



**HARBOUR AUTHORITY MEETING**  
**Tuesday, November 19, 2019 @ 4:30 PM**  
**George Fraser Room, Ucluelet Community Centre,**  
**500 Matterson Drive, Ucluelet**

**AGENDA**

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1. CALL TO ORDER	
2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY Council would like to acknowledge the Yuułu?it?ath First Nations on whose traditional territories the District of Ucluelet operates.	
3. ADDITIONS TO AGENDA	
4. APPROVAL OF AGENDA	
5. ADOPTION OF MINUTES	
5.1. September 17, 2019 Harbour Authority Minutes <a href="#">2019-09-17 Harbour Authority Minutes</a>	3 - 9
6. UNFINISHED BUSINESS	
7. CHAIR'S ANNOUNCEMENTS	
8. PUBLIC INPUT, DELEGATIONS & PETITIONS	
8.1. <b>Public Input</b>	
9. CORRESPONDENCE	
9.1. <u>52 Steps Correspondence</u> <a href="#">2019-10-8 Nestor Ferrier</a> <a href="#">2019-10-05 Robert Edy</a> <a href="#">2019-10-05 Danielle Spraggs 52 Steps</a> <a href="#">2019-10-04 Jim Longman 52 Steps</a> <a href="#">2019-10-04 Geoff Lyons 52 Steps</a> <a href="#">2019-10-02 John McIntosh 52 Steps</a>	11 - 21
10. INFORMATION ITEMS	
11. REPORTS	
11.1. Harbour Authority Resolution Tracking <i>Mark Boysen, Chief Administrative Officer</i> <a href="#">R-1 Resolution Tracking</a>	23
11.2. 52 Steps Update <i>Department of Fisheries and Oceans Canada / Small Craft Harbours</i>	
11.3. Harbour Regulation Bylaw Review	25 - 47

*Mark Boysen, Chief Administrative Officer*

[1134 Bylaw, 2011 - Ucluelet Harbour Regulation](#)

[1189 Bylaw, 2016 - Harbour Regulation Amendment](#)

[1193 Bylaw, 2016 - Harbour Regulation Amendment](#)

- 11.4. Thornton Creek Enhancement Society  
*Mark Boysen, Chief Administrative Officer*
- 11.5. Ucluelet Harbour Manager Report  
*Kevin Cortes, Harbour Manager*
- 11.6. Proposed Harbour Projects for 2020 Budget  
*Mark Boysen, Chief Administrative Officer*

- 12. OTHER BUSINESS
- 13. QUESTION PERIOD
- 14. ADJOURNMENT

**DISTRICT OF UCLUELET**  
**MINUTES OF THE HARBOUR AUTHORITY MEETING**  
**HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE**  
**Tuesday, September 17, 2019 at 4:30 PM**

Present:       **Chair:**       Mayor Noël  
                  **Council:**   Councillors Cole, Hoar, Kemps, and McEwen  
                  **Staff:**       Mark Boysen, Chief Administrative Officer  
                          Joseph Rotenburg, Manager of Corporate Services  
                          Kevin Cortes, Harbour Manager

Regrets:

**1       CALL TO ORDER**

**1.1    Mayor Noël called the meeting to order at 4:30 PM.**

**2       ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY**

Council acknowledged the Yuułuʔiłʔatḥ First Nations on whose traditional territories the District of Ucluelet operates.

**3       ADDITIONS TO AGENDA**

**3.1    There were no additions to the agenda.**

**4       APPROVAL OF AGENDA**

**4.1    The Harbour Authority noted that Item 5.1. should read “June 5, 2019 Harbour Authority Minutes” not “June 6, 2019, Harbour Authority Minutes”.**

HA-001               **It was moved by Councillor McEwen and seconded by Councillor Cole**  
                          *THAT the Harbour Authority approve the September 17, 2019 agenda as amended.*  
**CARRIED.**

**5       ADOPTION OF MINUTES**

**5.1    June 6, 2019 Harbour Authority Minutes**

The Harbour Authority noted that item 5.1 heading is incorrect as the minutes are from June 5, 2019 not June 6, 2019.

