

**WHARFAGE – GENERAL INFORMATION**

**203**

**(a) DEFINITION:**

Wharfage is a charge assessed for cargo passing, or conveyed over, onto, or under, wharves, or between vessels, when berthed at a wharf. Wharfage is solely the charge for the use of the wharf and does not include charges for any other service.

**(b) TAXES:**

No taxes are assessed on wharfage.

**(c) APPLICATION:**

Wharfage rates listed in this tariff will be charged for all freight/cargo, excluding ship's gear and over stow received onto, or over, all property belonging to the Port and/or City of Bethel. Ship's gear and over stow includes any cargo/ freight/ equipment that is offloaded and then reloaded onto the same vessel and which departs on the same voyage and vessel.

**(d) OVERSIDE:**

All freight, cargo, or petroleum products, loaded, or discharged, over the side of a vessel directly to, or from, another vessel, barge, lighter, draft, or to, or from, the water while the vessel is berthed, or moored, will be assessed half the regular wharfage rate. **SECTION 2**

**DESCRIPTIONS AND SCHEDULE OF CHARGES**

**ITEM NO.**

**WHARFAGE – FEES AND CHARGES**

**203**

**(e) SCHEDULE OF CHARGES:**

Charges are in U.S. Dollars.

<b>Commodity</b>	<b>Charge</b>
Freight, or Cargo (Includes all goods, equipment, or merchandise conveyed in a vessel, barge, or marine vehicle)	<u>\$9.92</u> \$9.02 per short ton
*Through-Rated Freight, or Cargo	<u>\$12.41</u> \$11.28 per short ton
Hazardous Material	<u>\$9.92</u> \$9.02 per short ton plus \$25.00 for each container, flat, or pallet containing more than 800 lbs. of hazardous material as defined in the CFR 49 parts 100 to 185. Rolling stock will be exempt from the \$25.00 fee. The manifest for this type of cargo must indicate

each consignee

Through-Rated Hazardous Material	<u>\$12.41</u>	\$11.28 per short ton plus \$50.00 per container.
Seafood	<u>\$9.92</u>	\$9.02 per short ton
<del>Inbound Petroleum Products</del>	<del>_____</del>	<del>\$0.04 per U.S. gallon</del>
Inbound Petroleum Products Jan 1 <sup>st</sup> 2014 Effect: \$0.05 per U.S. gallon		
All Types of Sand and Gravel less than 3 inches (-3")	<u>\$2.10</u>	<del>\$2.00</del> per short ton
All types and Sizes of Rock greater than 3 inches(+3")	9.92	<del>\$9.02</del> per short ton
All Types and Sizes of Logs that are loose (un-banded, unsecured) <del>Wharfage is will be charged</del> \$0.30 per sq.ft. [Logs may not be stacked more than eight <u>feet</u> (8ft) high.]		
<u>-All types of wood and sizes banded or secured.</u>	<u>\$9.92</u>	<u>per short ton</u>

\*Freight and/or cargo will not be considered Through-Rated unless a manifest is received 24-hours in advance with verifiable routing and clearly identifying where the freight and/or cargo's final destination is. If the freight and/or cargo is not removed from the Port of Bethel within thirty (30) calendar days, the Through-Rated designation will be voided and regular charges will be applied at the rate of \$9.92 ~~\$8.20~~ per short ton on and off any Port facility.

Freight already billed as through rated cargo, (\$12.41 per short ton), that has forfeited its through rated designation due to time restraints (30 days) will be charged the difference of \$9.92 ~~\$6.76~~ per short ton.

**SECTION 2**

**DESCRIPTIONS AND SCHEDULE OF CHARGES**

**ITEM NO.**

**WHARF DEMURRAGE**

**203**

(f) DEFINITION:

Wharf demurrage is a charge assessed against freight/cargo/equipment remaining in, or on, Terminal facilities after the expiration of free time unless arrangements have been made for storage. After free time expires, storage charges will be assessed.

**(g) MINIMUM CHARGES:**

Minimum charges are set forth in section 2 of this Tariff.

**HANDLING – GENERAL INFORMATION****204****(a) DEFINITION:**

Handling is the service of moving freight/cargo and/or equipment from a vessel moored alongside a dock, wharf, or seawall, from a dock, wharf, or seawall to a moored vessel. Charges for handling are assessed against vessels, their owners, operators, or the party ordering the handling service.

