



**HARBOUR AUTHORITY MEETING  
Tuesday, May 4, 2021 @ 3:30 PM  
George Fraser Room, Ucluelet Community Centre,  
500 Matterson Drive, Ucluelet**

**LATE AGENDA**

	Page
1. LATE ITEMS	
1.1. Add the following as Correspondence Item 8.2. after page seven of the Agenda: <a href="#">2021-05-03 Smith.1</a>	3
1.2. Add Harbour Regulation Ucluelet Harbour Regulation Bylaw No. 1276, 2020 and District of Ucluelet Harbour Regulation Amendment Bylaw No. 1280, 2020 as Information Item 9.1 and renumber the remaining Agenda Items accordingly. <a href="#">1276 Bylaw, 2020 - Harbour Regulation and Administration</a> <a href="#">1280 Bylaw, 2020 - Harbour Regulation Amendment</a>	5 - 23



**Joseph Rotenberg**

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**From:** Joseph Rotenberg  
**Sent:** May 3, 2021 4:53 PM  
**To:** Joseph Rotenberg  
**Subject:** RE: Six month moorage option

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**From:** Ukeedave Smith [REDACTED]  
**Sent:** May 3, 2021 4:50 PM  
**To:** Abby Fortune <[AFortune@ucluelet.ca](mailto:AFortune@ucluelet.ca)>  
**Subject:** Re: Six month moorage option

Dear Mayor and Council,

In addition to my request for a six month moorage option for Ucluelet public docks, I would also like to suggest a reasonable rate. Docking for six months during the April 1 to Sept. 30 period would cost \$42.00, \$35.20 and \$22.275 per foot of boat length for monthly, quarterly and yearly existing moorage rates respectively. I suggest that a \$28.75 per foot rate for a six month period would be reasonable and fair. There is a reduction in the yearly rate for 60+ seniors, but it does not seem to factor into the April to September period. Thank you for your consideration of this matter.

David Smith.

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**DISTRICT OF UCLUELET**

**BYLAW NO. 1276, 2020**

A bylaw to administer and regulate the use and operation of harbour facilities in Ucluelet

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**WHEREAS** Local Governments are empowered to make agreements with a public authority respecting:

- i) the undertaking, provision and operation of activities, works or services,
- ii) the operation and enforcement in relation to the exercise of regulatory authority within the powers of a party to the agreement, and
- iii) the management of property or an interest in a property held by a party to the agreement, and, in exercising its powers, to establish any terms and conditions it considers appropriate;

**AND WHEREAS** approval of the electors has been obtained through a counter petition opportunity for a Harbour Authority Lease between the District of Ucluelet and Her Majesty the Queen, in right of Canada, as represented by the Minister of Fisheries and Oceans acting through the Regional Director, for the primary purpose of operating, maintaining and managing a public commercial fishing harbour at Ucluelet;

**AND WHEREAS** the Local Government is empowered to operate, maintain and manage the harbour facilities owned by and located in the District of Ucluelet, and set the fees for moorage and any other fees or charges it deems necessary for the efficient operation and maintenance of such facilities;

**NOW THEREFORE** the Council of the District of Ucluelet in open meeting assembled enacts as follows:

**1. DEFINITIONS**

**"Abandoned"** means leaving a vessel or watercraft at a dock without payment of moorage for a period in excess of forty-five (45) days.

**"Berth"** means a location at a dock where a vessel or watercraft may be moored.

**"Berthage or Moorage"** means a charge for the occupation by a vessel of a berth or other space at a harbour.

**"Broker, Buyer, Processor"** means any entity, including but not limited to companies, corporations, etc., that purchases, processes, delivers and/or sells marine products, including trucks or other vehicles used to conduct such business.

**"Bylaw Enforcement Officer"** means a person designated by the Harbour Authority to enforce the regulations of this bylaw.

**"Charter Operator"** means a person or persons engaged in or used for providing goods or services for sale or rent to the public with the primary motive being profit.

**“Commercial Business”** means a commercial or industrial undertaking of any kind or nature or the providing of professional, personal or other services for the purpose of gain or profit.

**“Facility”** means the wharves, floats, docks and equipment located at Main Street (Whiskey Dock), Otter Street (52 Steps Dock), and the areas defined in the Small Craft Harbours Lease, being Ucluelet West (Inner and Outer Boat Basins).

**“Harbour Authority”** means the Council of the District of Ucluelet.

**“Harbour Manager”** means the person(s), organization or other entity retained by the Harbour Authority to manage the harbour facilities in the District of Ucluelet.

**“Loading Zone”** means that area of dock used solely for the loading and unloading of passengers, supplies or freight and identified by a yellow painted tie rail.

**“Moor”** means to secure a vessel or watercraft by the means of lines, cables or anchors.

**“Owner”** means,

- a) in the case of a vessel, the master, operator or person in charge of the vessel, and
- b) in the case of goods, the agent, consignor, consignee or carrier of the goods.

**“Seaplane”** means an aircraft on floats whether operated privately or commercially.

**“Small Craft Harbour”** means the areas and equipment as defined in the lease agreement between the District of Ucluelet and Her Majesty the Queen, in right of Canada, as represented by the Minister of Fisheries and Oceans for use by the Harbour Authority for the purpose of operating, maintaining and managing a public commercial fishing harbour at Ucluelet.

**“Small Craft Harbour Lease”** means the Harbour Authority Lease between the District of Ucluelet and Her Majesty the Queen, in right of Canada, as represented by the Minister of Fisheries and Oceans acting through the Regional Director.

**“Solicitation”** means to initiate communicate, in person, using the spoken, written or printed word, except for company or business names on vessels, a gesture or another means, for the purpose of receiving money or another thing of value, regardless of whether consideration is offered or provided in return.

**“Wharfage”** means a charge for the placing of goods on a wharf or for the loading of goods or persons on or unloading of goods or persons from a vessel at a wharf.

## **2. VESSEL CLASSIFICATIONS**

For purposes of this bylaw, vessels shall be classified as follows:

### **1. Charter Vessel**

Any vessel that is used to conduct a commercial business by offering or providing any type of goods or services to the public.

### **2. Commercial Fishing Vessel (CFV)**

- a) Any person or vessel that has been issued a current Commercial Fishing license by Fisheries and Oceans Canada or a current Aquaculture License by the Ministry of Agriculture, Food & Fisheries enabling such vessel to harvest sea products for the purposes of selling such products. For the purposes of this bylaw, the Commercial Fishing Vessel (CFV) category will include Tug Boats.
- b) For the purpose of this bylaw, other vessels used for commercial purposes not otherwise classified in this document will be included as Commercial Fishing Vessels

### **3. Recreational Vessel**

Any vessel that is primarily used for recreational or pleasure use and does not conduct a business on board the vessel and is not involved in the harvesting of sea products for the purpose of selling such products.

## **3. HARBOUR AUTHORITY**

1. The Harbour Authority hereby establishes berthage/moorage rates and other such rates and fees or other charges as are deemed necessary and such rates and fees or other charges are attached hereto as Schedule "A".
2. The Harbour Authority may pay out such monies as may be requisite for any expenses involved in the operation of the aforesaid facility.
3. The Harbour Authority may make any regulations necessary for the safe and efficient operation of the facilities.
4. The Harbour Authority may, by resolution, enter into a contract with an individual, individuals or a company for the management of said facilities.

## **4. GENERAL REGULATIONS**

The following regulations apply to the facilities:

1. All persons shall abide by all applicable statutes, regulations, bylaws and policies, including the Fishing & Recreational Harbour Act and the District of Ucluelet's bylaws and policies.
2. All persons shall comply with the policy provisions of the Environmental Management Plan established by the Harbour Authority for marine facilities.
3. All persons using Ucluelet harbour facilities, whether a vessel owner, his agent, guests or members of the public, do so at their own risk, and the Ucluelet Harbour Authority shall not be responsible for any loss, damage, expense, death or injury sustained by such a person.
4. No person shall moor any boat without proper authorization of the Harbour Manager and/or authorized personnel and completion of a berthage/moorage agreement, in

the form prescribed by the District of Ucluelet, the terms and conditions of which are to be considered regulations for the purpose of this bylaw.

