

**VILLAGE OF PORT CLEMENTS
BYLAW 483, 2023**

**A BYLAW TO ESTABLISH FEES AND REGULATIONS FOR BERTHAGE AND
MOORAGE**

WHEREAS the *Community Charter* gives Council the power to impose a fee payable in respect of all or part of a service of the municipality, to establish different rates or levels of fees in relation to different factors, and to establish terms and conditions for payment of a fee, including discounts, interest and penalties, by bylaw;

NOW THEREFORE the Council of the Village of Port Clements in open meeting assembled enacts as follows:

TITLE:

This bylaw may be cited as "Berthage and Moorage Bylaw #483, 2023"

DEFINITIONS:

Berthage: the space where a vessel may anchor, dock, or tie up.

Moorage: the fee applicable to pay for berthage.

BODY:

1. There are two appendixes attached to and forming a part of this bylaw, *Appendix A* outlines fees and *Appendix B* is the *Application for Berthage at the Small Craft Harbour*.
2. The Village of Port Clements "Berthage and Moorage Bylaw #471, 2021" is hereby repealed.

READ A FIRST TIME THIS 18 DAY OF SEPTEMBER, 2023

READ A SECOND TIME THIS 18 DAY OF SEPTEMBER, 2023

READ A THIRD TIME THIS 18 DAY OF SEPTEMBER, 2023

RECONSIDERED AND FINALLY ADOPTED THIS 22 DAY OF SEPTEMBER, 2023



Scott Gabianca
Mayor



Marjorie Dobson
Chief Administrative Officer

CERTIFIED A TRUE COPY OF
Berthage and Moorage Bylaw #483,2023

Appendix "A"

Attached to and forming part of
BERTHAGE AND MOORAGE BYLAW #483, 2023

Only the Small Craft Harbour is available for regular use of berthage for vessels within the Village of Port Clements. No other municipal operated or owned facility or infrastructure is permitted to be used for berthage unless authorized under a licence agreement for each occasion of usage.

If the Council of the Village of Port Clements grants a licence for use for another municipal operated or owned facility or infrastructure, such as the Rainbow Wharf, the fees and terms of usage will be set out in the terms and conditions of the licence.

All vessels including barges shall pay the following moorage rates when docked at the Small Craft Harbour:

Monthly- \$12.20 per meter

Daily- \$2.20 per meter

The monthly rate comes into effect when a vessel berths at the Small Craft Harbour for five (5) or more days of usage within a calendar month.

Hydro for all vessels	Daily	Monthly
110V 20 A Service Minimum Rate	\$3.00	\$ 65.00
220V 30A Service Minimum Rate	\$5.00	\$100.00
220V 50A Service Minimum Rate	\$7.50	\$150.00

Should an economical method of metering per boat become available, the Village of Port Clements maintains the right to charge clients additional charges if actual usage exceeds the rate set out above. By using the power provided users agree to these charges.

All Vessels wishing to gain access to the Small Craft Harbour are to fill out the *Application for Berthage at the Small Craft Harbour* as attached in Appendix B.

Miscellaneous Rates:

1. A fee for returned cheques is \$25.00
2. Interest of 2% per month will be charged on accounts unpaid for 30 days

Appendix "B"

Attached to and forming part of
BERTHAGE AND MOORAGE BYLAW #483, 2023

Application for Berthage at the Small Craft Harbour

Name of Owner: _____

Name of Vessel: _____

Name of Operator if different from Owner: _____

Contact Phone Number: _____ Vessel ID #: _____

Contact Email Address: _____

Vessel Length: _____ Vessel Width: _____

Mailing/Billing Address: _____

Date of start of vessel berthage: _____

Date of vessel departure/end of berthage: _____

I hereby understand that by using the Small Craft Harbour that I am consenting to follow all municipal bylaws in relation to the use of the facility and Harbour (*Port Clements Harbour Regulation Bylaw #318, 2001*).

I further agree to pay the rates as set out in Berthage and Moorage Bylaw #483, 2023 for use of the facility and Harbour.

I also understand that any damages caused by my vessel being moored at the Small Craft Harbour will be my responsibility to ensure that all damages are paid or fixed accordingly as agreed upon by the Village of Port Clements.

In addition, I will maintain the peace and enjoyment of the facility and will not create a nuisance on the Harbour, to other vessels, and persons wishing to access the Harbour.

I will comply with all Transport Canada Safety Rules and Regulations.

Attached with this application for berthage, I agree to submit a picture of my vessel for visual identification purposes of my vessel.

Effective Date of this agreement: _____

Owner/Operator

Municipal Staff