STATEMENT OF POLICY
RELATING TO THE OPERATION, MANAGEMENT &
USE OF WHITTIER SMALL BOAT HARBOR

January 2001

Introduction:
The Whittier Small Boat Harbor was constructed in 1972–1973 and expanded in 1982-1983. A statewide general obligation bond issue for harbor construction projects in several areas provided the funds. The Whittier harbor was built on land owned by the Alaska Railroad. The Alaska Railroad leased that land to the state, which entered into a management agreement with the City of Whittier. The terms of those leases, relevant Alaska State Statutes, Alaska Department of Transportation and Public Facilities Division of Harbor Design & Construction policies, and City of Whittier Ordinance govern all aspects of management, operation and use of the harbor. It is from these governing terms that the following statement of policy is derived:

Objective:
The primary objective of the City of Whittier in its operation of Whittier Small Boat Harbor is to provide a protected haven to a certain number of small boats sixty feet in length and under. The harbor use policies are directed toward maximum use of the facility by all segments of the boating public up to the limit of the harbor’s capacity to accommodate numbers, size and use of boats. The secondary objective is to provide a facility that ensures adequate access of the user to safe and enjoyable boating in Prince William Sound, basic assistance to the user – both of pleasure and commercial boats, and such services as the staff is capable of routinely providing (i.e., boat lifts; boat tows; electrical facilities; water service; sanitary services). The tertiary objective is to financially maintain the facility in such a way as to ensure continual improvements.

Harbormaster:
The City of Whittier employs a harbormaster to oversee the day-to-day operations of the harbor. He or she is recognized as a department head, under the supervision of the city manager. Working with the city manager, the harbormaster is charged to follow guidelines and directives from the State of Alaska Management Agreement with the Department of Transportation and the Whittier City Council. The harbormaster may employ as many assistants as are required to provide adequate surveillance and management of the harbor. The harbormaster is given full discretionary authority for making all berthing assignments and reassignments in order to achieve maximum utilization of available harbor space.

He or she prepares and recommends budget input to the city manager and implements the budget passed by the city council. He or she works closely with the fire chief and the local emergency medical services coordinator to ensure that training and equipment at the harbor are at a high level. He or she is granted the power to enforce all harbor ordinances and harbor policies, and at his/her discretion, issue “citations” to those in violation.
Rates:

Rates are assessed at a level sufficient to:
1. Provide adequate management and administration of the harbor.
2. Satisfy all maintenance requirements except renovation and realignment, which may be undertaken by the Alaska State Department of Transportation.
3. Retire any debt service.
4. Provide contingencies for emergencies.
5. Provide adequate capital for future developments associated with harbor expansion and harbor construction.
6. Provide harbormaster offices, parking areas, sanitary areas and adequate used oil collection and containment facilities.

The Whittier Harbor requires payment in advance or at the time of service. All harbor users shall pay a fee for using the facility for any length of time over 24 hours, whether the user has a reserved berth or not. There is a yearly rate available for transients comparable to the yearly preferential berthing fee. Monthly, weekly and daily transient rates are successively higher on a graduated scale to cover administrative costs. Dry storage rates are relatively low, and are for no longer than nine months at a time. The harbormaster may grant exception to persons repairing their vessel. Boat lifts and other services fees are governed by rate schedules set by the Whittier City Council and may be found in the Whittier Municipal Code.

Public Use:

The Whittier Harbor is open to all on an equal basis. No special preference is made to accommodate one type of user over another, including government vessels. Whittier residents have no preference over non-residents.

There are only two classes of vessels in Whittier Small Boat Harbor: 1) Preferential moorage or 2) Transient moorage.

Berthing Holders Assignments:

Slips are assigned to private individuals for the purpose of mooring a vessel of the appropriate size. Fees assessed under this agreement are based on the length the finger or the length of the vessel whichever is the greater. The harbormaster has full authority and responsibility for making berthing assignments. The practice of private “subleasing” is totally prohibited with no exception. Although most “under the counter” partnerships have been eliminated, there are still some who attempt such practices. Berth holders must own at least 51% of the vessel of the appropriate size for the slip assigned. The Whittier harbor code and moorage agreement clearly state that the boat stall renter receives the privilege of occupying an assigned space on a preferential usage basis only and that he is provided this reserved status only so long as he owns a vessel and pays the prescribed fees including the city personal property taxes. No property or ownership rights are implied. The harbormaster has the full discretionary authority to allow other vessels to occupy an empty boat stall at any time the assigned vessel is absent from its assigned space. Any such vessel temporarily assigned by the harbormaster to a reserved berthing location is required to pay the appropriate transient moorage fee. Sale of a vessel constitutes termination of a moorage agreement unless the stall renter replaces the vessel with another appropriate vessel or demonstrates to the satisfaction of the harbormaster that he intends to replace the sold vessel within one year from the time of vessel sale. In other words, a stall renter who sells his boat is not allowed to retain the berth or otherwise assign his interest in the berth to another person. A berth so vacated is assigned to the first person on the waiting list.
If the Berth Holder leases the Vessel occupying the berth from a third party, the owner of the Vessel shall not have any right of personal use of the leased vessel during the period of time that the leased vessel occupies the preferential berth. If the registered owner has the right of use or otherwise does use the Vessel while the Berth Holder leases it, the City shall deem the vessel a transient Vessel and may terminate the agreement in accordance with Section 6 of the Preferential Berth Holder Agreement.

**Annual Transient Moorage:**

“Transient vessel” means any vessel that is not registered by a preferential berthing agreement in the Small Boat Harbor. The only benefit derived by paying annual transient moorage is a substantial discount in cost. There is no other benefit given or implied by transient vessels paying for annual moorage in Whittier Small Boat Harbor.

Transient vessels will be moored in Whittier Small Boat Harbor on a space available, first-come, first-served basis. The Harbormaster can for safety sake refuse moorage to vessels when the harbor is full. When vessels are refused moorage due to over crowding, a wait list will be established for moorage in the next available slip.

Annual transient moorage is the same per foot as preferential berth holders and must be paid in advance. Fees assessed under this agreement are based on the length of the vessel. Payment can be made in two installments, each consisting of 50% of the total due. The first installment is due on or before July 1st of each year. The second installment shall be due on or before January 1, of the following year. **An annual interest rate of 10% will be charged on the unpaid balance.**

Payment in full must be received no later than January 15th. Failure to pay any installment resulting in a past due account gives the City: (a) the right to terminate this Agreement and reverts to a monthly rate for the past months used and the remaining 6 months of the agreement. (b) Any vessel remaining in the stall after termination will be deemed a daily or monthly transient vessel. The term “daily or monthly transient vessel” means a vessel without an Annual Transient Moorage Agreement. Should the vessel become a “daily or monthly transient vessel”, the harbor may assess daily or monthly moorage fees against the vessel. Entering into an annual moorage agreement with the Whittier Small Boat Harbor, will subject the boat owner to City of Whittier personal property tax in accordance to Whittier Municipal Code.

**Indemnification:**

{Berth holder} {Annual Transient} {Transient} agrees to indemnify, defend and hold harmless the City of Whittier and the State of Alaska and their representatives and agents from any and all losses or claims, costs, damages, judgments, awards, expenses, or liability to any person arising from any injuries including but not limited to bodily injury or death or damages sustained by any person or property in consequence of any act or omission by the vessel or the vessel’s owner or operator, or by the vessel’s or owner’s agent, employee, customer, guest, invitee, licensee, or assignee in any way related, directly or indirectly, to the use of the Whittier Small Boat Harbor or to this Agreement.
Size of Vessels:

Whittier Harbor was designed primarily to accommodate vessels with a maximum length of 60 feet. No vessel with a length in excess of 100 feet shall be allowed to enter the harbor under any circumstances other than extreme emergency. Individual stall floats in Whittier were designed to accommodate vessels 10% longer than the nominal length of the float. Under no circumstances are excessively larger vessels allowed to secure to the float system. The loads imposed by vessels of this size during frequent adverse weather not only overstress the floats and pilings, but endanger other boats as well. Barges, boathouses, boat shelters, log rafts, pile drivers and other cumbersome floating structures are likewise prohibited.

Waiting List

Asset of seven waiting lists is maintained by the Whittier harbormaster. The lists reflect the acceptable boat lengths for the harbor’s slip sizes:

1. 0-28
2. 28-34
3. 34-37
4. 37-45
5. 45-54
6. 54-60
7. 60 plus (at this time we do not have berths for this size)

Although the harbor may at times accept boats as long as sixty-four feet at the transient dock, no berths are awarded to boats longer than 60’ft. A persons name is placed on the waiting list upon receipt of non-refundable deposit made out to the Whittier Small Boat Harbor and the application. The applicant’s request must be consistent with the size of boat that person intends to berth. Applicant may elect to apply or as many sizes as they wish. Vacancies on the roster of preferential berth holders are filled from the top of the waiting list. Preferential berth holders who wish to upgrade their boat size beyond the size limits of their present stall must do so through the regular waiting list procedure.

When selecting a list, the figure the overall length of the vessel must be measured by the centerline from the furthest point to the furthest point; this includes the bowsprits, swim steps, dingy or any other protrusion. Only one individual name may appear on the application to be accepted as a preferential berth holder. Corporations and companies do not qualify. The wait list applicant must own or retain ownership of at least fifty-one percent (51%) of the boat to be moored or have a vessel leased for a minimum of one year. Applicant does not need to own a vessel to be placed on a waiting list. If applicant’s comes to the top of the list they will be notified by certified mail. Applicant must respond within (30) days. They have options:

A. Accept the slip, if they do not have a vessel they have one year to obtain a vessel of the appropriate length.
B. Return to the bottom of the list.
C. Be removed from the list altogether.

To remain on a wait list applicant must:

A. Inform the harbor of any change in their address.
B. Pay the annual fee by December 31 deadline, each year.

Although the harbor will send a reminder, it is the applicant’s responsibility to renew. If they fail to pay the fee on time, they will be removed from the list.

There are no exceptions to this rule!
Fueling Facilities:

There are two type of fueling facilities generally utilized in the Whittier harbor: the fuel float and mobile fueling trucks. Although the operation of the fuel float comes under strict lease provisions with the City of Whittier, State and Federal laws regulate mobile fueling operations. All fuels deliveries at Whittier harbor must pay a wharfage rate established by the City of Whittier. All carriers are expected to observe maximum safety and environmental considerations during operations.

Aircraft:

Ordinarily, seaplanes, floatplanes and rotary wing float craft do not mix with boat traffic. The high-octane fuels and spinning propellers associated with aircraft use are dangerous in the crowded environment of the Whittier harbor. However, from time to time, emergencies arise from aircraft equipment failures or adverse weather conditions that force use of the harbor by aircraft. Such use should be limited to the duration of the emergency. Loading and unloading of passengers in the basin or in the harbor parking lot is generally prohibited, but again, during adverse weather such activity can sometimes be done only in the relative safety of the harbor. Emergency loading and unloading of medical casualties, supplies, or personnel is allowed in the harbor area.

No aircraft or floatplane shall land or take off from within the confines of the boat harbor or the entrance thereto. Any aircraft within these confines shall not be operated in excess of three miles per hour, or at such speed as to leave a wake or wave action that can endanger, damage or cause undue distress to any boat, person or harbor property.

Passenger Dock:

The Floating Passenger Dock is primarily used for on and off-loading of passengers. It is not intended for permanent moorage. Transient vessels moored on the floating passenger dock must have a person and/or crew on board at all times with qualifications to drive the vessel. This person shall take necessary precautions to see that the vessel in his/her charge is kept well secured, free from fire hazards of all types, sufficiently pumped-out to maintain the boat afloat and be able to take the vessel out of the harbor during periods of severe weather and wind conditions. This person must attend to the requirements of the vessel to avoid damage to other vessels or to the harbor. Vessel Master must sign an agreement with the harbor before mooring the vessel.

Ocean Dock:

Transient vessels moored on the Ocean Dock must take necessary precautions to see that the vessel moored on the ocean dock is kept well secured, free from fire hazards of all types, sufficiently pumped-out to maintain the boat afloat and be able to take the vessel out of the harbor during periods of severe weather and wind conditions. Vessels Masters have the responsibility to avoid damage to other vessels or to the harbor.

Loading Zones

The harbormaster has established loading zones on the floats and at the harbor dock. These areas are necessary for the convenient loading and unloading of gear and passengers and on the city dock for the use of the dock crane. Use of the loading zones on the floats should be limited to the time necessary to load and unload. At times the loading zones are assigned for transient vessels to moor. The city dock is
an available transient area for vessels between 30' and 60' in length. Use of this loading area for moorage is limited to times of overcrowding and the vessels using this area must keep a crew on board at all times.

**Emergency Medical Services:**

Emergency Medical Services respond to all 911 medical emergencies and Clinic personnel i.e. a paramedic and a part-time PA.

**Firefighting:**

Fire equipment on site at the harbor is primarily in the form of mobile extinguishers, located on the floats in the fire equipment building by the main ramps. The harbor is in the Whittier Fire Department’s (WFD) area and they trained in both quick reaction extinguisher techniques and normal firefighting techniques. WFD respond to all fire 911 calls.

**Pumping and Snow Removal:**

Because owners are responsible for keeping their boats pumped and free of water and pollutants this is as an emergency service. The harbor has several pumps - gas, electric, and numerous shovels of various types. Although not primarily for public use, these pumps and shovels are available upon request for which there is a charge.

**Financial Services:**

Lien for unpaid rentals fees or services. The city shall have a lien for any unpaid rentals, fees or services. Should any such rentals or fees be unpaid for a period of sixty consecutive days after due, any boat upon which such rental or fee has accrued may be impounded and disposed of.

**Special Services:**

The Whittier harbor provides the following special services:

**Boatlift:**

This lift is designed to remove from or place into the water vessels from 22 to 45 feet in length, weighing up to 30 tons. People wishing their boat placed in dry storage in Whittier must bear in mind that space in very limited and on a first come-first serve basis and for no more that 9 months at a time. The harbormaster may make an exception to this rule at his or her discretion. Boat lifts must by scheduled in advance. People utilizing the boat lift service or they’re appointed agent are required to be available during lifts, and must provide their own cradles and blocking. Maintenance of boats in dry storage is the responsibility of the boat owner.

**Boat Towing:**

The harbor has a skiff for towing disabled boats within the harbor area, and under certain conditions from as far as 300 ft outside of the harbor breakwater. All tows will be made at the discretion of harbor staff, taking into consideration vessel size, weather conditions, etc.

**Radio Room:**

The harbor maintains VHF radio CH 16 and CH 68 monitoring during working hours. The primary function of the system is both emergency communication and harbor traffic control. The primary
emergency channel 16, channel 68 is to be used for harbor traffic control. We encourage boaters to use channel 68 only to hail the harbor for traffic control and using channel 16 primarily for emergencies.

**Shop:**

Because of the relative isolation of Whittier, harbor personnel from time to time make the harbor shop available to aid in emergency repairs to the boats and marine equipment to harbor users. Because there are privately operated shops also available in the community, general use of the harbor shop is strongly discouraged. A battery charger is available for emergency use in the harbor shop.

**Utilities:**

The Whittier harbor offers electrical service. All of the floats with the exception of the odd side of “G” and “H”, “X” and “Z” floats are provided with metered electrical outlets. Harbor personnel maintain the outlets and meters, and bill the customers for use. Adverse weather creates a situation requiring constant maintenance on the system. All new hookups are required to be performed under the supervision of harbor personnel. The harbor has a provision for prosecution of person(s) caught stealing electrical power or tampering with any previously hooked up outlets. The harbor has an auxiliary generator for the float system that provides emergency power during power outages. The dry storage area does not have electrical power available. There is an outlet on the EVOS building that may be used temporarily with the permission of the harbormaster. Request for special services i.e. outlets, meter, increased breaker amperage must be approved by the harbormaster and will be at their expense.

Vessels using harbor electric service must comply with the following:
A. Cords with current carrying capacity of less than fifteen (15) amps shall not be used.
B. Flexible cords shall be used only in continuous lengths without splices, or using tape.
C. Cords, attachment plugs and connector bodies shall not be smaller than required for the rated current of the attached cord or connected equipment. Maximum Allowable current-carrying capacity of flexible cords is as follows:

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D. Attachment plugs shall be of the weatherproof type.
E. Infrared heating lamps may only be used with porcelain-type sockets.
F. Any heater capable of causing a fire if overturned must be equipped with a safety switch that will disconnect electric current to the heater if overturned.
G. The following power cord types are approved for use: SO, ST, STO, POW, K and S.
H. The following power cord types are not approved for use: SP3, SPT3, TP, TPT, TS, TST, AFC, AFPO, AFPD, CFC, CFPO, CFPD, PO1, PO2, PO, SPT1, SP1, C, PD, P1, P2, P, PW1, PW2, SV, SVT, SJ, SJO, SJT, and SJTO.
I. Any cord not listed must be inspected and approved by the harbormaster prior to its use.
Fresh Water:

Fresh water is provided from May through October on the floats system. It is available at the gridirons, two faucets at the boat lift dock, the fuel float, and at the wash down area at the west trailer-able boat launch ramp. During the period from November through April, water is available at the harbor shop.

Sewerage:

The harbor provides a Port-a-Potty dump station at the head of the east approach ramp. There is a vessel pump out station between “B” and “C” floats. The harbor also has a sewer pump out mounted on a trailer for use on the city dock for larger vessels.

Other Facilities:

Boat launch Ramps:

Boats on trailers may use this facility, however all vessels using the launch ramps must pay a fee for its use at the harbormasters office or the drop boxes at the head of the ramps. Vehicles and boat trailers must be removed from boat launching areas after the boat has been launched, and parked only in areas designated and posted as parking areas. Vehicles and boat trailers parked in other than parking areas during the absence of the owner or operator shall be removed and impounded. Launching or hauling out of boats on skids is prohibited. Boat trailers or other wheeled conveyances must be used. Boats shall be launched at designated launching areas only. Due to the limited space, beach storage of supplies, merchandise or other property of boat owners shall be limited to private areas.

Gridiron:

Whittier Harbor gridirons are designed to accommodate keeled vessel loadings of 15 tons per bent. Any vessel over 45 DWT should clear use of the gridirons with harbormaster. Use of the gridiron by to exposed running gear (i.e., shafts, rudders, struts and props) should not use the gridiron without prior consultation with the harbormaster.

City Dock & Crane Use:

The city dock is on a first come first served basis. Vessels wishing to use the city dock crane must sign an agreement and check out the key at the harbor office. The use of the crane will be charged from the time the key is checked out until the key is checked back in.

Sanitary Facilities:

Restrooms with showers are provided year around on the first floor of the harbormasters building. Showers must be purchased at the office before they will be turned on. Several port-a-potties are provided during the summer boating season.

Garbage:

The harbor provides seven-plus garbage dumpsters for public use. Dumpsters are at the head of each approach ramp and at the east launch ramp. It is unlawful for any person to place or deposit any
rubbish, refuse or articles of an offensive character likely to create a nuisance upon any wharf or wharf road or street leading to a wharf, or in the waters of the small boat harbor. Waste may be deposited in the appropriate receptacles provided for by the harbor or otherwise removed from the city.

**Bilges, Holding Tanks:**

The harbor provides two stations for pumping off holding tanks. (1. For smaller vessels between “B” and “C” floats. (2. A tank on a trailer for larger vessels.

Bilges, holding tanks or other tanks containing waste, including but not limited to gurry or petroleum products, shall not be pumped or drained into the waters of the small boat harbor. Offloading of petroleum products shall be into suitable containers as permitted by the port director, and subject to applicable state and federal regulations.

**Hazmat Disposal (EVOS)**

**Used Oil:**

The harbor provides oil collection stations at the head of both the east and west approach ramps during the summer boating. At each collection station there are containers for used oil, oil filters, bilge water and oily absorbent pads or rags. Disposal of bilge water in the used oil container will cause the oil to emulsify and we are unable to burn the oil/water mixture. The oil/water mixture must be sent to Anchorage for disposal incurring an expense to the harbor which intern must be passed on to our customers as an additional surcharge.

Any commercial enterprise wanting the harbor to dispose of used oil must first test the oil for contaminates, as required by DOT, before the harbor can accept it. In winter season the harbor will accept used oil only at the EVOS building, check with the harbor office.

**Oily Bilge Water:**

The harbor provides a tank on a trailer for the pumping of oily bilge water. Check with the harbor office availability and scheduling.

**Batteries:**

The harbor will accept used batteries to be stored properly in a closed container inside the EVOS to be disposed of or recycled. Check with the harbor office.

**Antifreeze – Paints- Solvents – Cleaners:**

The harbor does not accept antifreeze, paints solvents or cleaners. You must use a disposal service to dispose of these hazardous materials.

The harbor accepts waste oil and batteries only during office hours, 0800 to 2100 during the summer season and 0800 to 1700 for winter season. Please check with the harbor office before using the EVOS building.

