

ORDINANCE NO. 1 - 1977

AN ORDINANCE AMENDING AND SUPERSEDING ORDINANCES NO. 1-1974, NO. 2 - 1975 AND OTHER ORDINANCES OF THE PORT OF NEWPORT, AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PORT OF NEWPORT:

Section 1. Section 9.1 of Ordinance No. 1974-1 and Article III of Ordinance No. 2-1975 are hereby repealed, and to the extent that the same is contrary to the provisions hereof, any other provision of any other ordinance of the Port of Newport is hereby declared to be superseded hereby.

Section 2. There shall be three categories of moorage fees, Category A - Commercial Vessels, Category B - Sport Vessels, and Category C - Transient, and the schedule of moorage fees for each category shall be as established by the Board of Port Commissioners of the Port of Newport by resolution. For commercial vessels there shall be two subclassifications, one being annual moorage based on a 12 month term payable in advance, and one being annual-transient moorage, based on moorage for a period of 6 months for the period October 15, through April 14, payable in advance, and 1/30th of one month's charge for any day or portion of any day the vessel is actually moored at any Port of Newport dock or other facility for the period from April 15 through October 14, inclusive. The fee for annual-transient moorage for the period October 15, through April 14 shall be paid in advance at the beginning of the annual term and any additional fees or any balance owed thereafter shall be paid within 10 days of billing.

Section 3. All annual moorage fees or annual-transient moorage fees are payable in advance, and in the event that the same shall not be paid within 30 days of the due date therefor, the Port Manager of the Port of Newport shall have the authority to cancel the moorage assignment and/or bill all moorage charges at the transient rate during the period of such delinquency, and thereafter if the moorage assignment shall have been cancelled. The foregoing shall be in addition to any other penalty, provision or surcharges imposed in the event of delinquency by this or any other ordinance of the Port of Newport, or as established by any resolution adopted hereunder.

Section 4. Additionally, the Board of Port Commissioners shall establish by resolution ancillary charges for other services made available by the Port.

Section 5. It appearing to the Port Commission of the Port of Newport that there may exist a state of confusion as to the exact rates imposed by the Port of Newport for moorage rates and ancillary services, and further inasmuch as prior practices with regard to the use of such ancillary services have led to various problems and difficulties, said Board of Port Commissioners hereby determines that the immediate adoption of this ordinance is necessary, and an emergency is hereby declared to exist and this ordinance is unanimously adopted and shall take effect immediately upon adoption.

ADOPTED this 13th day of June, 1977 by the following vote: