

Chapter 2.42

PORT OF DILLINGHAM

2.42.030 Port director—Jurisdiction.

A. The city manager shall employ a port director who shall have general control and supervision of docks, small boat harbor, and boat ramp facilities and shall preserve order at all times about the same. The port director shall enforce all regulations and tariffs governing public use of the small boat harbor, dock and boat ramps.

B. The port director may prohibit the use of any wharves and docking facilities owned or controlled by the city at any time when closing the facilities is required to protect and preserve the public welfare and safety.

C. The utilization of any city-owned or city-operated mooring facility or waterway within the dock area, boat ramp areas, and small boat harbor shall be deemed as a grant of authority to the city manager, port director, or any other person authorized by the city council to board the vessel for the purpose of enforcing this chapter and to move the vessel if it is moored in violation of any provision of this chapter or if required by an emergency or other provision set forth in this chapter.

D. The port director is granted the power and authority to, from time to time, but without any obligation or duty to do so, and without any obligation or liability on his part or that of the city for not doing so, replace defective mooring lines, pump vessels which are in dangerous condition for lack thereof, and to move any vessel for the purpose of protecting the vessel from fire or other hazard, or for the protection of other vessels therefrom. Whenever the port director shall perform any of the acts herein before authorized, after having given notice to the vessel owner or operator at the registered address of the immediate need therefor, or having attempted to give such notice, the vessel's owner is required to pay to the city such fees as are set forth by the city council by resolutions.

E. The authority granted to the port director shall not create an obligation or duty requiring the port director to take any action to protect or preserve any vessel or property located within the port or utilizing the port's facilities. The city shall not be responsible for loss or damage from fire or other casualty, or theft, vandalism or any other causes of injury to vessels or property moored or located within the port. The city shall not be responsible for any items which have been impounded.

F. The port director shall enforce areas designated by the city within the port for various uses, shall mark reserved and transient mooring areas and loading zones, and shall post such other signs, markings, numbers or informational devices as will notify and inform interested parties of authorized and prohibited uses of the port and harbor.

G. “Port director” means the official hired by the city manager to serve as port director, and any other city employee authorized or designated by the port director or city manager to enforce the provisions of this chapter. (Ord. 08-05 § 2 (part), 2008.)

Chapter 1.20

VIOLATIONS AND PENALTIES

1.20.020 Procedure.

A. The charge for the violation of a code provision may be brought by a city police officer, the city manager, or that city official responsible for the administration and enforcement of the code provision which has been violated.

B. The city shall use the Alaska uniform citation form to provide notice of an infraction to anyone accused of violating any provision of this code. (Ord. 13-19 § 2 (part), 2013.)

1.20.040 Minor offense fine schedule.

In accordance with AS [29.25.070](#)(a), citations for the following offenses may be disposed of as provided in AS [12.25.195](#) through [12.25.230](#), without a court appearance, upon payment of the fine amounts listed in this section, plus the state surcharge required by AS [12.55.039](#) and [29.25.074](#). Fines must be paid to the court. The Alaska Court System’s Rule of Minor Offense Procedures applies to all offenses listed in this section. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine schedule amount listed below for that offense. Citations charging these offenses must meet the requirements of the Minor Offense Rules. The fines set forth below may not be judicially reduced.

Code Section	Offense	Penalty/Fine
2.42.050 .A	Failure to register/pay for mooring of vessel	\$75
.B	Failure to display registration or obtain new mooring agreement	75
.C	Mooring in prohibited area	75
.F	Providing false information on mooring agreement or application	75
.G	Failure to attend to vessel	75
.I	Failure to display harbor decal	75
2.42.090 .E	Providing false information on mooring agreement or application	75

Code Section	Offense	Penalty/Fine
.F	Failure to respond	75
.H	Failure to display harbor decal	75
2.42.100.E	Failure to remove vessel	75
2.42.130.A	Reckless operating—vessel	300
.B	Negligent operating—vessel	300
.D	Noise violation—vessel	75
.E	Excessive speed—vessel	75
.F	Anchoring within port without permission	75
.G	Failure to stop for port director	75
2.42.140.A	Blinding light violation underway	75
.B	Light violation not underway	75
.C	Nuisance light violation	75
2.42.150.C	No exhaust muffler	75
2.42.160	Obstruction of navigation by auxiliary vessel	75
2.42.170.A	Unlawful occupancy of vessel	75
2.42.180.A	Dumping trash in port	300
.B	Failure to maintain floats and premises in an orderly condition	75
.C	Littering in port	75
.D	Improper disposal of waste oil	75
.E	Discharge oily waste	300
2.42.190.B	Unlawful storage	75
2.42.200.A	Unlawful access of port utilities	75
.B	Damaging port facilities	75
.C	Unpermitted waste disposal	75
2.42.210	Float bumpers, improper material	75

Code Section	Offense	Penalty/Fine
<u>2.42.220.A</u>	Using skids for vessel removal	75
.B	Freight loading without fees, private or common carrier	75
<u>2.42.230</u>	Failure to report accident	300
<u>2.42.240.A</u>	Unattended fire or flames	300
.B	Combustible liquid on port facilities	75
.C	Lack of fire suppression	75
.D	Smoking where prohibited	75
<u>2.42.250.A</u>	Unrestrained animal	75
.B	Failure to clean up after dog	75
.C	Excessive noise or other disturbance by pet	75
<u>2.42.260</u>	Unaccompanied minor	75
<u>2.42.270</u>	No wheeled vehicles	75
<u>2.42.280.A</u>	Posting signs without permission	75
<u>2.42.290</u>	Fishing from dock	75
<u>2.42.300.A</u>	Diving, swimming within port	75
<u>2.42.310</u>	Vessel repairs without permission	75
<u>2.42.320.A.1</u>	Nuisance within the port	75
A.2	Sign tampering	75
A.3	Interfering with port director	300