**(b) SPILLAGE:**

All spillage and/or leakage of petroleum products, or flammables, shall be reported to the Port Director, Port Office, U.S. Coast Guard and Alaska Department of Environmental Conservation (ADEC) without delay. Clean up will commence immediately - no exceptions!

Port Office - (907)543-2310

Port Director - (907)545-4150

National Response Center - 1-800-424-8802

ADEC - (907)543-2315

USCG - (907)271-6700

**(c) LINE HANDLING;**

All labor must be contracted through shipping agents, stevedoring agencies, or vessel agents, owners, or operators.

**(d) EXCEPTION - APPLICATION OF MAN-HOUR RATES ON HANDLING:**

When the services of handling of freight and/or cargo are required, the Port of Bethel reserves the right to apply applicable man-hour rates (\$105.00 per person per hour).

**HANDLING – FEE AND CHARGES 204****(a) STEVEDORING PERMITS - THIRD PARTY CONTRACTORS:**

- (1) Full Service Permit: This permit enables the holder to unload and/or load common carriers, or contract vessels, and allows local carriers to deliver, or remove, freight/ cargo from designated areas under jurisdiction of the Port of Bethel. RATE: \$600.00.

**SECTION 2**

**DESCRIPTIONS AND SCHEDULE OF CHARGES**

**ITEM NO.**

**HANDLING – FEE AND CHARGES (Continued)**

**204**

- (2) Specialty Permit: This permit allows the holder to engage in loading and unloading of ships, or barges. It also allows the holder to provide a specialty service. Holders of this permit will be subject to depart the City Dock during the period that mainline common carrier vessels have berthing reservations. RATE: \$450.00.
- (3) Independent Permit: An independent Permit allows only the loading and unloading of fish products to vessels no less than 150 feet in length overall (LOA). RATE: \$300.00.
- (4) Decals: Windshield decals will be issued by the Port of Bethel to permit holders without cost so that vehicles entering and leaving Port facilities are readily identifiable as belonging to valid permit holders. Decals will be displayed on the lower right hand side (passenger side of vehicle) of the windshield. Decals for 1-3 vehicles are free; 4-10 vehicles \$35.00 each vehicle; 10-20 vehicles \$45.00 for each vehicle.
- (5) Prospective Permit Holders: Prospective permit holders will be required to provide a listing of vehicles and equipment to be used under the auspices of the issued permit at the time of application. A new vehicle and equipment listing will be required each year during the application process.

**LABOR**

**205**

**(a) LABOR RATES:**

Labor as described in this section of the Tariff refers to Port employees hired for specific tasks. It does not refer to third party employees.

**(b) SPECIFIC LABOR COST SERVICES:**

Unless otherwise provided for individual items, man-hour rates will be charged on services not arranged through a third party, including, but not limited to, the following:

- (1) Services of loading, unloading, handling, or transferring commodities not provided for by third party employers.
- (2) Services of extra sorting, inspection, cleaning, etc.
- (3) Materials and supplies furnished by the Port of Bethel in connection with services shall be billed at actual cost plus 18% for administrative costs.
- (4) When equipment is used in performance of services, the charge will not be less than the Tariff rate.

**SECTION 2**

**DESCRIPTIONS AND SCHEDULE OF CHARGES**

**ITEM NO.**

**LABOR (Continue)**

**205**

**(c) SCHEDULE OF MAN-HOUR RATES:**

Unless otherwise stated herein, the basic rate for Port labor is \$105.00 per man-hour.

**(d) ELECTRIC SERVICES FOR VESSELS:**

Electric Services may be available through the ~~Bethel Utilities Corporation (BUC)~~ AVEC at vessel owner/operators expense. All installations must meet Underwriter’s Laboratory (UL) standards.

**(e) FRESH WATER FOR VESSELS**

Water deliveries shall be arranged through the Port Office. Fresh water will be furnished to vessels as follows:

<b>Volume</b>	<b>Rate</b>
Regular call out hours 8a.m. – 5p.m. Monday – Friday	
Hook-up Fee	\$130.00
Rate per Gallon	\$0.17
After hours call out charge	\$70.00

NOTE: Rates are subject to change without notice!

**(f) GRAY WATER SERVICES FOR VESSELS:**

Arrangement for gray water services for vessels will be made through the Port Office. Gray water will be removed from vessels as follows:

<b>Volume</b>	<b>Rate</b>
Regular call out hours 8a.m. – 5p.m. Monday – Friday	
Hook-up Fee	\$130.00
Rate per Gallon	\$0.17
After hours call out charge	\$70.00

NOTE: Rates are subject to change without notice!

**(g) REFUSE REMOVAL AND DISPOSAL CHARGES:**

The following charges will be made when a ship places refuse in a Port-supplied box, or dumpster:

(1) 4-Yard Dumpster: \$125.00

(2) 8-Yard Dumpster: \$225.00

A request to dump a dumpster must be made no later than 10 am Monday through Saturday, no service on Sundays.

**SECTION 2**

**DESCRIPTIONS AND SCHEDULE OF CHARGES**

**ITEM NO.**

**LABOR (Continue)**

**205**

NOTE: No wood, pallets, metal, heavy plastics such as crab line, or poly totes, fish waste, chemicals, or food additives, or hazardous materials are allowed in dumpsters. If vessels require any of these prohibitive materials to be hauled to the Landfill by the Port of Bethel, the following charges shall apply:

- (1) Pallets, or wood, per dump truck load: \$625.00
- (2) Other waste, or scrap, per dump truck load: Landfill charges plus \$250.00 plus 18% Administrative Fee.

NOTE: placing prohibited material in a dumpster and/or failure to sort refuse required by Landfill will result in a penalty equal to any fees incurred by the Port plus a 30% Administrative charge, or equal to any time and material plus a 30% Administrative Charge, whichever is greater.

**(h) USED OIL DISPOSAL:**

The Port of Bethel and its facilities may accept used oil. Used oil is defined as engine oil that is unmixed with any other product, when prior arrangements are made with the Port Director, or the Harbormaster, the Port of Bethel can provide drums and hauling services at a cost of \$8.00 per gallon plus the cost of the containers, or any other expenses that may arise in disposing of used oil. Payment for this service will be made directly to the Port of Bethel.

**(i) SOLID AND LIQUID WASTE MATERIALS:**

No solid or liquid waste products shall be disposed of on, or at, Port of Bethel facilities without prior authorization of the Port Director, or Harbormaster. Solid and liquid waste will only be accepted if placed in non-flammable and leak-proof containers. The fee for providing these services shall be the basic rate for Port of Bethel labor of \$105.00 per man-hour per person plus any additional costs that may be incurred with this operation. Only non-hazardous material will be accepted.

**VESSEL OVERHAUL**

**206**

**REPAIRS AND MAINTENANCE:**

When work is performed on tugboats, barges, or other types of maritime craft while they are in temporary storage on the City Dock, or on Beach #1, or any Port Facility, the area where the work is being performed must be cleaned up at the end of each working day. Failure to clean up after the work is performed could result in the owner/operator being assessed a clean-up fee plus being denied future temporary storage privileges. Tarpaulins, or some form of heavy-duty material must be placed under the section of the hull being scraped, or worked on, so as to preclude all of the residue being left on the land where the craft is located. Owner/operators shall be responsible for disposal of any debris, or residue, and for restoring the ground base to original condition when work is completed.

Introduced by:  
Date:  
Action:  
Vote:

*CITY OF BETHEL*

**Resolution #**

**THE CITY OF BETHEL SUPPORTS THE FULL FUNDING FOR THE STATE OF ALASKA HARBOR AND FACILITY GRANT PROGRAM IN THE FY-17 STATE CAPITAL BUDGET**

**Whereas**, the Bethel City Council recognizes the majority of the public boat harbors in Alaska where constructed by the State during the 1960s and 1970s; and

**Whereas**, these harbor facilities represent critical transportation links and are the transportation hubs for waterfront commerce and economic development in Alaskan coastal communities; and

**Whereas**, these harbor facilities are ports of refuge and areas for protection for ocean-going vessels and fishermen throughout the State of Alaska, especially in coastal Alaskan communities; and

**Whereas**, the State of Alaska over the past nearly 30 years has transferred ownership of most of these State owned harbors, many of which were at or near the end of their service life at the time of transfer, to local municipalities; and

**Whereas**, the municipalities took over this important responsibility even though they knew that these same harbor facilities were in poor condition at the time of transfer due to the state's failure to keep up with deferred maintenance; and

**Whereas**, consequently, when local municipal harbor masters formulated their annual harbor facility budgets, they inherited a major financial burden that their local municipal governments could not afford; and

**Whereas**, in response to this financial burden, the Governor and the Alaska Legislature passed legislation to create the Harbor Facility Grant program, AS 29.60.800; and

**Whereas**, the Bethel City Council is pleased with the Department of Transportation and Public Facilities administrative process to review, score and rank applicants to the Harbor Facility Grant Program, since state funds may be limited; and



## MUNICIPAL DOCK ENTERPRISE FUND SUMMARY

	FY 2012 Actuals	FY 2013 Actuals	FY 2014 Actuals	FY 2015 Approved Budget	FY 2015 Revised Budget	FY 2016 Proposed Budget
<b>Operating Revenues:</b>						714,00
<b>Operating Expenses for Services:</b>						
Municipal Dock						246,89
Small Boat Harbor						167,28
<b>TOTAL OPERATING EXPENSES FOR SVS.</b>						414,18
<i>Excess of Revenues over Operating Expenses for Services</i>						299,82
<b>Project Expenses:</b>						
<b>TOTAL PROJECT EXPENSES</b>						75,00
<i>Excess of Rev. over Svs. &amp; Non-Svs., &amp; Project Expenses</i>						75,00
<b>Capital Outlay:</b>						
Capital						300,00
<b>TOTAL CAPITAL OUTLAY</b>						300,00
<b>Transfers (In) Out:</b>						
<b>TOTAL TRANSFERS (IN) OUT</b>						-
<i>Excess of Rev. over Svs., Non-Svs., Project Exp., Capital &amp; Transfers Out</i>						(225,00)
<b>NET FUND INCOME (LOSS) BEFORE NON-CASH EXPENSES/REVENUES</b>						#REF!
<b>Non-Cash Expenses/Revenues</b>						
Special Item -Write-off of OPEB						-
Landfill Closure Costs						38,440
Depreciation and Amortization						58,000
<b>TOTAL NON-CASH EXPENSES</b>						96,440
<i>Excess Revenues over All Expenses</i>						(321,440)
<b>Total Fund Revenues:</b>						714,000
Less Total Fund Expenses less Depr. & Amort.						#REF!
Less Total Fund Non-Cash Expenses						(96,440)
<b>NET FUND INCOME (LOSS)</b>						#REF!

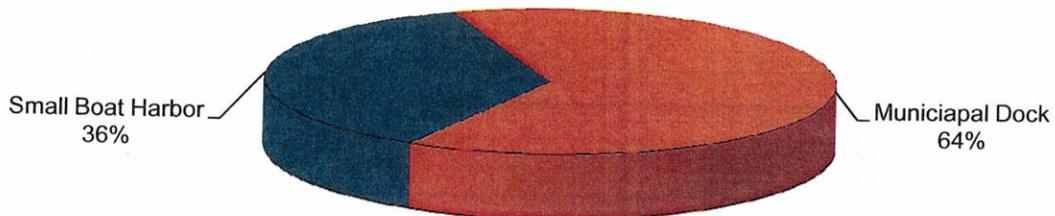
## Municipal Dock ENTERPRISE FUND REVENUES

		FY 2012 Actuals	FY 2013 Actuals	FY 2014 Actuals	FY 2015 Approved Budget	FY 2015 Revised Budget	FY 2016 Proposed BUDGET
	<b>Revenues:</b>						
55-43-413	Municipal Dock						714,000
50-44-413	Small Boat Harbor						
	<b>Total Municipal Dock</b>		-	-	-	-	714,000
50-42-410	State PERS Relief						15,451
	<b>Total Non-Operating</b>		-	-	-	-	15,451
	<b>Total Revenues</b>						

## Municipal Dock ENTERPRISE FUND EXPENSE SUMMARY

		Personnel Expenses	Materials, Supplies & Services	Indirect Expenses	Total Operating Expenses
50-70	Municipal Dock	-	246,897	50,400	297,297
50-71	Small Boat Harbor	136,368	33,750	-	170,118
<b>TOTALS</b>		<b>136,368</b>	<b>280,647</b>	<b>50,400</b>	<b>467,415</b>

**Percentage of Muni-Dock Fund Operating Expenses**



■ Municipal Dock 64%

■ Small Boat Harbor 36%

## MUNICIPAL DOCK FUND SUMMARY

	FY 2012 Actuals	FY 2013 Actuals	FY 2014 Actuals	FY 2015 Approved Budget	FY 2015 Revised Budget	FY 2016 Proposed Budget
<b>Total Revenues:</b>						714,000
<b>TOTAL OPERATING EXPENSES:</b>	-	-	-	534,471	131,319	246,897
<b>Total Operating Expenses less Depr:</b>	-	-	-	534,471	131,319	246,897
<b>Total Non-Operating Expenses:</b>	-	-	-	175,000	125,000	375,000
<i>Excess of Revenues over Total Expenses-less Depr.</i>	-	-	-	(709,471)	(256,319)	92,103
<b>Transfers (In) Out:</b>						
To Port Office Capital Project Fund						-
To Seawall Maintenance						250,000
	-	-	-	-	-	-
	-	-	-	-	-	-
<b>Total Transfers (In) Out</b>	-	-	-	-	-	250,000
<b>NET FUND INCOME (LOSS) BEFORE DEPRECIATION &amp; AMORTIZATION</b>	-	-	-	(709,471)	(256,319)	1,189,811
<b>Depreciation &amp; Amortization Expenses:</b>						
<b>TOTAL DEPRECIATION &amp; AMORT. EXPENSES</b>	631,920	606,498	606,173	700,000	700,000	603,173
<i>Excess Revenues over All Expenses</i>	(631,920)	(606,498)	(606,173)	(1,409,471)	(956,319)	586,638
<b>NET FUND INCOME (LOSS)</b>	(631,920)	(606,498)	(606,173)	(1,409,471)	(956,319)	586,638

## MUNICIPAL DOCK REVENUE SUMMARY

REVENUES:		FY 2013 Actuals	FY 2014 Actuals	FY 2015 Actuals	FY 2016 Approved Budget	FY 2016 YTD	FY 2017 Proposed Budget
52-41-410	PERS Contribution	15,511	36,940	38,678	15,000	15,511	20,000
52-40-403	City Dock-Penalties & Interest	227,299	12,831	20,146	12,000	10,000	12,000
52-43-402	City Dock-Storage	88,820	67,873	53,155	50,000	33,240	50,000
52-43-404	City Dock-Permits	6,240	13,380	11,100	3,000	3,000	3,000
52-43-405	City Dock-Wharfage	142,430	174,053	221,313	140,000	122,000	140,000
52-43-407	City Dock-Dockage	24,885	13,510	35,575	30,000	17,984	24,000
52-43-413	Slough Berth- Moorage	3,403	(11)	-	-	4,577	-
52-43-415	Slough Berth-Wharfage	-	-	-	-	-	-
52-43-417	Slough Berth-Dockage	-	-	-	1,000	-	-
52-43-424	Petro Yard-Storage	6,568	5,874	9,085	2,000	1,746	2,000
52-43-425	PetroPort - Wharfage	-	-	-	-	-	-
52-43-426	PetroPort-Fuel Thru-Put	727,190	460,608	629,928	500,000	285,956	500,000
52-43-427	PetroPort-Dockage	24,330	16,626	21,203	20,000	14,477	20,000
52-43-432	Seawall-Storage	38,520	24,936	12,702	12,000	4,608	12,000
52-43-433	Seawall-Moorage	39,354	45,240	46,410	40,000	31,200	31,000
52-43-434	Seawall Dockage	16,978	26,070	44,375	20,000	-	20,000
52-43-435	Seawall-Wharfage	3,229	2,239	-	2,000	904	1,000
52-43-437	Seawall Dockage	-	-	12	-	18,868	-
52-43-454	Beach-Storage	5,044	33,656	34,062	30,000	11,763	20,000
52-43-455	Beach-Wharfage	24,091	27,844	31,617	30,000	44,329	30,000
52-43-457	Beach-Dockage	13,196	18,033	16,638	17,000	9,577	17,000
52-43-460	East Addition-Storage	-	240	-	-	-	-
52-43-462	Boat Harbor-Storage	-	-	3,050	-	-	-
52-43-463	Boat Harbor-Moorage	24,620	21,531	16,582	-	-	-
52-45-462	Small Boat Harbor Storage	3,475	3,575	-	-	-	-
52-45-464	Boat Harbor-Permits	9,540	5,402	8,730	-	-	-
52-45-467	Extra Water Calls	38,704	29,817	33,124	30,000	13,034	25,000
52-44-467	Lease Revenue	21,466	19,800	21,600	24,000	16,030	24,000
52-49-487	Investment Income	3,046	12	-	1,000	-	8,000
52-46-490	Transfers from Other Funds	-	-	-	-	-	-
52-49-494	Proceeds-Sale of F.Assets	-	-	-	-	-	-
52-49-495	Miscellaneous Revenue	13,435	4,706	-	5,000	-	5,000
	<b>Total Revenues</b>	1,521,374	1,064,785	1,309,085	1,189,811	1,189,811	964,000
	<i>Designated 40% of Fuel Thru Put Revenue</i>	(363,595)	(230,304)	(314,964)	(325,000)	(325,000)	(250,000)
	<b>Total Undesignated Revenues</b>	1,157,779	834,481	994,121	864,811	864,811	714,000