5. The Harbour Authority and/or its representatives are hereby empowered to move or to direct to be moved, any vessel (s) from one location at a facility to another location at a facility whenever it is deemed necessary.
6. The Harbour Authority and/or its representatives are hereby empowered to order the removal of any vessel moored directly or indirectly to the floats, which in their opinion, is in danger of sinking or is a hazard to water borne traffic. If the owner or person responsible for the vessel cannot be found, the Harbour Authority or its representatives may take any action considered necessary to correct or alleviate the matter; the cost of all such actions shall be at the owner's expense.
7. The Harbour Manager and/or authorized personnel may assign berths to vessels at the wharves and floats in such order or precedence as it deems fit.
8. The Harbour Manager and/or authorized personnel shall determine the overall length of the vessel by measuring from bow to stern adding all appendages such as swim boards, outboard motors, bow sprits and such determinations shall be conclusive.
9. No person shall berth any boat in front of any section of floats or wharves marked "loading zone" except for the purpose of loading and unloading, and such boats shall not be left unattended in the said "loading zone".
10. All vessels shall be clearly marked with name and/or registration numbers. All vessels must have an emergency contact number posted on the vessel when the owner/operator is absent.
11. No person shall leave gear, equipment, small boats or any other type of material or object on the floats.
12. If, in the opinion of the Harbour Authority and/or its representatives, any boats, gear, or personnel materials beached, abandoned, or berthed at the floats or wharf head, are considered to be abandoned or derelict, the Harbour Authority or its representatives may order the owner(s) to remove such boats, gear or materials, and if, after advertising by a notice in the local newspaper and posting a copy of such notice at the facility, such boats, gear or materials have not been removed by the owner or owners thereof within fifteen (15) days of the date of such notice, then such boats, gear and/or materials may be disposed of by the Harbour Authority or its representatives as they see fit; the cost of all such actions shall be at the owner's expense
13. No person shall remove, damage or destroy any notice posted at the harbour facilities.
14. No person shall obstruct or impede in any way the docking or undocking of any vessel in the harbour.



15. Where goods or articles fall overboard from a vessel, the master or person in charge of the vessel shall make every reasonable effort to recover those goods or articles. Where the master or person in charge of a vessel is unable to recover any goods or articles that have fallen overboard, he shall report such failure to the Harbour Manager and/or authorized personnel.
16. No person shall supply to, receive into or discharge from a vessel in a harbour or vehicle on harbour property, any gasoline or other fuel or oil.
17. No person shall dispose of garbage, sewage or wastes at a harbour except in a place specifically provided for that purpose or as directed by the Harbour Manager and/or authorized personnel.
18. No person who is the owner or operator of a vessel shall permit the vessel to leave a harbour facility until all charges payable in respect of the vessel have been paid. Owners or operators of a vessel with outstanding accounts will be refused moorage at all District of Ucluelet and Small Craft Harbour facilities until payment has been received at the District of Ucluelet Municipal Office.
19. It shall be unlawful for any person or persons to connect to any outlet for heating purposes with an extension cord other than that constructed from a single length not exceeding 125 feet (41.6 metres), of not less than #12 wire – 3 wire grounded cord.
20. It shall be unlawful for any person(s) to park or leave standing any vehicle, except for the purpose of loading or unloading, on the approach to the wharf head.
21. No person shall solicit at any harbour facility.
22. No person shall use bikes, skateboards or roller blades on wharves or floats at any harbour facility.
23. Animals must be kept on a leash at all times and owners are responsible for cleaning up after their animals at all harbour facilities.
24. No person(s) shall use a wood-burning stove or permit any other open fire on board a vessel while moored at any harbour facility.
25. No person shall put into the water any offal/waste off any dock or float from any Small Craft Harbour or District of Ucluelet facility. All offal/waste shall be removed to outside the mouth of the harbour or parallel to Francis Island.
26. No person shall leave or park a boat trailer upon any Small Craft Harbour property.

## **5. MOORING REGULATIONS**

1. It shall be unlawful for any person to berth a derelict boat, hull, scow, log float, log or logs at harbour facilities.

