

**PORT OF NEWPORT
RESOLUTION NO. 2016-02**

A RESOLUTION SETTING RATES, FEES, AND CHARGES

WHEREAS, ORS 294.160 requires the governing body of a unit of local government to provide an opportunity for interested persons to comment on the enactment of any ordinance or resolution prescribing a new fee or a fee increase; and

WHEREAS, Port of Newport Facilities Code Sec. 1.2(f) and 2.10(c)(6) requires the Commission to set rates and charges for moorage and electrical usage by the adoption of a "fee schedule" by resolution; and

WHEREAS, the Port Commission last adjusted rates, fees and charges via Res. No. 2015-06 on May 26, 2015; and

WHEREAS, the Port Commission feels that user fees should help to offset those costs related to the depreciation and on-going maintenance of the port; **NOW THEREFORE**,

THE PORT OF NEWPORT BOARD OF COMMISSIONERS RESOLVES AS FOLLOWS:

Section 1. Service Rates. Rates apply to all Port of Newport locations unless otherwise noted. Rates become effective July 1, 2016. Port owned equipment to be operated by port personnel.

	OLD	NEW	+/-
A. <u>Forklift.</u> In addition to labor rate.			
1. Small. Toyotas.			
a. per hour.....	\$11.00	\$11.33	3%
b. minimum charge	\$ 7.00	\$ 7.21	3%
2. Large. All at International Terminal (IT).			
a. per hour.....	\$27.50	\$28.33	3%
b. minimum charge	\$16.50	\$17.00	3%
B. <u>Hoist Dock.</u> Tie up fee, per hour. Includes use of hoist.			
1. one hour minimum, up to 3 hrs.	\$36.25	\$37.34	3%
2. after 3 hours.	\$43.00	\$44.29	3%
C. <u>Hoist Dock Cranes.</u> In addition to hoist dock rate.			
1. Large Capacity. In addition to labor rate.			
a. per hour	\$38.50	\$39.66	3%
b. minimum charge	\$29.75	\$30.64	3%
2. Launch Sail Boats. Includes recovery, per launch.....	\$41.25	\$42.49	3%
D. <u>Service Docks.</u>			
1. Swede's. In addition to moorage.....daily moorage rate		same	0%
E. <u>City Water.</u>		same	0%
F. <u>Fuel Surcharge.</u> International Terminal only. Per			
gallon.....	\$ 0.03	\$0.031	3%
G. <u>Electricity.</u> Swede's Dock, Dock 1, and IT. Per day			
charge.			
1. 208/220 v, single phase & 208 v three phase.....	\$14.75	\$15.19	3%
2. 120v. IT	\$ 6.25	\$ 6.44	3%
3. PD 7 Service Dock, 110v pumps	\$ 6.25	\$ 6.44	3%
4. PD 7 Yard Charge, trucks	\$11.25	\$11.59	3%
H. <u>Hydraulic Crane.</u> In addition to labor rate. 30 ton			
capacity, per hour (min. 1 hr.).....	\$128.75	\$132.61	3%

	OLD	NEW	+/-
I. <u>Pump/Line Service.</u> Includes one Port employee only. Additional staff required will be billed at the established hourly labor rate. Per hour.	\$56.75	\$58.45	3%
J. <u>Storage.</u>			
1. Outside Lot Storage			
a. per square foot, daily rate.....	\$ 0.01	\$0.010	0%
b. per square foot, monthly charge.....	\$ 0.21	\$0.216	3%
c. minimum monthly charge	\$21.00	\$21.63	3%
d. boat trailer only, per night.....	\$ 2.10	\$ 2.16	3%
e. boat on trailer, per night, 10 days limit	\$ 7.20	\$ 7.42	3%
2. Emergency Storage Fee. Per day billed as guest. For vehicles, boats or trailers prior to being considered unclaimed property in possession (ORS 98.245) Charge for improper use of parking lot (i.e. boat repair).....	\$21.00	\$21.63	3%
K. <u>Gear Work.</u> Boat crew is responsible for clean-up. If Port Employees are required to clean up area, the boat account will be billed at the established hourly labor rate.			
1. Commercial Marina, per day.....	\$18.25	\$18.80	3%
2. Terminal Lot, per day. Short term use only. Deep-draft cargo has priority	\$18.25	\$18.80	3%
3. South Beach Marina, per day	\$18.25	\$18.80	3%
L. <u>Work Barge.</u> In addition to labor rate.			
1. Work Boat, per hour. Licensed captain extra.....	\$121.00	\$124.63	3%
2. Wood Barge, per day (work boat extra).....	\$23.00	\$23.69	3%
3. Skiff, per hour.....	\$13.00	\$13.39	3%
M. <u>Clean-up.</u> Fees will be charged for each man-hour at the established labor. Equipment charges are extra			
1. Oil Spills, per hour.....	\$90.00	\$92.70	3%
N. <u>Disposal Fees.</u>			
1. Just Oil, per gallon	\$ 0.29	\$ 0.300	3%
2. Oil-Water Mix, per gallon	\$ 0.74	\$ 0.760	3%
3. Net Disposal and/or Related Gear, per pound.....	\$ 0.16	\$ 0.165	3%
4. Garbage, per pound	\$ 0.11	\$ 0.113	3%
O. <u>Port Labor.</u> Includes administration staff.			
1. per hour; 3/4 hour minimum, in 15 min. increments	\$49.00	\$50.50	3%
2. Overtime. Any services required outside the established working hours, unless otherwise posted, will be charged at one and one-half times (1.5) the normal rate for labor. Per hour, 1 hour minimum	\$73.50	\$75.71	3%
3. Emergency Call-out. Any services requiring a port employee not currently on duty to report to duty after hours, will be charged at twice (2.0) the normal rate for labor. Per hour	\$98.00	\$100.94	3%
P. <u>Pallet Charge.</u> Any Port owned pallet leaving yard, each.	\$ 5.30	\$ 5.46	3%
Q. <u>Dredge Spoils.</u> Includes state fees; may be waived for other public agencies. Per cubic yard.	\$ 2.00	\$ 2.00	0%
R. <u>Keys/Cards.</u>			
1. South Beach Facilities. Cards.			
a. original/first two.....	free	free	0%
b. replacement/additional	\$ 5.50	\$ 5.67	3%
2. Bay Front Facilities. Keys.			
a. original/first one	\$15.50	\$15.97	3%
b. replacement/additional	\$27.50	\$28.33	3%

Section 2. Bay Front Charges. Per linear foot. All charges for greater length between dock and boat.

	OLD	NEW	+/-
A. Moorage. Per linear foot.			
1. Daily	\$ 0.44	\$ 0.45	3%
2. Calendar Month.....	\$ 8.00	\$ 8.25	3%
3. Semi-Annual.....	\$30.40	\$31.31	3%
4. Annual	\$40.35	\$41.56	3%
B. Annual Parking Permit. Permit effective for calendar year starting April 1 st . Commercial Fisherman only	\$21.00	\$21.00	0%

Section 3. International Terminal Charges. International Terminal Tariff No. 1 adopted via Res. No. 2014-03 on May 22, 2014. All fees authorized via Tariff No. 1. Effective July 1, 2014.

A. Port Security Fee. (§I.13). Per day.....	\$895.00	\$895.00	0%
B. Materials & Supplies. (§I.31). Cost plus	25%	25%	0%
C. Dockage Charges. (§III.13). Rate per day, by length.			
1. 000.00 – 351.05 ft.	\$1,627.00	\$1,627.00	0%
2. 351.05 – 371.02 ft.	\$1,792.00	\$1,792.00	0%
3. 371.02 – 400.26 ft.	\$1,981.00	\$1,981.00	0%
4. 400.26 – 426.51 ft.	\$2,203.00	\$2,203.00	0%
5. 426.51 – 449.48 ft.	\$2,373.00	\$2,373.00	0%
6. 449.48 – 475.72 ft.	\$2,607.00	\$2,607.00	0%
7. 475.72 – 498.69 ft.	\$2,960.00	\$2,960.00	0%
8. 498.69 – 524.93 ft.	\$3,527.00	\$3,527.00	0%
9. 524.93 – 551.18 ft.	\$3,639.00	\$3,639.00	0%
10. 551.18 – 574.15 ft.	\$3,822.00	\$3,822.00	0%
11. 574.15 – 600.39 ft.	\$4,373.00	\$4,373.00	0%
12. 600.39 – 626.64 ft.	\$5,092.00	\$5,092.00	0%
13. 626.64 – 649.99 ft.	\$5,787.00	\$5,787.00	0%
14. Above 650 ft., added on top of above rate, per ft.	\$ 8.90	\$ 8.90	0%
15. Exceptions for certain vessels. (§II.14), per ft. per day. \$ 0.80	\$ 0.80	\$ 0.80	0%
D. Service and Facility Charges. (§III.2). Per 1000 board feet, unless noted.			
1. Logs. Scribner scale, ex dock	\$ 7.75	\$ 7.75	0%
2. Cants.....	\$ 6.00	\$ 6.00	0%
3. Lumber. Packaged rough.....	\$ 5.22	\$ 5.22	0%
4. Lumber. Packaged surfaced.....	\$ 4.63	\$ 4.63	0%
5. Plywood, Veneer, corestock & hardboard, /1000 kilos. \$ 5.87	\$ 5.87	\$ 5.87	0%
6. Pulp, Linerboard, bales or rolls, 2000 kilos.....	\$ 3.49	\$ 3.49	0%
7. Other commodities, per metric ton or 1000 bf	\$ 6.83	\$ 6.83	0%
8. Other commodities, per cubic meter	\$ 5.69	\$ 5.69	0%
E. Wharfage Assessment. (§III.6). Minimum charge for any single bill of lading.....	\$10.00	\$10.00	0%
F. Wharf Charges. (§III.7). Per 1000 board feet, unless noted. In addition to Service and Facility Charges.			
1. Logs. Scribner scale, ex dock	\$ 9.50	\$ 9.50	0%
2. Cants.....	\$ 6.00	\$ 6.00	0%
3. Lumber. Packaged rough.....	\$ 4.55	\$ 4.55	0%
4. Lumber. Packaged surfaced.....	\$ 4.03	\$ 4.03	0%
5. Plywood, Veneer, corestock and hardboard, per 1000k\$ 3.96	\$ 3.96	\$ 3.96	0%
6. Pulp, Linerboard, bales or rolls	\$ 2.72	\$ 2.72	0%
7. Other commodities, per 1000 kilos	\$ 5.57	\$ 5.57	0%
8. Other commodities, per cubic meter	\$ 4.57	\$ 4.57	0%
G. Cargo Staging Area. (§IV.2). Base rent for surge area.			
1. per week, seven days	\$2,000.00	\$2,000.00	0%
2. per day, less than seven days	\$300.00	\$300.00	0%

H. Line Service. (§V.3). Labor will be charged at the rates set out in the current ILWU/PMA West Coast Contract. Rate schedule per day.

1.	2 men	\$520-\$656	\$520-\$656	0%
2.	4 men	\$1,061-\$1,317	\$1,061-\$1,317	0%
3.	6 men	\$1,575-\$1,973	\$1,575-\$1,973	0%
4.	8 men	\$2,153-\$2,631	\$2,153-\$2,631	0%

Section 4. South Beach Charges. Per linear foot. All charges for greater length between dock and boat except for F-Dock which is boat length only. Effective November 1, 2016.

A. Moorage. Per linear foot.

1.	Daily	\$ 0.62	\$ 0.64	3%
2.	Weekly	\$ 3.71	\$ 3.82	3%
3.	Calendar Month.....	\$ 9.50	\$ 9.79	3%
4.	Semi-Annual.....	\$34.99	\$36.04	3%
5.	Annual	\$55.36	\$57.02	3%
6.	Live aboard. Monthly rate by agreement only.			
	a. First person.....	\$48.50	\$49.95	3%
	b. Each Additional.....	\$42.00	\$43.26	3%
	c. Electrical Surcharge, per extra plug on dock	\$30.00	\$30.90	3%

B. South Beach Charter Rates.

1.	Annual Moorage, per linear foot (PONFC)	\$43.19	\$44.92	4%
2.	Charter License.....	\$300.00	\$300.00	0%

C. Dock Box.

1.	Purchase (at cost)	\$300.00	\$309.00	3%
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D. Electrical Upgrade. From 20 to 30 amp. One time

		\$51.50	\$53.05	3%
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E. Line Replacement. Per foot, per time

		\$ 1.00	\$ 1.00	0%
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F. Launch Fee.