Leaving hazardous material at the harbor is a violation of DEC regulation and is punishable by law.
**Information:**

There is a bulletin board in the hallway outside the rest rooms on the first floor of the harbormasters building. The bulletin board is for public use with permission from the harbormaster.

**Daily Weather:**

Reports are posted on a bulletin board upstairs in the harbormasters office. Also weather is available on the stations broadcasted on VHF weather station channel “2” in Whittier and repeated by the U.S. Coast Guard repeater weather channel “3” located on Pigot Point at the head of Passage Canal.

**Harbormaster’s Office:**

There is a bulletin board in the harbormaster’s office for repair notes. Anyone can add repairs they see a need for to the board during office hours.

**Duties of Boat Owners and Users:**

A. Every owner, operator or managing agent of any boat using the harbor facilities shall take reasonable precautions to see that the boat in charge is kept clean, well-secured, free from fire hazards of all types, sufficiently pumped-out to maintain the boat afloat and to otherwise attend to the requirements of the boat to avoid damage to other boats or to the harbor.

B. No person shall bring into, moor or berth within the harbor any vessel of any kind whatsoever which is unseaworthy, or is in such a badly deteriorated condition that it is liable to sink or damage boat harbor facilities or other vessels, or which may become a menace to navigation, except in extreme emergency; in which case the owner shall be liable for any damage caused by such vessel. In the event a vessel or other craft is wrecked or sunk within the harbor, it shall be the owner's responsibility to mark its location and provide for the raising and disposition of such vessel or craft and assume all liabilities for damage to city property and other vessels in the harbor.

C. No person shall permit any boat or vessel to be and remain swamped or wrecked. Any vessel found in such condition may be impounded or released to the owner or his agent only upon payment of all costs and charges incurred for damages, storage or handling of said vessel or boat.

D. Any person having knowledge of a petroleum spill within the boat harbor shall immediately report such spill to the harbormaster, or if the harbor office is closed, to the department of public safety.

E. Any person who is involved in an accident or incident which results in the injury or death of a person or any property damage shall immediately notify the harbormaster and file a written report. In the event that the harbor office is closed, notification shall be given to the police department. The notification shall include the name and address of the person, the type and extent of the injury or damage, the location where the accident or incident occurred, the date and time of the accident or incident, and names of witnesses.

F. Register any vessel four hours after entering the harbor with the harbormaster prior to occupying any of the boat harbor facilities.

G. It is unlawful for any person using the boat harbor facilities to:
   a. Operate or to be in the actual control of any boat when under the influence of intoxicating liquor, narcotics or other dangerous drugs.
   b. Operate or cause to be operated any boat within the boat harbor facilities that exceeds the posted speed limit or causes a wake or wave action which will damage or endanger, or be likely to endanger, any other boats or any boat harbor facilities, including but not limited to, floats, finger floats, other boats or occupants thereof.
c. Operate or cause any boat to be operated recklessly or otherwise engages in a course of conduct within the boat harbor facility that is dangerous or a nuisance to persons or property.

d. Throw or otherwise cause to be deposited any gasoline, oil, sewage, trash, garbage, or debris of any type into the waters or into the entrance to the boat harbor facilities, nor upon the grounds thereof.

e. Create or maintain any nuisance within of the boat harbor facilities or to become a nuisance thereon.

f. Allow dogs or any animals to run at large on any the boat harbor facilities. Dogs must be on a leash and accompanied by the owner who will be responsible for cleaning any leaving left by the animal.

g. Allow children under the age of twelve years within the float or beach areas of the harbor facilities unless they are accompanied by the parent or other responsible adult and wearing a personal flotation device.

h. Erect, place, post or maintain any advertising matter, other than legal notices, upon any part of the boat harbor facilities without the approval thereof first being obtained from the harbormaster. All unauthorized advertising and signs shall be removed by the harbormaster.

i. Disregard, deface, remove, tamper with or damage any sign or notice posted by the harbormaster relating to the use of harbor facilities.

j. Pump bilge containing petroleum products or chemicals or brine tank into boat harbor waters.

k. Deposite, place or leave any cargo, merchandise, supplies, articles or things upon any float, ramp, decline, walk or other public place within the facility excepting at such places as may be designated as loading areas by the harbor.

l. Dump any refuse, including but not limited to, waste materials from canneries, fish processors and other land-based or water-based facilities within the harbor or in such close proximity as to cause overflow or drift of such material into the harbor facilities or the entrance thereto.

m. Store any explosives, gasoline or any other flammable substance in drums, cans or any other type of containers within the boundaries of the boat harbor facilities.

n. Set any net or fish-taking device within the harbor facility unless it is attended at all times, and shall not interfere with the movement of vessels within the harbor.

o. Swim, water-ski, or use any unorthodox type of boat, raft or other device within the harbor.

p. Loiter around the premises of the harbor facility without lawful reason or justification.

q. Refuse to comply with any lawful order of the harbormaster.

r. Failure to provide designated agent to provide boat care if owner cannot respond to an emergency call within one hour of notification.

s. In mooring any boat or vessel within the port facilities, the master of the boat or vessel or any person having charge thereof, to leave or permit any fire above the vessel or leave unattended fire which creates an unjustifiable risk of harm to person or to property. Heating devices for long-term use such as furnaces, thermostatic controlled heaters, and heat lamps are excluded form this prohibition. Cooking stoves used also as heating units are classified as an unjustifiable risk. An unjustifiable risk is a risk of such nature and degree that a failure to avoid it constitutes a deviation from the standard of care that a reasonable person would observe in the situation.

t. Taping, connecting, disconnecting or interfering with or tampering with electrical outlets or devices installed within the harbor facility shall not be allowed.

u. Building any type of float, shed, floating boat shelter or structure within the harbor facility.

v. Moving or altering any wharf, float, gangplank, ramp or other facility.

w. Posting of signs for the sale of items or the charter or rental of vessels.

x. Conduct any commercial business within the boat harbor facilities without proper license.

y. Transporting any item for sale, trade or other form of commerce across any harbor facility without permission of the harbormaster and paying in advance the wharfage rates as established by the city council.
Using a Vessel as a Residence:

Persons requesting mooring space for a vessel declared as a residence must first comply with such separate regulations and conditions as are set forth and deemed appropriate by the harbormaster. Any person wishing to use their vessel must apply in writing for approval from the Harbormaster. The Harbormaster will issue a letter approving or disapproving upon request.

Major Maintenance and Repair Work:

Including spray painting, sandblasting, welding, burning, outfitting, etc., upon any vessel in the harbor area must have prior approval of the harbormaster. An approved fire extinguisher shall be required when welding or burning.

User Fees:

A passenger user fee of one dollar shall be assessed for every full-fare passenger loading or unloading from all commercial vessels from any dock or wharfing facility within jurisdictional waters of the city of Whittier. The passenger user fee is applicable to all passengers and is assessed once for each ticketed transaction regardless of whether the fare is for a one-way or round-trip excursion. Each passenger boarding, departing or remaining on the vessel is, subject to the fee. The passenger user fee shall be calculated based upon the Whittier passenger manifest for the vessel.

Boat Watch:

All vessels remaining in Whittier Small Boat Harbor in winter between October 1st and March 31st are required to provide designated agent to provide boat care if owner cannot respond to an emergency call within one hour of notification. This may be a personal friend who is willing to clean off snow and pump your vessel as needed or one of the for hire local Whittier agents. This requirement will be strictly enforced.

Fish Cleaning:

Fish are to be cleaned at the fish cleaning stations provided by the harbor. Cleaning of fish is not permitted on the dock. Carcasses are to be disposed in the harbor basin or the harbor garbage dumpsters. Carcasses are to be deposited in the dumpsters at the cleaning stations or with the fish & Game the as they may require.

Fishing in the Harbor:

Fishing in the Harbor is permitted with the understanding that the fisherman is responsible for any involvement in an accident or incident which results in the injury or death of a person or any property damage. The fisherman shall immediately notify the harbormaster and file a written report. In the event that the harbor office is closed, notification shall be given to the police department. The notification shall include the name and address of the person, the type and extent of the injury or damage, the location where the accident or incident occurred, the date and time of the accident or incident, and names of witnesses.
Filing a Float Plan:

The harbormaster recommends that you file a float plan with harbor or friend before you leave on your boating adventure. For your convenience the harbor provides drop boxes with pay envelopes and float plans at the head of each launch ramp.

Approved by Whittier Ports & Harbor Commission March 17, 2001