HA-002               **It was moved by Councillor McEwen and seconded by Councillor Hoar**  
                          *THAT the Harbour Authority approve the June 5, 2019 Harbour Authority Minutes as presented.*  
**CARRIED.**

## 6 UNFINISHED BUSINESS

### 6.1 Signage at Small Craft Harbour

The Harbour Authority asked if the signage for the Personal Floatation Devices at the Main Street and Small Craft Harbours had been replaced? Mark Boysen, Chief Administrative Officer, noted the signage has been replaced.

### 6.2 Otter Street Dock

The Harbour Authority asked if there is a time frame for the removal of the Otter Street Dock? Mr. Boysen deferred discussion on this issue to item 10.1. "Harbour Resolution Tracker."

## 7 PUBLIC INPUT, DELEGATIONS & PETITIONS

### 7.1 Public Input

**Doug Kimoto, resident, noted that the Otter Street Dock is a great asset, dock space is at a premium, and demand for dock space appears to be growing. He noted that the Otter Street Dock will be sorely missed, if it is removed.**

## 8 CORRESPONDENCE

### 8.1 Small Craft Marina *Julie Haddow*

The Harbour Authority asked if there is a policy regarding liveaboards in the harbour? Kevin Cortes, Harbour Manager, explained that the current bylaw allows liveaboards up to 14 days per month. He noted that the Harbour Bylaw should be reviewed.

The Harbour Authority noted that the Harbour Bylaw is seven or eight years old and should be considered. It requested that the Harbour Bylaw be presented to the Harbour Authority for review at the meeting in November.

## 9 INFORMATION ITEMS

### 9.1 There were no information items.

## 10 REPORTS

### 10.1 Harbour Authority Resolution Tracking *Joseph Rotenburg, Manager of Corporate Services*

Life Jacket Signage:

- Signage has been installed.
- Positive feedback about the signs has been received.
- The Personal Floatation Devices are being used.

Thornton Creek Enhancement Society:

- The 2% voluntary donations to the Society should be mandatory and recommended that this change be made by early 2020.
- The issue should be addressed at the next Harbour Authority Meeting in November.

Harbour Brochure Re-Print:

- A draft brochure designed by Schramm Designs and Nicky Ling was circulated.
- The map has been updated.
- The Harbour Authority requested that walking times to destination like the COOP Grocery Store be identified on the brochures map. CAO requested feedback from Council be sent to him so that it can be finalized.

Harbour Advisory Commission (HAC):

- HAC members were invited to attend this meeting.
- Staff will invite HAC members to future Harbour Authority Meetings.

Harbour Needs Assessment [Expansion of the Outer Boat Basin and Partial Closure of the Otter Street Dock (52 Steps)].

- A letter has been drafted regarding the expansion and partial closure, which will be mailed to residents and property owners within 100 meters of the docks. The letter will also be shared through Ukee Mail.
- Spencer Wright, of the Department of Fisheries and Oceans Canada / Small Crafts Harbours (DFO), noted the following:
  - A timeframe for the dock expansion and partial removal has not been set.
  - Tender for the project has closed but a contractor has not been selected.
  - He will report to the Harbour Manager and CAO regarding timelines after a contractor is selected.
  - The Otter Street Dock will be partially closed only after the Outer Boat Basin expansion has been completed.
- The Harbour Authority asked if there is chance that Otter Street Dock could remain open?
  - In response, Mr. Wright stated that this is not possible at this time, since the process of divestment would take

longer than the Otter Street Dock can be maintained.