2. It shall be unlawful for any person to berth a float house, houseboat, or boathouse at a Ucluelet Harbour facility, without the written permission of the Harbour Authority through a lease agreement or license issued by the District of Ucluelet.
3. No person shall permit the lines of a vessel that is berthed or moored at a harbour to be made fast to anything other than the facilities provided for berthing or mooring or permit such lines to lie across any wharf or across any channel in such a manner as to obstruct or interfere with any other vessel, vehicle, or person.
4. Where a vessel is moored in a harbour, the master or person in charge shall, where necessary, permit another vessel to move alongside and make fast to it.
5. Where two or more vessels are moored alongside one another at the same wharf, one vessel outside the other, and the vessel on the outside does not have a gangway extending to the wharf, the person in charge of the vessel lying nearer to the wharf shall allow persons on the vessel farther from the wharf free and unencumbered passage over its deck.
6. Where a vessel is made fast to or secured alongside another vessel, one vessel outside the other,
  - a) the lines of the vessel that is so made fast or secured shall not, except in an emergency, be cut or cast off by any person unless that person gives notice of his intention to do so to the master or person in charge of that vessel; and
  - b) the master or person in charge of the inside vessel, when ready to leave harbour, may move any outside vessel if the owner or persons in charge of any such vessel cannot be located, and shall re-secure said vessel to the float once the vessel has been moved.
7. A fee for connection and use of electricity services will be charged as prescribed in Schedule "A".
8. If, in the opinion of the Harbour Manager and/or authorized personnel, a vessel requires pumping out, a pump may be placed on any vessel located at the facility without fear of liability or reproach. A fee as set out in Schedule "A" attached to and forming a part of this bylaw may be levied against the owner should it be necessary to pump out a vessel with or without the owner's consent.

## **6. STAYING ON BOARD A VESSEL**

1. Staying on board a Charter Vessel is prohibited at all harbour facilities, unless the Harbour Authority has approved the implementation of a Liveboard lease agreement for the vessel.
2. Owners, operators and crewmembers may stay aboard Commercial Fishing Vessels (CFVs) and Recreational Vessels at all harbour facilities, subject to **all** of the following conditions:
  - a. Owner, operator and crewmembers must notify the Harbour Manager of their intention to stay on board the vessel and the expected length of stay;
  - b. Maximum stay (total of all nights staying aboard at all harbour facilities) is fourteen (14) days in any rolling thirty 30 day period;

- c. The vessel must be able to move under its own power;
- d. The vessel must have holding tanks or seals placed on the toilets;
- e. No equipment or personal belongings are to be attached to or left on the docks;
- f. The area of berthage will be determined by the Harbour Manager and/or authorized personnel.

## **7. LIVEBOARDS**

1. No person shall berth in a harbour, a vessel to be used as a residence unless **all** of the following criteria are met:
  - (a) An application for a lease agreement has been completed and forwarded to the Harbour Authority;
  - (b) Approval of the lease agreement has been granted by the Harbour Authority and such approval shall be entirely at the Harbour Authority's discretion;
  - (c) Lease fees, as prescribed in Schedule "A", have been paid in advance;
  - (d) The vessel must be able to move under its own power;
  - (e) The vessel must have holding tanks or seals placed on the toilets;
  - (f) No equipment or personal belongings are to be attached to or left on the docks;
  - (g) The area of berthage will be determined by the Harbour Manager and/or authorized personnel.
2. Vessels approved as Liveboards under a lease agreement will pay the electrical connection fees, if applicable, as set out in Schedule "A".
3. Lease fees for the first three months are non-refundable.

## **8. RESERVED BERTHS**

1. Reserved berthage is assigned by the Harbour Manager, subject to District Policy.
2. Reserved berths are only available on a three month basis. Vessels requiring less than three months will pay the reservation fee for the entire three months.
3. Reservation fees are non-refundable.

## **9. CHARTER VESSELS**

1. Staying on board a Charter Vessel is prohibited at all harbour facilities, unless the Harbour Authority has approved a Liveboard lease agreement for the vessel.
2. All Charter Vessels must have a valid and subsisting business license with the District of Ucluelet.
3. All Charter Vessels must have a \$2,000,000.00 liability insurance policy and supply the District of Ucluelet with a copy.
4. Charter Vessels shall pay moorage fees, electrical connection fees if the vessel requires an electrical service, and any other applicable fees, as prescribed in Schedule "A", at time of registration.

**10. COMMERCIAL FISHING VESSEL (CFVs)**

1. Commercial Fishing Vessels (CFVs) may sell their marine products provided the vessel has been issued a vendors license by the Department of Fisheries & Oceans and has a current District of Ucluelet Business License.
2. Commercial Fishing Vessels (CFVs) will ensure all nets and/or gear is clear and cleaned of all marine life before docking at facilities.
3. Commercial Fishing Vessels (CFVs) will pay moorage fees, electrical connection fees if the vessel requires an electrical service, and any other applicable fees prescribed in Schedule "A".
4. Any vessel/person that has been issued a Commercial Fishing Vessel (CFV) license by Fisheries and Oceans Canada or an Aquaculture License issued by the Ministry of Agriculture, Food & Fisheries that is operating as a Charter Vessel will be charged the Charter Vessel moorage rate.

**11. RECREATIONAL VESSELS**

1. Subject to availability, Recreational Vessels may be assigned moorage by the Harbour Manager and/or authorized personnel.
2. Recreation Vessels will pay, in advance, the applicable moorage fees, electrical connection fees if using an electrical connection, and any other applicable fees, as set out in Schedule "A".

**12. WHARFAGE FEES**

1. All Commercial Vessels that are utilizing Ucluelet harbour facilities for the loading or unloading of goods and/or persons at any time will pay wharfage fee(s) as prescribed in Schedule "A".
2. All Commercial Fishing Vessels (CFVs) loading or unloading goods at any harbour facility will pay the wharfage fee(s) prescribed in Schedule "A".
3. All Brokers, Buyers, Processors loading or unloading goods and/or persons at any harbour facility will pay the wharfage fee(s) prescribed in Schedule "A".
4. All Commercial businesses operating from or on board a vessel that utilize any Ucluelet harbour facilities in the course of their business activities will pay a wharfage fee prescribed in Schedule "A".
5. Subject to the approval of the Harbour Manager and/or authorized personnel, harbour facilities may be used for temporary storage or for working on gear and the fees prescribed in Schedule "A" will apply.

**13. BYLAW ENFORCEMENT OFFICER**

1. For the purposes of this bylaw, the designated Bylaw Enforcement Officer means any of the following;
  - a) Harbour Manager and/or authorized personnel for the District of Ucluelet
  - b) Chief Administrative Officer for the District of Ucluelet
  - c) Bylaw Enforcement Officer for the District of Ucluelet

2. The Bylaw Enforcement Officer is authorized and empowered to inspect, compel, and require that all the regulations and provisions prescribed in this bylaw are carried out.

#### **14. VIOLATION/PENALTIES**

1. No person shall prevent or obstruct, or attempt to prevent or obstruct, the Bylaw Enforcement Officer, or any other employee of the Municipality authorized to enforce the provisions of this bylaw.
2. No person shall do any act or suffer or permit any act or thing to be done in contravention of this bylaw.
3. Every person who violates any of the provisions of his bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw is liable on summary conviction to a fine of not more than two thousand dollars (\$2,000.00) and costs (including the costs of the committal and conveyance to the place of imprisonment) for each offense, and in default of payment therefore, to imprisonment of a term not exceeding six months in jail. Each day that such violation is permitted to continue shall be a separate offence.

#### **15. TICKETING**

Tickets issued for offences against this bylaw shall be in accordance with Schedule "B", attached hereto and forming part of this Bylaw.

#### **16. SEVERABILITY**

If any provision of this Bylaw is determined by a court of competent jurisdiction to be unlawful or unenforceable, that provision shall be severed from this Bylaw and shall not affect the validity of any remaining provision of this Bylaw.

#### **17. ADMINISTRATIVE PROVISIONS:**

1. Ucluelet Harbour Regulation Bylaw No. 1134, 2011 and all amendments thereto are hereby repealed.
2. This Bylaw may be cited for all purposes as "Ucluelet Harbour Regulation Bylaw No. 1276, 2020".


**READ A FIRST TIME** this 23<sup>rd</sup> day of June, 2020.

**READ A SECOND TIME** this 23<sup>rd</sup> day of June, 2020.

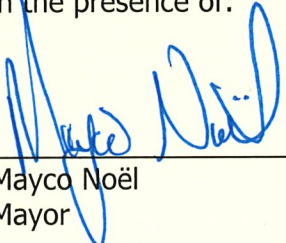
**READ A THIRD TIME** this 23<sup>rd</sup> day of June, 2020.


**ADOPTED** this 14<sup>th</sup> day of July, 2020.

**A TRUE AND CORRECT COPY** of the "Ucluelet Harbour Regulation Bylaw No. 1276, 2020".

  
\_\_\_\_\_  
Mark Boysen  
CAO

**THE CORPORATE SEAL** of the  
District of Ucluelet was hereto affixed  
in the presence of:

  
\_\_\_\_\_  
Mayco Noël  
Mayor

  
\_\_\_\_\_  
Mark Boysen  
CAO

**Bylaw No. 1276, 2020****SCHEDULE "A"  
Moorage Rates**

Rates, fees and charges at all District of Ucluelet harbour facilities including Main Street (Whiskey Dock), Ucluelet West Small Craft Harbours (Inner And Outer Boat Basins), Otter Street (52 Steps) are as follows:

**MOORAGE RATES:**

Any vessel/person that has been issued a Commercial Fishing Vessel (CFV) license by Fisheries and Oceans Canada or an Aquaculture License issued by the Ministry of Agriculture, Food & Fisheries that is operating as a Commercial Vessel will be charged the higher moorage rate.

**CHARTER OPERATORS**

Moorage Rates are charged per foot (overall length of the vessel)

<b>Daily</b>	<b>Weekly</b>	<b>Monthly</b>	<b>Quarterly</b>	<b>Annual</b>
n/a	n/a	\$7.30	n/a	\$46.50

**COMMERCIAL FISHING VESSELS (CFVs) and  
OTHER VESSELS USED FOR COMMERCIAL PURPOSES**

Moorage rates are charged per foot (overall length of the vessel)

<b>Small Craft Harbour facilities</b>				
<b>Daily</b>	<b>Weekly</b>	<b>Monthly</b>	<b>Quarterly</b>	<b>Annual</b>
\$.20	N/A	\$3.00	\$5.50	\$15.00

<b>Whiskey Dock facility</b>				
<b>Daily</b>	<b>Weekly</b>	<b>Monthly</b>	<b>Quarterly</b>	<b>Annual</b>
\$.21	N/A	N/A	N/A	N/A

**RECREATIONAL VESSEL**

Moorage rates are charged per foot (overall length of the vessel)

	<b>Daily</b>	<b>Weekly</b>	<b>Monthly</b>	<b>Quarterly</b>	<b>Annual</b>
Oct 1 to Mar 31	\$.60	\$3.65	\$5.45	\$8.50	\$44.55
Apr 1 to Sep 30	\$.90	\$5.30	\$7.00	\$17.60	\$44.55

**SEAPLANES – Moorage rates are charged for tie up periods (dropping off or picking up passengers)**

<b>2 hour period</b>	<b>Each Additional Hour</b>
\$50.00	\$25.00

In addition, Wharfage Fees will apply, if applicable.

**LIVE ABOARD – LEASE RATES**

Lease rates for all Liveaboards approved by the Harbour Authority are payable, in advance, as follows:

Lease rates are charged per foot (length of the vessel)

<b>Annual (in advance)</b>
\$54.00

Lease fees for the first three months are non-refundable with the balance refunded at 85% of the unused portion.

Electrical Connection Fees are applicable if an electrical connection is required.

**RESERVED BERTH**

For vessels approved for a three-month Reserved Berth the following reservation fee is payable, in advance of the reserved berth being made available.

\$225.00 for up to and including three months

**WHARFAGE FEES**

**Charter Vessels:**

For Charter Vessels that have **not** paid a moorage fee within the twenty-four hour period immediately before or after loading or unloading goods and/or persons, other than owner and crewmembers, at any harbour facility, the Wharfage fee, payable in advance, is as follows:

- |   |           |
|---|-----------|
| 1. Per day or part thereof  | \$50.00   |
| 2. Annual rate (January 1 <sup>st</sup> – December 31 <sup>st</sup> ) | \$1500.00 |

For Commercial Vessels that have paid a moorage fee within the twenty-four hour period immediately before or after loading or unloading goods and/or persons, other than owner and crewmembers, at any harbour facility, the Wharfage fee, payable in advance, is as follows:

- |   |          |
|---|----------|
| 1. Per day or part thereof  | \$25.00  |
| 2. Annual rate (January 1 <sup>st</sup> – December 31 <sup>st</sup> ) | \$500.00 |



**Commercial Fishing Vessels (CFVs):**

For Commercial Fishing Vessels (CFVs) that have **not** paid a moorage fee within the twenty-four hour period immediately before or after loading or unloading goods at any harbour facility, the Wharfage fee, payable in advance, is as follows:

Per day or part thereof	\$250.00
Annual Rate	\$2,000.00

**Other Business Activities**

For all other businesses operating on or utilizing harbour facilities during the course of their business activities, the Wharfage fees, payable in advance, are as follows:

Per day or part thereof	\$100.00
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**ELECTRICITY (POWER) CONNECTION FEES**

	Daily	Monthly
30 Amp Power	\$3.00/outlet	\$50/outlet
50 amp power	\$6.00/outlet	\$100.00/outlet

**MISCELLANEOUS SERVICES, FEES AND CHARGES**

1. At the discretion of the Harbour Authority, a fee may be levied if the Harbour Manager and/or authorized personnel is/are called out between the hours of 10:00 p.m. and 7:00 a.m. for any reason.

