

**An Ordinance of the Haines Borough amending Haines Borough Code Section 16.28.010 to modify prohibited acts for port and harbor facility users.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendments shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Section 16.28.010 Section 16.28.010 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED.  
~~STRIKETHROUGH~~ ITEMS ARE DELETED

**16.28.010 Prohibited acts.**

It shall be unlawful for any person using the borough port and harbor facilities to commit any of the following prohibited acts:

A. To operate, or cause to be operated, any vessel, as defined in this title, within the limits of the borough port and harbor facilities, in excess of three miles per hour. All vessel operators are legally liable for any damages from their wake.

B. To operate, or cause to be operated, any vessel, as defined in this title, within the limits of the borough port and harbor facilities, in a negligent manner in willful and wanton disregard for the safety of persons or property.

C. To operate, or cause to be operated, any vessel, as defined in this title, within the limits of the borough port and harbor facilities, in a negligent manner likely to endanger the safety of person or property.

D. To throw or otherwise cause to be deposited gasoline, oil, trash, garbage or refuse on any float or into the water of the borough port and harbor facilities. To use the borough port and harbor refuse containers for nonharbor or nonport use. ~~It is prohibited to leave snow removed from vessels on any dock, float, or finger.~~ **To create construction or project waste and dispose of it in the harbor refuse containers. Vessel construction and project waste shall be hauled away to a local waste receiver and is the responsibility of the owner and the contractor. The harbormaster is allowed discretion in determining what constitutes construction or project waste.**

E. To fail to register with the harbormaster, as provided in HBC 16.20.010.

F. To leave any vessel or floating structure moored at any of the borough port and harbor facilities unattended while any fire is burning thereon. Any such fire shall be deemed unattended unless the owner or operator is within 100 feet of the same.

G. To start or allow to continue any fire on a float or dock.

H. To create and maintain any nuisance within the borough port and harbor facilities.

I. To conduct or carry on any unlawful business or occupation within the limits of the borough port and harbor facilities.

J. To live aboard a vessel moored in the harbor at any time from October 15th to April 1st, except on a transient moorage basis for periods of two weeks or less. For any person or owner in charge of any dog or animal to allow or permit such dog or animal to run at large within the borough port and harbor facilities.

K. To deposit, place or leave any cargo, merchandise, supplies, freight, articles or thing, including fecal matter deposited on docks, upon any float, ramp, walk or other public place in the borough port and harbor facilities, except while loading to or from a boat or vehicle.

L. For any person or owner in charge of any dog or animal to fail to clean up after their animals.

M. To tap, disconnect, interfere with, or tamper with any water outlet, water pipe, water connection, or any electrical wiring, electrical outlet, or electrical device of any kind installed or maintained in the borough port and harbor facilities by the borough without first having obtained the permission of the harbormaster.

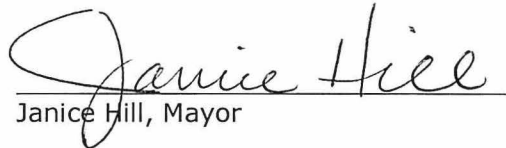
N. **To leave snow removed from vessels on any dock, float, or finger.** To interfere with any wharf, gangplank, ramp or any other facility of the borough port and harbor facilities.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 28<sup>th</sup> DAY OF APRIL, 2015.

ATTEST:

  
Julie Cozzi, MMC, Borough Clerk



  
Janice Hill, Mayor

Date Introduced: 03/24/15  
Date of First Public Hearing: 04/14/15  
Date of Second Public Hearing: 04/28/15 - Adopted