- The Harbour Manager, Kevin Cortes, asked Mr. Wright if DFO had consulted with Canadian Border Services Agency (CBSA) regarding the partial closure?
  - Mr. Wright was not aware of any consultation between DFO and CBSA. Mr. Wright recommended a meeting between CBSA, DFO and the Harbour Master.
- The Harbour Authority asked if we would be losing the local CBSA services with the partial closure of Otter Street Dock?
  - Mr. Wright noted that the partial closure there will be sufficient moorage for CBSA operations only.
- Mr. Cortes raised concerns about removing commercial boats from space reserved for CBSA use on the Otter Street Dock. Mr. Wright, noted that DFO is open to discussing how much dock space is necessary to accommodate CBSA use.
- Council comments and questions included the following:
  - Noted that this is a reallocation of a services and should result in similar amounts of dock space after the reallocation. She further noted that there is increasing demand for moorage and asked if any additional moorage would be added after the project completed? Mr. Wright noted that more data is required to conduct an expansion project and he will contact Mr. Boysen, Chief Administrative Officer, about this.
  - The Harbour Master Plan may need updating.
  - Community engagement regarding the expansion/reduction project is critical.
- Mr. Boysen, Chief Administrative Officer, noted that the Harbour Master Plan should address moorage spaces for non-commercial boats. Council recommended that the Harbour Master Plan be brought forward at the next meeting in November for review.

#### Bull Rails:

- Use of funds has been approved.
- Kevin Cortes, Harbour Manager, noted that the bull rails have been purchased and materials have arrived. The installation will start, as will replacement of the decking on the Main Street Dock.

#### Proposed Whiskey Dock Float Improvements:

- Mr. Boysen noted that he has not received the cost estimate from the Engineers and will bring it forward at the next Harbour Authority Meeting.

Mr. Boysen noted that facility assessments are underway and Harbour related buildings are included in that assessment.

## 10.2 Ucluelet Harbour Report - September 2019

### *Kevin Cortes, Harbour Manager*

Kevin Cortes, Harbour Manager, presented this report. Highlights included:

- Revenues were slow at the beginning of summer. This may be linked to local fishing closures.
- As the summer progressed and fishing areas opened, revenues grew rapidly.
- There was a local shrimp fishery but there was not a tuna fishery.
- Generally it was a good season for local commercial fisheries
- More commercial boats are mooring in Ucluelet for the winter than in past years.

The Harbour Authority comments and questions:

- Noted that The Bayshore, a derelict vessel, has been removed.
- Asked if fishing closures intended to protect the Southern Resident Killer Whales had affected local fisheries? Mr. Cortes noted that it was slower at the beginning of the season. Which may have been linked to the failure to communicate opening along the coast. He also noted that there was a strong beach fishery this season.
- Asked what has happened with Astral Blue (the boat linked to the death of Daniel Archbald and Ryan Daley)? Mr. Cortes, explained that the boat is being managed by the own estates.

## 11 OTHER BUSINESS

### 11.1 Seaplane Base Road Signage

HA-003

**It was moved by Mayor Noël and seconded by Councillor Cole**

*THAT Council directs Staff to install signage at the end of Seaplane Base Rd. that directs users to park their boat trailers overnight in the Seaplane Base Recreation Hall parking lot.*

CARRIED.

### 11.2 Scale Installation at Small Craft Harbour

HA-004

**It was moved by Mayor Noël and seconded by Councillor Cole**

*THAT Council directs Staff to install a fish scale at the Small Craft Harbour with District of Ucluelet branding.*

CARRIED.

### 11.3 Scale Educational Component

HA-005

**It was moved by Councillor Cole and seconded by Councillor Kemps**

*THAT Council directs Staff to collaborate with the Ucluelet Aquarium to develop an educational component which will accompany the scale installed at the Small Craft Harbour.*

CARRIED.

## 11.4 Council Comments and Questions

- Requested that any future pilings that are installed not be creosote.
- Asked if there were plans to further extend the sea plane boat launch in the 2020 budget? Mr. Boysen, noted that the matter could be discussed during 2020 budget discussions. Mr. Boysen recommended obtaining a quote from Herold Engineering as they are already familiar with the area and he will bring the estimate to the November budget meeting as well.
- Asked if a kayak launch at the end of Alder Street is planned? Mr. Boysen explained that this has not been formally discussed, but could be discussed at the budget talks.
- Asked if there are any rules regarding fueling vessels at the dock. Mr. Cortes noted that Harbour Regulation Bylaw does not address this issue but he would like to see it addressed in an amended bylaw as gas spillage is a safety risk.
- Asked if West Coast Spill response is still considering making Ucluelet a staging area? Mr. Cortes noted that there is a meeting on that issue next week but he has been informed that Ucluelet has been approved as a staging location.