First hour	\$75.00
Each additional hour	\$50.00

2. A fee of \$75.00 will be levied per vessel pump out in addition to the Harbour Manager and/or authorized personnel call out fee, if applicable.
3. Interest at 2% per month will be charged on accounts unpaid after 30 days.
4. All fees are subject to applicable taxes.

## Harbour Regulation Bylaw No. 1276, 2020

### Schedule "B" Violation & Penalties

<b>Offence</b>	<b>Section</b>	<b>Fine – First Offence</b>	<b>Fine – 2<sup>nd</sup> and Each Subsequent Offence</b>
Not adhering to rules, policies & regulations	4.1	\$100.00	\$200.00
Not adhering to provisions of EMP.	4.2	\$100.00	\$200.00
Mooring without authorization or berthage agreement	4.4	\$100.00	\$200.00
Berth and/or Tie vessel at marked loading zone	4.9	\$100.00	\$200.00
Leave vessel unattended at loading zone	4.9	\$100.00	\$200.00
Vessel not displaying name, registration number, emergency contact number	4.10	\$100.00	\$200.00
Leave gear, equipment, materials on dock /float	4.11, 6.2(e), 7.1(f)	\$100.00	\$200.00
Remove, damage or destroy posted notices	4.13	\$100.00	\$200.00
Impede docking or undocking of vessel	4.14	\$100.00	\$200.00
Fail to retrieve and notify Harbour Manager and/or authorized personnel of articles falling overboard	4.15	\$100.00	\$200.00
Supply, receive into or discharge fuels or oil from a vessel without authorization	4.16	\$100.00	\$200.00
Dispose of garbage, sewage or waste inappropriately	4.17	\$200.00	\$400.00
Put offal/waste into water from any SCH or District facility	4.25	\$200.00	\$400.00
Leave harbour with outstanding payments	4.18	\$200.00	\$400.00
Connect to outlet with nonconforming cord	4.19	\$100.00	\$200.00
Leave vehicle standing on wharf head approach	4.20	\$100.00	\$200.00
Solicit at any harbour facility	4.21	\$200.00	\$400.00
Use skateboard, roller blade or bicycle on docks	4.22	\$100.00	\$200.00
Pet off-leash and non removal of feces	4.23	\$100.00	\$200.00
Use a wood burning stove or permit an open fire on board while berthed at any harbour facility	4.24	\$100.00	\$200.00
Leave or park a boat trailer upon Small Craft harbour Property	4.26	\$100.00	\$200.00
Berth a derelict boat, hull, scow, log float, log(s)	5.1	\$200.00	\$400.00
Berth a float house, houseboat, boathouse	5.2	\$100.00	\$200.00

Make fast a vessel inappropriately, permit lines to interfere with other vessels or persons	5.3	\$100.00	\$200.00
Refuse another vessel to make fast	5.4	\$100.00	\$200.00
Refuse rafted vessel passage to wharf	5.5	\$100.00	\$200.00
Cut or cast off rafted vessel without notice	5.6(a)	\$100.00	\$200.00
Exceed maximum stay at harbour facilities	6.2(b)	\$200.00	\$400.00
Vessel unable to operate under own power	6.2(c), 7.1(d)	\$200.00	\$400.00
Vessel without seal on sewer outlet	6.2(d), 7.1(e)	\$200.00	\$400.00
Berth a vessel as a residence without a lease agreement with the Harbour Authority	7.1(b), 9.1	\$200.00	\$400.00
Berth a vessel as a residence owing lease fees	7.1(e)	\$100.00	\$200.00
Commercial vessel without valid Business License	9.2	\$200.00	\$400.00
Commercial vessel without liability insurance	9.3	\$200.00	\$400.00
Commercial vessel without municipal decal	9.5	\$100.00	\$200.00
CFV selling product without vendors license	10.1	\$200.00	\$400.00
CFV selling product without business license	10.1	\$200.00	\$400.00
CFV moored with marine life in nets or gear	10.2	\$100.00	\$200.00
Unpaid wharfage fees	12.1,12.2, 12.3	\$200.00	\$400.00
Attempt to prevent or obstruct a Bylaw Enforcement Officer	14.1	\$200.00	\$400.00
Permit contravention of this bylaw	14.2	\$100.00	\$200.00



