

Resolution 2019-02

Illahee Port Facility Use and Moorage Rules and Regulations

Adopted: August 14, 2019

Whereas, RCW 53.08.320 directs a moorage facility operator to adopt all rules necessary for use of moorage facilities. The rules may also establish procedures for the enforcement of these rules by the port district.

Now, therefore, the Commission of the Port of Illahee, Washington, hereby resolves to publish Rules and Regulations for use of Port facilities as follows:

I. NOTIFICATION OF REGULATIONS

1. It is the Port's responsibility to formally adopt and publish its Moorage Facility Regulations and Policies.
2. It is the user's responsibility to obtain a copy of the Moorage Facility Regulations and Policies from the Port.

Copies will be made available upon request to the Port Administrator or the Port Dock Manager.

3. Use of the Port's moorage facilities is conditioned upon the user's agreement to the Port rules, regulations and enforcement procedures. User consents to all said rules, regulations and enforcement procedures.
4. The Port has the reserved right to change these regulations by formal amendment and in the Port's Meeting Agenda minutes of official Port meetings and published on the Port official website.

II. ADMINISTRATION AND ENFORCEMENT

1. The Port Dock Manager has been authorized by the Port Commission to interpret and enforce these Regulations. The Port Dock Manager may designate a representative to carry out the duties described herein.
2. If the Port Dock Manager has cause to believe that a violation of these regulations and policies has or is being committed and with prior notification and concurrence of the vessel owner, the Port Dock Manager may enter any vessel or floating structure to determine compliance with the provisions of these regulations and policies.
3. The Port Dock Manager shall enforce the intent of these regulations, consistent with the policies and procedures adopted by the Port, to carry out the purposes of these regulations through any legal means including obtaining the assistance of law enforcement officers.
4. The Port Dock Manager may deny the use of the Port's facilities and/or property to anyone when such use would be in violation of these regulations/policies or would constitute an imminent threat to the safety or property of the Port or other persons.

5. If an owner or operator of a vessel or floating structure moored at the Port's facilities fails to keep and perform any of the terms or conditions herein contained or made reference to, the Port may, at its option, declare the vessels permission to moorage ended. The Port may impose a daily monetary fee in accordance with the Ports current tariff. If the owner or operator fails to correct the infraction and/or fails to pay the imposed fee within 24 hours, the Port may proceed with termination of such moorage.

III. APPLICABILITY

Anyone present on or in the Port area and/or using Port facilities or equipment is subject to and shall comply with the regulations, policies and procedures issued or posted by the Port.

IV. HOLD HARMLESS

The Port does not carry insurance covering the property of the owner or operator of any vessel or floating structure moored at the Port. The owner/operator agrees that the Port will not be responsible for any injuries or property damage resulting, caused by or growing out of the use of its facilities; that the owner/operator releases and discharges the Port from any and all liability for loss, injury (including death), or damages to persons or property sustained while in or on the facilities of the Port including but not limited to fire, theft, vandalism, windstorm, high or low waters, hail, rain, ice, collision, accident, or any act of God, whether said injury or property damage is caused by the action of the owner/operator, another owner/operator, Port guest, Port agent, trespasser, or any other person.

V. VEHICLE TRAFFIC / CAMPING / PARKING

1. The Port Dock Manager may establish such reasonable traffic and parking regulations as may be required for orderly handling of motorized vehicles on the Port premises, including the posting of "No Parking" areas and such other regulations as may be required. A vehicle parked in violation of any such signs or regulations may be towed away and impounded at owner's expense.
2. The vehicle parking areas are only to be used for temporary vehicular parking in connection with use of the Port's facilities. Maximum time limit is 72 hours in any 30-day period without advance arrangements through the Port Dock Manager.
3. No overnight camping is permitted on any Port property unless advance arrangements are made with the Port Dock Manager.

VI. BOAT OWNERS / OPERATORS REGULATIONS

1. VESSEL IDENTIFICATION. Any vessel or floating structure moored at the Port's facilities must have current State or Coast Guard registration. If current registration in the owner/operators name is not available for inspection, the Port may refuse to allow moorage. State registered and/or Coast Guard documented vessels shall display valid registration decal on the hull. Failure to display the current registration decal on the hull may be cause for termination of moorage.
2. SEAWORTHINESS. Vessels or floating structure moored at the Port must normally be completely seaworthy and ready for immediate relocation in case of emergencies.

3. UNATTENDED VESSELS. Vessels or floating structure, when unattended, must be securely moored. No lines, hoses, electrical cords, bow sprits, anchors, tackle, or other hazards shall be across the mooring floats unless authorized by the Port Dock Manager.
4. VESSEL CONDITION. Vessels or floating structure moored at the Port must be seaworthy and be capable of moving under their own power. No vessel or floating structure shall create a fire hazard, a sinking hazard, a pier or float damage hazard whether due to wave action or any other natural cause, or an unsightly condition. All vessels or floating structure shall be properly moored using adequate fore and aft and spring lines, as determined by the Port Dock Manager.
5. FLOAT MOORAGE CAPACITY. No vessel or floating structure shall moor at the Port floats which is in excess of the length of the float, or is of such size (tonnage, draft, and etcetera) as to exceed the safe moorage capacity of the Port facilities. Should a determination of such safe conditions be at issue, the Port Dock Manager shall make the final decision.
6. FLOAT MOORAGE PROHIBITED SEAWARD OF OUTER FLOAT EXCEPT FOR LOADING AND UNLOADING. No vessel or floating structure shall moor seaward of the outer float except for vessel loading and unloading purposes. The seaward side of the outer float is set aside and reserved for public viewing, fishing, crabbing, etc, and for vessel loading and unloading activities.
7. MOORAGE POLICY. Vessels or floating structure moorage is a shared opportunity with the Illahee community and is only to be used for temporary moorage. Maximum time limit is 72 hours in any 30-day period without advance arrangements through the Port Dock Manager.