## 12 QUESTION PERIOD

### 12.1

Doug Kimoto, resident and former Harbour Authority Commission member, recommended building a new ramp at the Whiskey Dock intended to increase accessibility during extremely low tides. Also recommended further engaging the DFO regarding dredging in the harbour intended to accommodate large vessels during low tides.

Spencer Write, DFO, noted that dredging is generally discouraged but acknowledged that dredging may be necessary.

## 13 ADJOURNMENT

### 13.1

Mayor Noël adjourned the meeting at 5:34 PM.

**CERTIFIED CORRECT:** Minutes of the Harbour Authority

Meeting held on Tuesday, September 17, 2019 at 4:30 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

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Mayco Noël  
Mayor

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Mark Boysen  
CAO



**From:** [REDACTED]  
**To:** [Info Ucluelet](#)  
**Subject:** Future plans for 52 Steps  
**Date:** October 8, 2019 6:18:06 PM

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Hi District of Ucluelet,

Do you have any information on the future plans for the 52 Steps dock? I am a resident of Ucluelet and also owner of one of the boats parked at the dock for 5 months of the year. I have heard this dock may be removed soon and I have concerns.

The 52 steps dock is very important not only to boat owners, but also the entire community who use the dock for various recreational activities. This dock is also invaluable to the larger vessels such as visiting yachts and the commercial fishing fleet. Due to it's location and size it is much easier and safer to use than the other more crowded docks in the harbor.

With the popularity of our little town constantly growing it seems removing this very popular dock would be step in the wrong direction. I only hope the District of Ucluelet would at least have public consultation before making any permanent decisions.

Thank you  
Nestor Ferrier  
[REDACTED]



**From:** [Nicole Morin](#)  
**To:** [Nicole Morin](#)  
**Subject:** Harbour plans #2  
**Date:** November 7, 2019 3:12:25 PM

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**From:** [REDACTED]  
**Sent:** October 5, 2019 4:24 PM  
**To:** Info Ucluelet <info@ucluelet.ca>  
**Cc:** [REDACTED]

**Subject:** Harbour plans #2

To whom it may concern, I live at the Waters Edge and am right beside the project and the boats. I would very much appreciate getting all the information I can on just what is going to happen here. A rendering would be great, but I would like to see all pertinent articles and correspondence on the project please. This goes for all my neighbours also, so I can let them know what it is that I can find out. I think with just a few small irks, phase one has worked out very well. Please let me know the complete plan so my neighbours and I can discuss it. Thank you very much.

Robert Edy  
[REDACTED] Harbour view crescent  
[REDACTED] Ucluelet BC V0R 3A0  
[REDACTED]



**From:** [Danielle Spraggs](#)  
**To:** [Info Ucluelet](#)  
**Subject:** 52 Steps  
**Date:** October 5, 2019 8:29:30 AM

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I own/live at [REDACTED] Imperial Lane. I actually support the dock being closed, at least for commercial use - these boats never follow the posted signs and constantly have their engines and generators running, and all their lights on. They make a lot of noise at all hours. However, as a homeowner, it does concern me that the removal of this dock will definitely cause damage to my home and others due to the removal if our only form of a breakwater.

Would there be some form of breakwater installed in lieu?

Thank you!



**From:** [REDACTED]  
**To:** [Info Ucluelet](#)  
**Subject:** Small Craft Harbour Modifications  
**Date:** October 4, 2019 8:03:41 AM

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Can you provide any further information on changes to the Small Craft Harbour Facilities, other than there will be modifications? I received a copy of your notice, but there is no indication of what the changes will be.

Thank you,

Jim Longman  
Water's Edge owner



**From:** [REDACTED]  
**To:** [Info Ucluelet](#)  
**Subject:** 52 Steps - DFO planned abandonment  
**Date:** October 4, 2019 12:51:42 PM

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Thank you for the opportunity to comment on the DFO intention (albeit delayed) to modify the dock at the bottom of 52 steps.

