

CITY OF HOMER
HOMER, ALASKA

ORDINANCE 92- 45

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF HOMER AMENDING CITY CODE § 10.12.080 RELATING TO
TRANSFER OF RESERVED SMALL BOAT HARBOR STALLS

BE IT ORDAINED BY THE CITY OF HOMER:

Section 1. Section 10.12.080 of the Homer Code is hereby amended to read as follows:

a. No person may sell, lease, transfer or, assign at the moorage agreement for the use or control of the assigned stall to any other person or entity, or otherwise charge another person for the use of a stall. ~~A "transfer" or assignment under this section shall include the sale of twenty-five percent or more of any vessel ownership interest held by a corporation, partnership, sole proprietorship or other entity. It is specifically understood that the stalls are operated by the city, which has the sole control of the assignment, transfer and use of the individual stalls.~~

b. Any person acquiring at the vessel or any ~~partnership or other interest therein, or acquiring any interest in if the owner is a corporation, partnership, or other entity owning a vessel or any interest therein, shall, any stock of the corporation, from an owner~~ will not thereby acquire any right under at the moorage agreement, or any right to use an assigned the stall, except as specifically provided in subsection c. of this section.

c. Upon the death of any reserved stall user, reserved mooring privileges shall be transferred to the surviving spouse upon written request to the harbormaster.

d. In the event of a sale, lease, transfer or assignment of a moorage agreement prohibited by this section, the harbormaster shall revoke the moorage agreement after 10 days' written notice to the holder of the moorage agreement.

Section 2. This ordinance is of a permanent and general character and shall be included in the City code.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this 26th day of October, 1992.

CITY OF HOMER


HARRY E. GREGOIRE, MAYOR

ATTEST:


MARY L. SHANNON, CITY CLERK

AYES: 5
NOES: 0
ABSTAIN: 0
ABSENT: 1

First Reading: 09/28/92
Public Hearing: 10/12/92
Second Reading: 10/26/92
Effective Date: 10/27/92

Reviewed and approved as to form and content:


Richard J. Leland
City Manager


GORDON J TANS
City Attorney