Note: Account 426-Petro Port Fuel Thru-Put. Ordinance to place 40% of revenue into Seawall Maintenance Account.

Municipal Dock Expenses (52-50)		FY 2013 Actuals	FY 2014 Actuals	SBH FY-15 Actual	FY-16 Approved Budget	FY 2016 ACTUAL Budget	FY 2017 Proposed BUDGET
<b>PERSONNEL:</b>							
	Salaries, Benefits & Taxes minus EGHB				261,453		-
	Overtime				2,000		-
	Employee Group Health Benefits				41,761		-
	<b>Total Personnel</b>	-	-	-	305,214	-	-
<b>MATERIALS, SUPPLIES, &amp; SERVICES</b>							
545	Training/Travel				7,000	870	7,000
561	Supplies				4,700	3,987	4,700
563	Wearing Apparel				1,300	942	1,300
600	Tires					-	-
601	Tires				4,000	2,025	4,000
601	Vehicle Maint/Repairs				20,000	9/17 8408	20,000
602	Gasoline/Diesel/Oil				5,000	12/31 2114	5,000
621	Electricity				3,000	1/16 241	1,000
622	Telephone				2,000	-	2,000
623	Heating Fuel				12,000	-	12,000
624	Water/Sewer/Garbage				12,000	4,772	12,000
626	Water for Barges				5,000	12/02 108	5,000
642	Legal Fees				5,000	-	5,000
643	Engineering Fees				10,747	10,747	10,747
661	Vehicle Maint/Repair (Int. Svc. Fund 57)					-	-
662	Property Maintenance				7,000	2,916	7,000
666	Municipal Dock Maintenance				7,000	12,237	7,000
667	Seawall Maintenance					-	-
668	Small Boat Harbor Maintenance				20,000	9,630	10,000
669	Other Purchased Services				4,000	823	4,000
683	Minor Equipment				20,000	10,451	50,000
687	Land Easement Acquisition				22,000	15,671	22,000
721	Insurance					-	-
722	Insurance -DED Exp & Other				500	170	1,000
724	Dues & Subscriptions				1,000	2,108	500
727	Advertising				5,000	3,570	5,000
738	Bad Debts Expense					-	-
779	Emergency Response Expense				250	-	250
799	Miscellaneous				15,732	15,372	15,372
996	Administrative Overhead - IT Services				35,028	35,028	35,028
998	Administrative Overhead					-	-
	<b>Total MS&amp;S</b>	-	-	-	229,257	131,319	246,897
	<b>Total Operating Expenses</b>	-	-	-	534,471	131,319	246,897
<b>DEBT PAYMENTS:</b>							
	<b>Total Debt Payments</b>	-	-	-	-	-	-
<b>PROJECT EXPENSES (52-50-77X)</b>							
695	Bank Stabilization Project-Cash Match*	-	-	-	-	-	-
773	Erosion Repair and Bank Stabilization *	-	-	-	-	-	-
774	Type B Rock	-	-	-	125,000	125,000	50,000
775	Gravel	-	-	-	25,000		25,000
776	Port Shop Electrical Installation	-	-	-			-
777	Contaminated Soil Processing	-	-	-			-
778	Port Facility Improvement Project	-	-	-			-
	<b>Total Project Expenses</b>	-	-	-	150,000	125,000	75,000
<b>CAPITAL EXPENSES (52-50-69X)</b>							
690	Capital Expenditures	-	-	-	-	-	-
694	HazMat Response Unit	-	-	-	-	-	-
696	Waterfront Facilities Improvements	-	-	-	-	-	-
697	Highlift Forklift	-	-	-	25,000		300,000
699	Transfer tooFleet Replacment Fund	-	-	-	25,000		300,000
	<b>Total Capital Expenses</b>	-	-	-	25,000	-	300,000
<b>TRANSFERS OUT</b>							
990	Port Office Capital Improvement Fund				300,000	300,000	-
	Denali Commission Cash Match				300,000	300,000	-
	<b>Total Transfers Out</b>	-	-	-	300,000	300,000	-
	<b>Total Operating, Debt, Projects &amp; Capital</b>	-	-	-	1,009,471	556,319	621,897