1.	Daily	\$ 6.00	\$ 6.00	0%
2.	Annual			
	a. Resident	\$55.00	\$55.00	0%
	b. Resident Senior.....	\$50.00	\$50.00	0%
	c. Non-resident.....	\$75.00	\$75.00	0%

Section 5. Recreational Vehicle Park Fees. Effective November 1, 2016. Rates include state and municipal lodging tax.

		OLD	NEW	+/-
A.	<u>Peak Season (Summer).</u> May 1 – October 31			
1.	All Marina Park Sites			
	a. Daily			
	i. Regular	\$43.00	\$44.00	3%
	ii. Good Sam.....	\$38.70	\$40.00	3%
	b. Weekly			
	i. Regular	\$269.00	\$277.00	3%
	ii. Good Sam.....	\$242.10	\$249.30	3%
	c. Monthly Rate	\$760.00	\$783.00	3%
2.	The Annex.			
	a. Daily.....	\$33.00	\$34.00	3%
	b. Weekly.....	\$201.00	\$207.00	3%
	c. Monthly	\$602.00	\$620.00	3%
3.	Dry Camping	\$19.00	\$20.00	5.5%

B. <u>Off Season (Winter).</u> November 1 – April 30. No discounts during Seafood and Wine Festival.			
1.	All Sites in the Marina Park		
	a. Daily		
	i. Regular	\$38.00	\$39.00 3%
	ii. Good Sam.....	\$34.20	\$35.00 3%
	b. Weekly		
	i. Regular	\$228.00	\$235.00 3%
	ii. Good Sam.....	\$205.20	\$211.50 3%
	c. Monthly Rate	\$652.00	\$672.00 3%
2.	The Annex.		
	a. Daily.....	\$33.00	\$34.00 3%
	b. Weekly.....	\$201.00	\$207.00 3%
	c. Monthly.....	\$602.00	\$620.00 3%
3.	Dry Camping.....	\$19.00	\$20.00 5%
4.	Seafood & Wine Surcharge, per night (2 night min.) Added to all RV Park stays including Dry Camping.....	–	\$ 5.00 n/a
C. <u>Pet Fee.</u> Charged additionally.			
1.	Daily. First pet free; each additional.....	\$ 2.00	\$ 2.00 0%
2.	Weekly. First pet free; each additional.....	\$10.00	\$10.00 0%
3.	Monthly. Charged per pet including first.....	\$10.00	\$10.00 0%
D. <u>Individual Fee.</u> First two people free; each additional person charged.			
1.	Daily.....	\$ 2.00	\$ 2.00 0%
2.	Weekly.....	\$10.00	\$10.00 0%
3.	Monthly.....	\$30.00	\$30.00 0%
E. <u>Vehicle Fee.</u> Any combination of three axle pieces of equipment (i.e. trailer, fifth wheel, truck/car, storage trailer). Charged for fourth piece.			
1.	Daily.....	\$ 2.00	\$ 2.00 0%
2.	Weekly.....	\$10.00	\$10.00 0%
3.	Monthly.....	\$30.00	\$30.00 0%
F. <u>Non-Refundable Reservation Fee.</u>			
1.	Before 72 hours.....	\$10.00	\$10.00 0%
2.	72 hours and after.....		first night's rate 0%
G. <u>Service Fee Reimbursement.</u> For electric pedestal amperage overloads. First service call included in base rate. All other service reimbursements may be charged at actual cost to port.....			
		\$77.00	\$79.00 3%
H. <u>Laundry Machines.</u> per load.....			
		\$ 2.00	\$ 2.00 0%
I. <u>Process Fees.</u> Any additional fees incurred by the Port as part of an eviction process.			
1.	Notice.....	\$50.00	\$50.00 0%
2.	FED Complaint.....	\$200.00	\$200.00 0%
3.	Court Hearing.....	\$165.00	\$165.00 0%
4.	Writ of Execution.....	\$140.00	\$140.00 0%

2016. **Section 6. Civil Penalties.** Penalties found in PONFC (Sec. 7.4(a)). Paid in full. Effective July 1,

	OLD	NEW	+/-
A. Class A Violation			
1. 0-14 days, per day	\$300.00	\$300.00	0%
2. 15-29 days, per day	\$600.00	\$600.00	0%
3. 30+ days, per day	\$1,000.00	\$1,000.00	0%
B. Class B Violation			
1. 0-14 days, per day	\$150.00	\$150.00	0%
2. 15-29 days, per day	\$300.00	\$300.00	0%
3. 30+ days, per day	\$500.00	\$500.00	0%
C. Class C Violation			
1. 0-14 days, per day	\$30.00	\$30.00	0%
2. 15-29 days, per day	\$60.00	\$60.00	0%
3. 30+ days, per day	\$100.00	\$100.00	0%
D. Class D Violation			
1. 0-14 days, per day	\$15.00	\$15.00	0%
2. 15-29 days, per day	\$30.00	\$30.00	0%
3. 30+ days, per day	\$50.00	\$50.00	0%
E. Parking Violation. Per event, both vehicles and trailers.			
1. 0-10 days, paid within	\$40.00	\$40.00	0%
2. 11-20 days, paid within	\$85.00	\$85.00	0%
3. 21+ days, paid within	\$125.00	\$125.00	0%

Section 7. Administrative Fees. Staff may require payment or deposit in advance of service (ORS 192.440(4)(a)). Effective July 1, 2016.

A. Public Records Request Fee Schedule.			
1. Copies of Public Records. Per Page.....	\$ 0.25	\$ 0.25	0%
2. Copies of Sound Recordings	\$10.00	\$10.00	n/a
3. Copies of By-laws, Codes, Plans, bound documents..	\$20.00	\$20.00	n/a
4. Copies of Nonstandard documents.....	\$20.00	\$20.00	n/a
B. Research. Written request required. Hourly rate. ½-hr. min.	\$48.25	\$50.50	5%
C. Computer Time. Port operator. Hourly rate. ½-hr. min.....	\$48.25	\$50.50	5%
D. Faxes/Emailing/Copies. Per Page			
1. Local.....	\$ 1.00	\$ 1.00	0%
2. Long Distance	\$ 1.50	\$ 1.50	0%
3. Incoming.....	\$ 1.00	\$ 1.00	0%
4. Copies	\$ 0.25	\$ 0.25	0%
E. Long Distance Phone Calls.	\$ 2.00	\$ 2.00	0%
F. Lamination. Per Page, letter size.....	\$ 2.00	\$ 2.00	0%
G. Notice Posting. For non-payment of lease or moorage.....	\$60.00	\$62.00	3%
H. Failure to Register. For research related to unregistered boats.....	\$30.00	\$31.00	3%
I. South Beach Meeting Room. Must be pre-arranged and authorized. Keys must be obtained and returned. Certain waivers.....	\$75.00	\$75.00	0%
J. Returned Check Fee. Plus bank fees.....	\$50.00	\$50.00	0%
K. Per Annum Interest Rate. Applied to past due accounts.....	18%	18%	0%
L. POV Mileage Reimbursement Rate (IRS)	current	current	0%

	OLD	NEW	+/-
M. <u>Travel Reimbursement Rates</u> follow current IRS per diem rates.... current (http://www.gsa.gov/portal/category/104711)	current	current	0%
N. Impound Seizure Fee. Vessel impounding.....	\$550.00	\$750.00	36%
O. Special Use Permit Fee. GM has authority to adjust usage fee based upon non-profit status and other criteria			
1. Application Fee	\$100.00	\$100.00	0%
2. Usage Fee, Number of Participants, Attendees, Contestants, Volunteers at Event			
a. 1-200	\$400.00	\$400.00	0%
b. 201-500	\$650.00	\$650.00	0%
c. 501-1000	\$900.00	\$900.00	0%
d. 1001-5000	\$1,400.00	\$1,400.00	0%
e. 5001-10,000	\$1,900.00	\$1,900.00	0%
f. 10,001-20,000		\$2,400.00	n/a
g. More than 20,000		\$5,000.00	n/a
3. Vendors, per each.....	\$40.00	\$40.00	0%
4. Insurance Certificate Limits			
a. General Liability, per occurrence	\$1MM	\$1MM	0%
b. General Liability, in aggregate	\$2MM	\$2MM	0%
5. Security (TCB) costs reviewed and passed along to applicant.			
P. Impound Seizure Fee. Car/Truck/Trailer	\$100.00	\$100.00	0%
Q. Vessel Moving. Does not include labor rate. Per event	\$250.00	\$250.00	0%
R. Background Check	\$25.00	\$25.00	0%
S. Credit Check	\$35.00	\$35.00	0%
T. Notary Fees (OAR 160-100-0410). Acknowledgement, Affidavit/Jurat, Oath/Affirmation, Witness/Attest	--	\$10	n/a

Section 8. Insurance Certificate Limits. Effective July 1, 2016. Additional coverages may be required based upon business type and Port's discretion. A certificate naming the Port as an additional insured in also required.

A. <u>Leases/Tenants.</u>				
1.	General Liability, Each Occurrence	\$1.7MM	\$2MM	18%
2.	Damaged to Rented Premises (each occurrence).....	\$300K	\$300K	0%
3.	Medical Expense (any one person)	\$5,000	\$5,000	0%
4.	Personal & Adverse Injury	\$1.7MM	\$2MM	18%
5.	General Aggregate	\$1.7MM	\$2MM	18%
6.	Products – Comp/Op Aggregate.....	\$1.7MM	\$2MM	18%
B. <u>Moorage/Vessels.</u>				
1.	Commercial Vessels			
a.	General Liability			
i.	Protection & Indemnity / Wreck Removal.....	\$250k	\$250k	0%
ii.	Pollution Coverage.....	\$300k	\$300k	0%
iii.	Combine Coverage / Wreck Removal.....	\$600k	\$500k	0%
2.	Recreational Vessels			
a.	General Liability			
i.	Ocean Marine Liability / Wreck Removal.....	\$300k	\$300k	0%
ii.	Pollution Coverage.....	\$300k	\$300k	0%
iii.	or Watercraft Liability, specifically includes wreck removal and pollution. Umbrella clauses must identify boats exceeding 25 ft.	\$500k	\$500k	0%
3.	Charter/Guide Vessels			
a.	General Liability.....	\$1.7MM	\$1.7MM	0%

- 4. International Terminal Vessels (Tariff No. 1(\$17))
 - a. Maritime Employer's Liability (Jones Act)..... \$1.00MM \$1.00MM 0%
 - b. Commercial and/or Comprehensive Marine General Liability..... \$5.0MM \$5.0MM 0%

Section 9. Retails Sales, Gift Certificates, Promotions, Sponsorships and Sundries. The Commission delegates to Manager the ability to set prices for sundries, cards, magnets, cups, DVDs, gift certificates, coupons, promotions, advertising, sponsorships and other retail and marketing items.

Section 10. Delegation of Responsibility. The Commission delegates to General Manager the ability to adjust these rates on a temporary basis to better manage services at the Port of Newport. Any adjustments to these rates will be reported to the Commission at its next regular meeting.

Section 11. Annual Review. The Commission, through assistance by Port staff, shall annually review and adopt a new rate, fees and charges resolution prior to the subsequent budget's adoption.

Section 12. Repealer. All previous rates and/or rate resolutions are hereby repealed.

APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS this 24th day of May, 2016.



 Walter Chuck, President

ATTEST:


 David Jincks, Secretary/Treasurer