As you are no doubt aware, DFO did a similar thing with the Whiskey Dock. They offered the Muni' the option of taking over the facility or they would have removed it. Indeed, not only did they "gift" the facility, they provided funds which they had planned to repair the dock to the DofU, allowing us to undertake those repairs.

With this in mind, would it be feasible to approach DFO and suggest that they transfer ownership to the Muni' along with the funds they would have spent on downsizing the facility, and perhaps additional funding to address future costs they would need to expend to maintain it?

I realize that the reasoning is probably based on projected losses to DFO. However, this does not place any value on the facility as a piece of Ucluelet's history, and the fact that it is one of few marine accesses in this area.

It holds special memories for myself when I lived across the road from it, and spent many hours with my children and even relatives from England fishing of the dock, as such I would be prepared to see a line on the annual budget costing out the expense of maintaining the facility, so that we can see how much it takes to subsidize and pay additional property taxes accordingly.

But, we are but one family - good luck in finding a workable solution.

Geoff Lyons and family



**From:** [John McIntosh](#)  
**To:** [Info Ucluelet](#)  
**Subject:** Notice of Changes - Small Craft Harbour Facilities  
**Date:** October 2, 2019 3:25:10 PM

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Thank you for the copy of the September 30, 2019 Notice of Changes which I found tucked into my doorjamb this morning (2 October 2019).

I am the property owner and resident of [REDACTED] Imperial Lane, a wooden cottage built in 1930 by the Nitsui Family, and part of the Imperial Lane Heritage Area. Originally on pilings, the house now has a full, cement foundation, thanks to previous owners. As with all of the heritage homes in the area, mine is designated a legal, non-conforming use by right of historic occupation. That designation is due both to the narrowness of the old lots and the proximity of the structures to the Higher High Tide line. I have lived here for 25 years and have endeavoured to maintain the historic character of the house. It now lacks it's own small finger into the water, as do all of my neighbouring houses, since those were removed in order to make room for boat passage around the inside of the Otter Street Dock (AKA 52 Steps Dock) that runs parallel to the shore. The pilings which once anchored the individual fingers are mostly still standing. The building of Imperial Lane in 1952 obviated the need for front-door access by water to the Heritage Area homes, replacing it with back-door access via staircases of varying length up to Imperial Lane. My own staircase is 59 steps (since Imperial Lane rises as it approaches the intersection with Matterson).

The Otter Street Dock has served for decades as a surrogate breakwater for the aging Heritage Area homes of lower Imperial Lane, most of which remain on wood pilings close to the water's edge. The removal of a significant portion of the Otter Street Dock would subject those homes to the full force of winter storms and attendant flotsam, with the consequent likelihood of damage to historic properties.

in your deliberations over changes to the harbour facilities in Ucluelet, I hope that you will take into consideration the need to protect the Imperial Lane Heritage Area that has been designated by the District of Ucluelet.

Thank you for your attention,

John McIntosh  
[REDACTED] Imperial Lane

[REDACTED]  
Ucluelet, BC V0R 3A0  
[REDACTED]