## Municipal Dock 52-50

			FY 2016 Approved Budget	FY 2017 Proposed Budget
<b>PERSONNEL</b>				
MIII	27401	Port Director	93,100	
R4	27102	Administrative Assistant	27,380	
R5	27901	Welder/Mechanic (160 hours @ \$25.00/hr)	4,000	
R4	27103	City Dock Attendant	45,055	
	27902	City Dock Attendant (6 months @ \$18.00/hr)	16,848	
				-
				-
				-
				-
				-
		<b>SALARIES</b>		
		Bonus		
		Overtime & Shift Differential	2,000	
		<b>Subtotal</b>	-	
		Leave Cashout/Payout (5% of Base Salary)	8,051	
		Social Security (6.2% of Temp Salary)	1,293	
		Medicare (1.45% of Salary)	2,666	
		Employee Group Benefits (\$1,381/month x 12 months x 2.37 FTE)	41,761	
		Unemployment (0.80% of Salary)	1,471	
		Workers' Compensation	9,900	
		PERS On Behalf Of Allocation	11,000	
		PERS (22.00% of Salary )	32,427	
		Utility Benefit (\$425/month x 12 months x 67% x 2.37 FTE)	7,357	
		<b>BENEFITS &amp; TAXES</b>	-	
		<b>TOTAL PERSONNEL</b>		

Small Boar Harbor (52-55)		FY 2016 Approved Budget	FY 2016 Actuals	FY 2017 Proposed BUDGET
ONN	Salaries, Benefits & Taxes minus EGHB	123,578		123,578
	Overtime	2,000		2,000
	Employee Group Health Benefits	7,955		7,955
	<b>Total Personnel</b>	133,533	-	133,533
ERIA				
545	Training/Travel			-
561	Supplies	1,800		1,800
563	Wearing Apparel	1,700		1,700
600	Tires			-
601	Vehicle Maint/Repairs			-
602	Gasoline/Diesel/Oil	10,000	2,168	10,000
621	Electricity	4,000	634	4,000
622	Telephone			-
623	Heating Fuel			-
624	Water/Sewer/Garbage	8,000		8,000
626	Water for Barges			-
642	Legal Fees			-
643	Engineering Fees			-
646	Seawall Cash Match			-
661	Vehicle Maint/Repair (Int. Svc. Fund 57)			-
662	Property Maintenance			-
664	IT Services (Internal Service Fund)			-
665	City Safety			-
666	Municipal Dock Maintenance			-
667	Seawall Maintenance			-
668	Small Boat Harbor Maintenance	7,000	3,276	7,000
669	Other Purchased Services			-
683	Minor Equipment	1,000		1,000
687	Land Easement Acquisition			-
721	Insurance			-
722	Insurance -DED Exp & Other			-
724	Dues & Subscriptions			-
727	Advertising			-
735	Finance Charges/Penalties			-
738	Bad Debts Expense			-
779	Emergency Response Expense			-
799	Miscellaneous	250		250
996	Administrative Overhead - IT Services			-
998	Administrative Overhead			-
	<b>Total MS&amp;S</b>	33,750	6,078	33,750
	<b>Total Operating Expenses</b>	167,283	6,078	167,283