**DISTRICT OF UCLUELET**  
**BYLAW NO. 1280, 2020**

A bylaw to amend District of Ucluelet Harbour Regulation Bylaw No. 1276, 2020

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**WHEREAS** Local Governments are empowered to make agreements with a public authority respecting:

- i) the undertaking, provision and operation of activities, works or services,
- ii) the operation and enforcement in relation to the exercise of regulatory authority within the powers of a party to the agreement, and
- iii) the management of property or an interest in a property held by a party to the agreement, and, in exercising its powers, to establish any terms and conditions it considers appropriate;

**AND WHEREAS** the Local Government is empowered to operate, maintain and manage the harbour facilities owned by and located in the District of Ucluelet, and set the fees for moorage and any other fees or charges it deems necessary for the efficient operation and maintenance of such facilities;

**AND WHEREAS** the harbour facility is regulated according to Ucluelet Harbour Regulation Bylaw No. 1276, 2020;

**NOW THEREFORE** the Council of the District of Ucluelet in open meeting assembled enacts as follows:

**Short Title**

1. This bylaw may be known and cited for all purposes as the “District of Ucluelet Harbour Regulation Amendment Bylaw No. 1280, 2020”.

**Application**

2. This bylaw amends the indicated provisions of District of Ucluelet Harbour Regulation Bylaw No. 1276, 2020.

**Enactment**

3. Where there is a discrepancy between this Bylaw and any or all amendment bylaws enacted prior to this bylaw and affecting the District of Ucluelet Harbour Regulation Bylaw No. 1276, 2020, then this Bylaw shall be deemed to supersede the prior bylaw(s) in the matter of the discrepancy.
4. This Bylaw shall come into full force and effect on the final adoption thereof.

**Amendments**

5. In Part 9 – CHARTER VESSELS, Council:
  - a. deletes “3. All Charter Vessels must have a \$2,000,000.00 liability insurance policy and supply the District of Ucluelet with a copy.”

- b. inserts “3. All Charter Vessels must have valid vessel insurance with \$2,000,000.00 liability, wreck removal and sudden and accidental pollution coverage, and must produce insurance documentation on demand.”
6. In Part 10 – COMMERCIAL FISHING VESSELS (CFVs), Council:
    - a. inserts “5. All Commercial Fishing Vessels (CFVs) must have valid vessel insurance with \$2,000,000.00 liability, wreck removal and sudden and accidental pollution coverage, and must produce insurance documentation on demand.”
  7. In Part 11 – RECREATIONAL VESSELS, Council:
    - a. inserts “3. All Recreational Vessels must have valid vessel insurance with \$2,000,000.00 liability, wreck removal and sudden and accidental pollution coverage, and must produce insurance documentation on demand.”
  8. In SCHEDULE “A”, under MISCELLANEOUS SERVICES, FEES AND CHARGES, Council:
    - a. inserts “4. All fees are subject to a 2% surcharge to be paid to Thornton Creek Enhancement Society and a 4% surcharge to be paid to Royal Canadian Marine Search and Rescue - Ucluelet.” Any remaining sections or subsections are renumbered accordingly.

### **Severability**

9. If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.

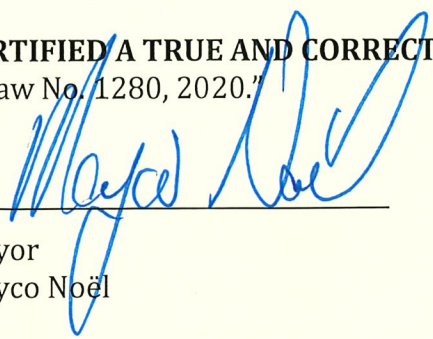
**READ A FIRST TIME** this 15<sup>th</sup> day of December, 2020.

**READ A SECOND TIME** this 15<sup>th</sup> day of December, 2020.

**READ A THIRD TIME** this 15<sup>th</sup> day of December, 2020.

**ADOPTED** this 12<sup>th</sup> day of January, 2021.

**CERTIFIED A TRUE AND CORRECT COPY** of "District of Ucluelet Harbour Regulation Bylaw No. 1280, 2020."

  
\_\_\_\_\_  
Mayor  
Mayco Noël

  
\_\_\_\_\_  
Corporate Officer  
Mark Boysen

**THE CORPORATE SEAL** of the District of Ucluelet was hereto affixed in the presence of:



  
\_\_\_\_\_  
Corporate Officer  
Mark Boysen