Meeting	Agenda Item #	Meeting Item Description	Resolution Text	Description	Staff Responsible	Follow-Up Status
05-Jun-19	10.2.	Proposed Whiskey Dock Float Improvements Mark Boysen, Chief Administrative Officer	THAT Council approve recommendation 1 of report item, "Proposed Main Street (Whisky) Dock Float Improvements" which states: THAT the Harbour Authority direct Staff to provide a detailed proposal for float improvements to the Main Street (Whiskey) Dock at the September 17, 2019 Harbour Authority meeting.	Draft a report about the proposed Whisky Dock Float Improvements. Include reliable cost-breakdown and potential funding sources.	Mark Boysen	Assigned
19-Feb-19	9.3.	Thornton Creek Enhancement Society Mayco Noël, Mayor	THAT Council direct the Harbour Manager to add a 2% voluntary donation for Thornton Creek Enhancement Society to Small Craft Harbour billing and reassess in 12 months.	THAT the Harbour Authority reassess the 2% voluntary donation to Thornton Creek in early 2020.	Kevin Cortes	Assigned - reassess in Nov 2019
17-Sep-19	11.3	Scale Educational Component	THAT Council directs Staff to collaborate with the Ucluelet Aquarium to develop an educational component which will accompany the scale installed at the Small Craft Harbour.	Staff to collaborate with the Ucluelet Aquarium to develop an educational component which will accompany the scale installed at the Small Craft Harbour.	Mark Boysen	Assigned - consider in 2020 budget process
17-Sep-19	11.2	Scale Installation at Small Craft Harbour	THAT Council directs Staff to install a fish scale at the Small Craft Harbour with District of Ucluelet branding.	Staff to install a fish scale at the Small Craft Harbour with District of Ucluelet branding.	Mark Boysen	Assigned - consider in 2020 budget process
17-Sep-19	11.1	Seaplane Base Road Signage	THAT Council directs Staff to install signage at the end of Seaplane Base Rd. that directs users to park their boat trailers overnight in the Seaplane Base Recreation Hall parking lot.	Staff to install signage at the end of Seaplane Base Rd. that directs users to park their boat trailers overnight in the Seaplane Base Recreation Hall parking lot.	Warren Cannon	Assigned - consider in 2020 budget process
04-Sep-18	6.2.	Harbour Advisory Commission Update	THAT Council direct Staff to work collectively with the Harbour Authority, Royal Canadian Marine Search & Rescue and the Harbour Manager to create and publicize a media release highlighting current activities, acknowledging the volunteers and promoting a membership drive.	To work collectively with the HA, HAC, RCMSAR and Harbour Manager to create a media release/membership drive.	Mark Boysen	Complete
20-Nov-18	4.2.	Small Craft Harbour Brochure Re-print Kevin Cortes, Harbour Manager		Brochure completed. Will be printed for the 2020 season.	Mark Boysen	Complete
05-Jun-19	10.3.	Ucluelet Harbour Report - June 2 Kevin Cortes, Harbour Manager	THAT the Harbour Authority Approve the replacement of rotten bull rails around the upper dock of the Whisky Dock with an estimated cost of \$10,000, upon further investigation and approval of funds by the DFO.	Replace the rotten bull rails on the upper section of the Whisky Dock with bull rails that cost no more than \$10,000 upon approval of funds by DFO.	Kevin Cortes	In Progress



**DISTRICT OF UCLUELET**

**BYLAW NO. 1134, 2011**

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, those being Port Albion and 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 Liveaboard 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 monthly basis. Vessels requiring partial months will pay the reservation fee for the entire month.
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 at the Small Craft Harbour Facility only, provided that 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. RULES FOR DETERMINING RESIDENCE**

1. The following rules apply to determine the area in which a person is a resident:
  - a) a person is a resident of the area where the person lives and to which, whenever absent, the person intends to return;
  - b) a person may be the resident of only one area at a time for the purposes of this bylaw;

- c) a person does not change the area in which the person is a resident until the person has a new area in which the person is resident;
  - d) a person does not cease being a resident of an area by leaving the area for temporary purposes only.
2. As an exception to part one above, if a person establishes for the purposes of attending an educational institution a new area in which the person is a resident that is away from the usual area in which the person is a resident, the person may choose for the purposes of this bylaw either the usual area or the new area as the area in which the person is a resident.

#### **14. 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.

#### **15. 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.

#### **16. TICKETING**

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

#### **17. 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.

**18. ADMINISTRATIVE PROVISIONS:**

1. Harbour Regulation Bylaw No. 985, 2005 and all amendments thereto are hereby repealed.
2. This bylaw may be cited for all purposes as "Ucluelet Harbour Regulation Bylaw No. 1134, 2011".

**READ A FIRST TIME** this 28<sup>th</sup> day of **June, 2011.**

**READ A FIRST TIME AS AMENDED** this 28<sup>th</sup> day of **June, 2011.**

**READ A SECOND TIME** this 28<sup>th</sup> day of **June, 2011.**

**SECOND READING RESCINDED** this 11<sup>th</sup> day of **July, 2011**

**READ A SECOND TIME AS AMENDED** this 12<sup>th</sup> day of **July, 2011.**

**READ A THIRD TIME** this 12<sup>th</sup> day of **July, 2011.**

**ADOPTED** this 9<sup>th</sup> day of **August , 2011**

**A TRUE AND CORRECT COPY** of the "Ucluelet Harbour Regulation Bylaw No. 1134, 2011".

  
\_\_\_\_\_  
Andrew Yeates  
CAO

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

  
\_\_\_\_\_  
Eric Russcher  
Mayor

  
\_\_\_\_\_  
Andrew Yeates  
CAO

## Bylaw No. 1134, 2011

**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)

Daily	Weekly	Monthly	Quarterly	Annual
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)

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

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

**RECREATIONAL VESSEL**

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

**Resident Recreational**

	Daily	Weekly	Monthly	Quarterly	Annual
Oct 1 to Mar 31	\$.55	\$3.30	\$4.95	\$7.70	\$40.50
Apr 1 to Sep 30	\$.80	\$4.80	\$6.35	\$16.00	\$40.50

**Resident Recreational Seniors (60+) Proof of age required**

	Daily	Weekly	Monthly	Quarterly	Annual
Oct 1 to Mar 31	\$.50	\$3.00	\$4.50	\$7.00	\$36.50
Apr 1 to Sep 30	\$.80	\$4.80	\$6.35	\$16.00	\$36.50

**Transient Recreational**

<b>Daily</b>	<b>Weekly</b>	<b>Monthly</b>	<b>Quarterly</b>	<b>Annual</b>
\$ .80	\$4.80	\$15.00	\$37.50	\$65.00

**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.

**MONTHLY RESERVED BERTH**

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

\$75.00 per month

**SEASONAL RESERVED BERTH**

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

\$450.00 per six (6) month period (season)

**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

**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. 985, 2005**  
**Schedule "B"**  
**Violation & Penalties**

Offence	Section	Fine – First Offence	Fine – 2 <sup>nd</sup> and Each Subsequent Offence
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	5.3	\$100.00	\$200.00

interfere with other vessels or persons			
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. 1189, 2016

A bylaw to amend District of Ucluelet Harbour Regulation Bylaw No. 1134, 2011

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The Council of the District of Ucluelet 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. 1189, 2016".

#### Application

2. This bylaw amends the indicated provisions of District of Ucluelet Harbour Regulation Bylaw No. 1134, 2011.

#### 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. 1134, 2011, 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 1 – DEFINITIONS, in the paragraph for "FACILITY", Council:
  - a. deletes "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, those being Port Albion and Ucluelet West (Inner and Outer Boat Basins)."
  - b. inserts "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)."
6. In Part 8 – RESERVED BERTHS, Council:
  - a. deletes "2. Reserved berths are only available on a monthly basis. Vessels requiring partial months will pay the reservation fee for the entire month."
  - b. inserts "2. Reserved berths are only available on a six month basis. Vessels requiring less than six months will pay the reservation fee for the entire six months."
7. In Part 10 -- COMMERCIAL FISHING VESSEL (CFVs), Council:

- a. deletes "1. Commercial Fishing Vessels (CFVs) may sell their marine products at the Small Craft Harbour Facility only, provided the vessel has been issued a vendors licence by the Department of Fisheries & Oceans and has a current District of Ucluelet Business Licence."
  - b. inserts "2. Commercial Fishing Vessels (CFVs) may sell their marine products provided the vessel has been issued a vendors licence by the Department of Fisheries & Oceans and has a current District of Ucluelet Business Licence."
8. In SCHEDULE "A", Council:
- a. deletes  
"MONTHLY RESERVED BERTH  
 For vessels approved for a Reserved Berth the following reservation fee is payable in advance of the reserved berth being made available.  
 \$75.00 per month"  
 in its entirety.
  - b. inserts  
"RESERVED BERTH  
 For vessels approved a Reserved Berth the following reservation fee is payable, in advance of the reserved berth being made available.  
 \$450.00 for up to and including six (6) months."

### **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 23rd day of February, 2016.

**READ A SECOND TIME** this 23rd day of February, 2016.

**READ A THIRD TIME** this 23rd day of February, 2016.

**ADOPTED** this 8th day of March, 2016.

**CERTIFIED A TRUE AND CORRECT COPY** of "District of Ucluelet Harbour Regulation Bylaw No. 1189, 2016."

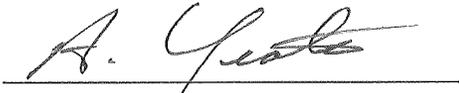


Mayor  
Dianne St. Jacques



CAO  
Andrew Yeates

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



CAO  
Andrew Yeates



## DISTRICT OF UCLUELET

### Bylaw No. 1193, 2016

A bylaw to amend District of Ucluelet Harbour Regulation Bylaw No. 1134, 2011

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The Council of the District of Ucluelet 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. 1193, 2016”.

#### Application

2. This bylaw amends the indicated provisions of District of Ucluelet Harbour Regulation Bylaw No. 1134, 2011.

#### 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. 1134, 2011, 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. District of Ucluelet Harbour Regulation Bylaw No. 1134, 2011 is hereby amended as follows:
  - a. In Part 13 – RULES FOR DETERMINING RESIDENCE, Council deletes:
    - “1. The following rules apply to determine the area in which a person is a resident:
      1. a person is a resident of the area where the person lives and to which, whenever absent, the person intends to return;
      2. a person may be the resident of only one area at a time for the purposes of this bylaw;
      3. a person does not change the area in which the person is a resident until the person has a new area in which the person is a resident;
      4. a person does not cease being a resident of an area by leaving the area for temporary purposes only.
    - “2. As an exception to part one above, if a person establishes for the purposes of attending an educational institution a new area in which the person is a resident that is away from the usual area in which the person is a resident, the person may choose for the purposes of this bylaw either the usual area or the new area as the area in which the person is a resident.

- b. In SCHEDULE "A", Council:  
 ii. deletes the following table

**Resident Recreational**

	<b>Daily</b>	<b>Weekly</b>	<b>Monthly</b>	<b>Quarterly</b>	<b>Annual</b>
Oct 1 to Mar 31	\$0.55	\$3.30	\$4.95	\$7.70	\$40.50
Apr 1 to Sep 30	\$0.80	\$4.80	\$6.35	\$16.00	\$40.50

- iii. and inserts the following table in its place.

**Recreational**

	<b>Daily</b>	<b>Weekly</b>	<b>Monthly</b>	<b>Quarterly</b>	<b>Annual</b>
Oct 1 to Mar 31	\$0.60	\$3.65	\$5.45	\$8.50	\$44.55
Apr 1 to Sep 30	\$0.90	\$5.30	\$7.00	\$17.60	\$44.55

- c. In SCHEDULE "A", Council:  
 iv. deletes the following table in its entirety.

**Resident Recreational Seniors (60+) Proof of age required**

	<b>Daily</b>	<b>Weekly</b>	<b>Monthly</b>	<b>Quarterly</b>	<b>Annual</b>
Oct 1 to Mar 31	\$0.50	\$3.00	\$4.50	\$7.00	\$36.50
Apr 1 to Sep 30	\$0.80	\$4.80	\$6.35	\$16.00	\$36.50

- v. deletes the following table in its entirety.

**Transient Recreational**

<b>Daily</b>	<b>Weekly</b>	<b>Monthly</b>	<b>Quarterly</b>	<b>Annual</b>
\$0.80	\$4.80	\$15.00	\$37.50	\$65.00

**Severability**

6. 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.

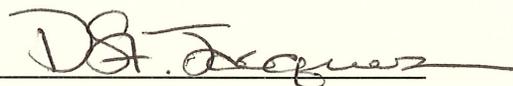
**READ A FIRST TIME** this 22nd day of March, 2016.

**READ A SECOND TIME** this 22nd day of March, 2016.

**READ A THIRD TIME** this 22nd day of March, 2016.

**ADOPTED** this 12th day of April, 2016.

**CERTIFIED A TRUE AND CORRECT COPY** of "District of Ucluelet Harbour Regulation Bylaw No. 1193, 2016."



Mayor  
Dianne St. Jacques



CAO  
Andrew Yeates

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



CAO  
Andrew Yeates