## SMALL BOAT HARBOR REVENUE SUMMARY

REVENUES:		FY 2013 Actuals	FY 2014 Actuals	FY 2015 Actuals	FY 2016 Approved Budget	FY 2016 YTD Budget	FY 2017 Proposed Budget
52-41-410	PERS Contribution	-	-	-	4,500	4,500	4,500
52-40-403	City Dock-Penalties & Interest	-	-	-	-	-	-
52-43-402	City Dock-Storage	-	-	-	-	-	-
52-43-404	City Dock-Permits	-	-	-	-	-	-
52-43-405	City Dock-Wharfage	-	-	-	-	-	-
52-43-407	City Dock-Dockage	-	-	-	-	-	-
52-43-413	Slough Berth- Moorage	-	-	-	-	-	-
52-43-415	Slough Berth-Wharfage	-	-	-	-	-	-
52-43-417	Slough Berth-Dockage	-	-	-	-	-	-
52-43-424	Petro Yard-Storage	-	-	-	-	-	-
52-43-425	PetroPort - Wharfage	-	-	-	-	-	-
52-43-418	PetroPort-Fuel Thru-Put	-	-	-	125,000	71,489	125,000
52-43-427	PetroPort-Dockage	-	-	-	-	-	-
52-43-432	Seawall-Storage	-	-	-	-	-	-
52-43-433	Seawall-Moorage	-	-	-	-	-	-
52-43-434	Seawall Dockage	-	-	-	-	-	-
52-43-435	Seawall-Wharfage	-	-	-	-	-	-
52-43-437	Seawall Dockage	-	-	-	-	-	-
52-43-454	Beach-Storage	-	-	-	-	-	-
52-43-455	Beach-Wharfage	-	-	-	-	-	-
52-43-457	Beach-Dockage	-	-	-	-	-	-
52-43-460	East Addition-Storage	-	-	-	-	-	-
52-43-462	Boat Harbor-Storage	3,575	3,050	3,500	4,500	955	4,000
52-43-463	Boat Harbor-Moorage	21,531	16,582	24,000	25,000	7,067	23,000
52-45-462	Small Boat Harbor Storage	-	-	-	-	-	-
52-45-464	Boat Harbor-Permits	5,402	8,730	18,000	18,000	2,460	18,000
52-45-467	Extra Water Calls	-	-	-	-	-	-
52-44-467	Lease Revenue	-	-	-	-	-	-
52-49-487	Investment Income	-	-	-	-	-	-
52-46-490	Transfers from Other Funds	-	-	-	-	-	-
52-49-494	Proceeds-Sale of F.Assets	-	-	-	-	-	-
52-49-495	Miscellaneous Revenue	-	-	-	-	-	-
					250		250
	<b>Total Revenues</b>	<b>30,508</b>	<b>28,362</b>		<b>177,250</b>	<b>81,868</b>	<b>174,750</b>
	<i>Total Undesignated Revenues</i>	<i>30,508</i>	<i>28,362</i>	<i>-</i>	<i>177,250</i>		<i>174,750</i>

## Small Boat Harbor 52-55

			FY 2016 Budget	YTD 2016 Budget	FY 2017 Budget
<b>PERSONNEL</b>					
MIII	27401	Port Director	5,145		5145
R4	27102	Administrative Assistant	15,017		15017
R5	27901	Welder (160 hours @ \$25.00/hr)	-		0
R4	27103	City Dock Attendant	5,017		5017
	27902	City Dock Attendant (6 months @ \$18.00/hr)	1,872		1872
	27903	Port Attendant (5 months @ 16.25/hr)	14,083		14083
	27904	Port Attendant (5 months @ 16.25/hr)	14,083		14083
	27905	Port Attendant (5 months @ 16.25/hr)	14,083		14083
	27906	Port Attendant (5 months @ 16.25/hr)	14,083		14083
	27907	Port Attendant (5 months @ 16.25/hr)	14,083		14083
<b>SALARIES</b>			97,466		97465
Bonus			-		-
Overtime & Shift Differential			6,000		6000
<b>Subtotal</b>					6,000
Leave Cashout/Payout (5% of Base Salary)			1,259		1529
Social Security (6.2% of Temp Salary)			4,482		4,482
Medicare (1.45% of Salary)			1,500		1500
Employee Group Benefits (\$1,381/month x 12 months x .63 FTE)			10,440		10,440
Unemployment (0.80% of Salary)			828		828
Workers' Compensation			3,150		3,150
PERS On Behalf Of Allocation			3,261		3261
PERS (22.00% of Salary )			5,539		5,539
Utility Benefit (\$425/month x 12 months x 76% x .63 FTE)			2,442		2442
<b>BENEFITS &amp; TAXES</b>			32,902		32,902
<b>TOTAL PERSONNEL</b>			136,368	-	136368