after recording return to
Port of Astoria
#1 Portway St
Astoria, OR 97103

IN THE BOARD OF PORT COMMISSIONERS

FOR THE PORT OF ASTORIA

ORDINANCE NO. 2000-01	)	AN ORDINANCE ESTABLISHING RULES AND USE FEES FOR PORT DOCKING FACILITIES

The Board of Commissioners of the Port of Astoria ordains as follows:

SECTION 1. SHORT TITLE

This ordinance shall be entitled and shall be known as the "Ordinance Establishing Rules and Use Fees for Port Docking Facilities".

SECTION 2. PURPOSE

The purpose of this ordinance is to maintain Port docking facilities. This ordinance will set forth the rules governing the public's use of Port docking facilities, establish fines for violation of rules and establish use fees for Port docks and facilities.

SECTION 3. CONFORMANCE OF STATE LAW

This ordinance shall not substitute for nor eliminate the necessity for conformity with any and all laws or rules of the State of Oregon, or its agencies, or any ordinance, rule, or regulation of the Port of Astoria, Terminal Tariff #10, or subsequent adopted Terminal Tariffs.

SECTION 4. INCONSISTENT PROVISIONS

This ordinance shall supersede, control and repeal any inconsistent provision of any Port of Astoria ordinance as amended or any other regulations made by the Port of Astoria.

SECTION 5. SEPARABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a Court of competent jurisdiction, such portion shall be

deemed a separate, distinct and independent provision and such holding shall not effect the validity of the remaining portions of this ordinance.

SECTION 6. AUTHORITY

This ordinance is adopted pursuant to ORS 777.190 and ORS 198.510 et seq.

SECTION 7. EFFECTIVE DATE

This ordinance shall take effect on the 30th day following adoption by the Board of Port Commissioners as provided in ORS 198.570.

SECTION 8. ADOPTION CLAUSE

The Board of Commissioners of the Port of Astoria hereby approves Exhibit A attached hereto and by reference herein made a part of this ordinance in its entirety.

BOARD OF PORT COMMISSIONERS FOR
THE PORT OF ASTORIA

Effective Date: July 21, 2000

By Bob Eaton
Bob Eaton, President

APPROVED AS TO FORM:

Counsel

EXHIBIT A

DOCK REGULATIONS

A. Definitions

(1) "Port docking facilities" means Piers 1, 2, and 3 and the East and West Mooring Basins.

(2) "Motor vehicle" means every self-propelled vehicle and vehicle designed for self-propulsion, except police and other emergency motor vehicles, and does not include camping or sleeping facility vehicles.

(3) "Port Director" means the Executive Director of the Port or his designee.

B. Port Docking Facilities Property Restrictions

The following restrictions shall apply to all Port docking facilities:

(1) Fires and smoking may be restricted by the Port Director at any time.

(2) No person shall drive a vehicle at a speed greater than is reasonable and prudent, having due regard to traffic, surface, and strength of roadways, hazards at intersections, and other conditions then existing. The maximum speed limit on all interior roads, drives, and parking lots shall be 15 miles per hour, unless otherwise posted.

(3) No person shall leave on Port docking facilities or dispose in Port docking facilities receptacles debris, garbage, oil or refuse without written permit or permission from Port Director.

C. Restricted Areas

(1) The Port Director may, if necessary to protect operations or to promote safety on any docking facility, designate areas as access restricted;

(2) No person shall enter into an access restricted area unless that person has the written permission of the Port Director.

D. Registration

(1) Any person docking or parking on Port docking facilities shall register in the manner required by the Port Director within six (6) hours of arrival.

E. Vessel and Equipment Repair

(1) No person shall perform any vessel repair or equipment repair work on Port docking facilities without a permit or permission of the Port Director.

(2) Any permitted repair work must comply with Best Management Policies adopted by Order of the Board of Port Commissioners.

(3) Any permitted work shall be done in such a manner as to preclude any environmental contamination, and the Port Director may impose such terms as necessary to protect Port property from contamination, including requiring containment.

(4) All hazardous materials used in permitted work must be kept in the original container with their original label, and shall not be disposed of on Port docking facilities.

(5) In the event of an accidental spill of a hazardous substance, oil or chemicals during permitted work, the Port Director shall immediately be notified.

(6) Persons performing permitted work shall not dispose of, or discharge bilge water, oil, black water, or gray water on Port docking facilities or waters adjacent thereto.

F. Commercial Enterprise

(1) No person, excluding government agencies and utilities, shall operate a concession, commercial enterprise, or engage in the business of selling, hawking, peddling or vending any merchandise, material, or service without a written permit from the Port of Astoria.

G. Fees

(1) The fees for Port docking facilities shall be set by order of the Board of Port Commissioners.

(2) No person shall attempt to use Port docking facilities in a manner for which a fee is required without paying the established fee.

H. Enforcement

(1) Anyone violating this ordinance may be removed from Port docking facilities and denied further access to Port property.

(2) Violation of this ordinance shall be punishable, upon conviction, by a fine of not more than $250.00 for a non-continuing offense and $1,000.00 for a continuing offense. Offenses shall be prosecuted pursuant to ORS 198.600, as amended.

(3) Bail shall be set as 10% of the maximum fine together with any fees and assessments required by Oregon law.