AMENDMENT NO. 7 TO ORDINANCE 15 Tariff Section No. 6 Item 14

ENACTING GENERAL TARIFF NO. 1, ESTABLISHING RULES, REGULATIONS, CHARGES, AND FEES, INCLUDING HARBOR FEES ON VESSELS AND CARGO IN CONNECTION WITH THE HUMBOLDT HARBOR AND BAY 38 FOOT, DEEP DRAFT NAVIGATION IMPROVEMENT PROJECT WITHIN THE JURISDICTION OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT

The Board of Commissioners of the Humboldt Bay Harbor, Recreation, and Conservation District do ordain as follows:

Section 1. Amendment to Ordinance No. 15. Ordinance No. 15, as amended by Amendment Nos. 1 through 6, inclusive, of the Humboldt Bay Harbor, Recreation, and Conservation District is hereby amended as follows:

The following words are hereby deleted from Section II, Tariff Section No. 6 of Ordinance No. 15, as amended:

Miscellaneous Services Rates and Conditions; Item 14:

14 Harbor Usage

a. Vessels - five dollars ($5.00) per foot of draft based upon reported sailing draft at time of departure for any vessel using any portion of the Bar and Entrance Channel, and an additional five dollars ($5.00) per foot of draft based upon reported sailing draft for any vessel using any portion of the North Bay and Samoa Channels.

b. Cargo - seven and one-half cents (0.075) per short ton or eight and two hundred sixty-five thousandths cents ($0.08265) per metric ton for any cargo on board a vessel using any portion of the Bar and Entrance Channel, and an additional seven and one-half cents ($0.075) per short ton or eight and two hundred sixty-five thousandths cents ($0.08265) per metric ton for any cargo on board a vessel using any portion of the North Bay and Samoa Channels.

AND the following words inserted in place of the deleted text:

14 Harbor Usage

a. Vessels - five hundred dollars ($500.00) per commercial barge, ship, or other vessel over 200 feet in length or 20 foot of draft using any portion of the Bar, Entrance Channel, North Bay or Samoa Channels.
b. Cargo – fifteen cents ($0.15) per short ton or eight and two hundred sixty five thousandths cents ($0.1653) per metric ton for any cargo on board a vessel using any portion of the Bar and Entrance Channel, and an additional fifteen cents ($0.15) per short ton or eight and two hundred sixty five thousandths cents ($0.1653) per metric ton for any cargo on board a vessel using any portion of the North Bay and Samoa Channels.

Section 2. Severability. If any subsection, sentence, clause or phrase of this article is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Commissioners hereby declares that it would have adopted this ordinance, and each and every subsection, sentence, clause and phrase thereof not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Section 3. Conflicts. All ordinances and parts of ordinances or resolutions, in conflict herewith, are hereby repealed to the extent of such conflicts and no further.

Section 4. Effective Date. The effective date of this ordinance is thirty (30) days after its adoption by the Board of Commissioners.

Section 5. Publication. This ordinance shall be published within 15 days from the passage thereof with the names of the members voting for and against them at least once in some daily newspaper of general circulation printed and published in the District.

PASSED AND ADOPTED THIS 24th DAY OF OCTOBER, 2019 BY THE BOARD OF COMMISSIONERS OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT BY THE FOLLOWING POLLED VOTE:

AYES: Doss, Kullmann, Higgins, Marks, Dale

NOES: None

ABSENT: None

GREG DALE, PRESIDENT
Board of Commissioners

ATTEST:

LARRY DOSS, SECRETARY
Board of Commissioners