

**PETERSBURG BOROUGH
ORDINANCE #2023-07**

AN ORDINANCE AMENDING SECTIONS 14.20.125, 14.20.250 AND 14.20.380 OF CHAPTER 14.20, MUNICIPAL HARBORS, OF THE PETERSBURG MUNICIPAL CODE TO ADDRESS LIVE-ABOARDS AND OTHER RESIDENTIAL USES OF VESSELS MOORED IN MUNICIPAL HARBORS AND TO INCREASE THE PENALTY FOR SPEEDING OR EXCESSIVE WAKE

WHEREAS, the current language of the borough code, in chapter 14.20, *Municipal Harbors*, does not provide any guidance on the number or type of vessels which can be utilized as live-aboards in borough harbors; and

WHEREAS, the borough code also does not directly address other residential uses of vessels moored in borough harbors, such as for vacation rentals or long-term residential rentals; and

WHEREAS, residential vessel use, by its nature, produces less movement of vessels into and out of the harbors, resulting in a reduction of available hot berthing space in the harbors; and

WHEREAS, the harbors of the borough are the economic driver of the community of Petersburg, and further guidance regarding harbor residential usage is necessary to ensure continued operational efficiency; and

WHEREAS, Municipal Code Section 14.20.380, *Fees for prohibited acts*, establishes a penalty for speeding or excessive wake of \$50 per occurrence; and

WHEREAS, speeding or causing excessive wake in the municipal harbors can cause damage to floats and vessels; and

WHEREAS, the Harbor Advisory Board recommends the penalty for speeding or excessive wake be increased to \$200 per occurrence.

THEREFORE, THE PETERSBURG BOROUGH ORDAINS, Sections 14.20.125, 14.20.250 and 14.20.380 of the Petersburg Municipal Code are hereby amended as follows. The language proposed for addition is in bolded red and underlined, and the language proposed for deletion is struck through.

Section 1. Classification: This ordinance is of a general and permanent nature and shall be codified in the Petersburg Municipal Code.

Section 2. Purpose: The purpose of this ordinance is to address live-aboard and other residential uses of vessels occupying moorage space in borough harbors and to increase the penalty for speeding or excessive wake.

Section 3. Substantive Provisions:

14.20.030 – Definitions

“Boat house” means a building or structure designed or used primarily for the storage of boats or vessels.

“Float house” means any habitable structure or dwelling upon a barge or floats (including without limitation wood logs, foam billets, plastic or steel barrels and or tubes) whether fixed or transient, and used primarily as a residence, as contrasted with a vessel.

14.20.125 - Live-aboard policy.

A. A person living aboard a vessel for fifteen days within any 30-day period is considered a live-aboard.

B. Pets may be kept on a live-aboard vessel pursuant to chapter 7.04 of this Code.

C. Vessels being used as live-aboards must meet all sanitary requirements as established by the United States Coast Guard or by the borough.

D. Oil, gas, electric or wood heating units must be installed and utilized in conformance with manufacturers' specifications and approved by the harbormaster as a matter of public safety.

E. Fees for live-aboard use shall be charged as established in this chapter.

F. During the months of May through October of each year, no more than ten percent (10%) of the moorage spaces within each category of stall length may be utilized at any one time by live-aboard vessels, except at the discretion of the Harbormaster.

14.20.250 - Prohibited acts.

The following acts are prohibited:

[There are no changes to paragraph A]

B. Tying or mooring pile drivers, scows, barges, boat houses, **float houses**, or other similar vessels, ~~or vessels over one hundred fifty feet in length,~~ to any float;

[There are no changes to paragraph C through V]

W. Commercial use of the harbor facilities for rental of vessels for residential purposes, either on a short-term or long-term rental basis, including without limitation using the vessel as a vacation rental or bed & breakfast. This does not preclude short-term moorage of a marine passenger ship providing overnight lodging as part of a cruise, as defined in PMC 4.80.020.

14.20.380 – Fees for prohibited acts

The following acts shall be unlawful within the jurisdiction of the municipal harbors and penalties shall be assessed as follows:

[No changes to A-C]

D. Speeding or excessive wake, per violation ~~\$50.00~~ **200.00**

[No changes to E-L]

Section 4. Severability: If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person and circumstance shall not be affected.

Section 5. Effective Date: This ordinance shall be effective immediately upon final passage.

PASSED AND APPROVED by the **Petersburg Borough Assembly, Petersburg, Alaska** this _____ day of _____, 2023.

Mark Jensen, Mayor

ATTEST:

Debra K. Thompson, Borough Clerk

Adopted:
Published:
Effective: