

Ordinance No. 2502

ORDINANCE TO AMEND SECTIONS 10.5-2-2 THE SHERMAN V. CANAAN BACK BAY
FISHING DOCK BERTHING RATE SCHEDULE AND 10.5-2-3
THE BILOXI COMMERCIAL FISHING DOCK BERTHING RATE SCHEDULE

WHEREAS, the City is in the process of updating its ordinances pertaining to its harbors;
and

WHEREAS, the Biloxi City Council finds that it is in the best interests of the health, safety and
welfare of the residents of Biloxi that the Sherman V. Canaan Back Bay Fishing Dock and the Biloxi
Commercial Fishing Dock berthing rate schedule be amended to include power utility charges and
environmental fees;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL
OF THE CITY OF BILOXI, MISSISSIPPI:

SECTION ONE: That Section 10.5-2-2 and 10.5-2-3 of the Code of Ordinances, Biloxi.
Mississippi, of 1992, is hereby amended as follows:

Sec. 10.5-2-2 - The Sherman V. Canaan Back Bay Fishing Dock berthing rate schedule Berthing
fees for the Sherman V. Canaan Back Bay Fishing Dock and the Biloxi Commercial Fishing Dock
shall be assessed according to the following schedule, and shall be computed according to the
"overall length" definition set out above:

(1) Permanent tenants of the commercial slips shall pay a monthly fee of \$3.00 times the
"overall length" of the boat, plus power utility fee and environmental fee.

(2) Tenants for the transient commercial slips shall be charged \$0.50 per linear foot of
vessel overall length, per day.

(3) Power utility fees:

a. For permanent tenants, per generator:

i. 1/30 amps (minimum):\$30.00/month

ii. 2/30 amps:\$60.00/month

iii. 1/50 amps:\$50.00/month

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iv. 2/50 amps:\$100.00/month

v. 100 amps: \$100.00/month

vi. Over 100 amps:An amount per month to be determined by the port manager of Biloxi Ports and Harbors in his/her sole and absolute discretion.

vii. Vessels with no electrical usage:0.25/foot per month

b. For transient commercial slips, the power utility fee shall be a reasonable amount, for each berth, estimated by the port manager of Biloxi Ports and Harbors in his/her sole and absolute discretion, based on the estimated total amount for the days of occupancy.

(4) Environmental fees: The amount of this monthly or daily fee shall be a reasonable amount determined by the port manager of Biloxi Ports and Harbors in his/her sole and absolute discretion, based on vessel size and estimate of guests.

Sec. 10.5-2-3 – The Biloxi Commercial Fishing Dock berthing rate schedule

Berthing fees for the Biloxi Commercial Fishing Dock, which is located west of the Biloxi Small Craft Harbor, shall be determined and assessed based upon the size of the slip being rented and the overall length of the boat. If the "overall length" of the boat times \$3.00 is greater than the base slip fee for the particular berthing slip being rented, then that length determined amount shall be the monthly berthing fee; otherwise, the base slip fee for the particular berthing slip being rented will be the monthly berthing fee. If a slip is not identified by number in the following list then the monthly berthing fee shall be based upon the length of the vessel as provided herein. The base slip berthing fees shall be:

(1) Berthing slip fees for slips 3—10 shall be \$132.00 per month.

(2) Berthing slip fees for slips 11—19 shall be \$99.00 per month.

(3) Berthing slip fees for slips 20—37 shall be \$180.00 per month.

(4) Berthing slip fees for slips 38—49 shall be \$135.00 per month.

(5) Tenants for the transient commercial slips shall be charged \$0.50 per linear foot of vessel "overall length", per day.

(6) Power utility fees:

a. For permanent tenants, per generator:

i. 1/30 amps (minimum):\$30.00/month

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ii. 2/30 amps:\$60.00/month

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vii. Vessels with no electrical usage:0.25/foot per month

b. For transient commercial slips, the power utility fee shall be a reasonable amount, for each berth, estimated by the port manager of Biloxi Ports and Harbors in his/her sole and absolute discretion, based on the estimated total amount for the days of occupancy,

(7) Environmental fees: The amount of this monthly or daily fee shall be a reasonable amount determined by the port manager of Biloxi Ports and Harbors in his/her sole and absolute discretion, based on vessel size and estimate of guests.

SECTION TWO: This Ordinance shall become effective as soon thereafter as is signed, certified, and as is otherwise provided by law.

The foregoing Ordinance having first been reduced to writing, was read by the Clerk and moved by Councilmember Lawrence, seconded by Councilmember Glavan, and was adopted by the following vote:

YEAS:	Lawrence	Glavan	NAYS:	Deming
	Newman	Barrett		
	Tisdale			

ABSENT: Gines

The Vice-President then declared the Ordinance adopted this the 17th day of January, 2023.



ATTEST:

Kei Campbell

 CLERK OF THE COUNCIL

APPROVED:

John M...

 VICE-PRESIDENT OF THE COUNCIL

Ord. No.

Submitted to and approved by the Mayor, this the 19th day of January, 2023.

APPROVED:


MAYOR

2502

CITY OF BILOXI
AGENDA ITEM
FACT SHEET

Item No.: 4 A

Council Meeting Date: January 17, 2023

ITEM TITLE: **ORDINANCE (6th Reading)**

INTRODUCED BY: **Mayor Andrew "FoFo" Gilch**

CONTACT PERSON: **E. Michael Leonard, CAO** *EL*
Peter Abide, City Attorney

SUMMARY EXPLANATION:

Ordinance to amend Sections 10.5-2-2 the Sherman V. Canaan Back Bay Fishing Dock berthing rate schedule and 10.5-2-3 the Biloxi Commercial Fishing Dock berthing rate schedule

Resolution _____ Ordinance Public Hearing _____ Routine Agenda _____

Exhibits for Review

Contract _____ Minutes _____ Plans/Maps _____ Deed _____ Lease _____

Other (Specify):

Submittal Authorization: Council President _____ Mayor

STAFF RECOMMENDATION: Staff recommends approval

COUNCIL ACTION: Motion By: Lawrence Second By: Glavan

Vote:	Councilmember	Yes	No	Other	Councilmember	Yes	No	Other
	Lawrence	___	___	___	Tisdale	___	___	___
	Gines	___	<u>A</u>	___	Glavan	___	___	___
	Newman	___	___	___	Barrett	___	___	___
	Deming	___	<u>Nay</u>	___				

Deming - Nay

ACTION TAKEN: First reading on January 3, 2023

6-4

Ordinance No.

ORDINANCE TO AMEND SECTIONS 10.5-2-2 THE SHERMAN V. CANAAN BACK BAY FISHING DOCK BERTHING RATE SCHEDULE AND 10.5-2-3 THE BILOXI COMMERCIAL FISHING DOCK BERTHING RATE SCHEDULE

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b. For transient commercial slips, the power utility fee shall be a reasonable amount, for each berth, estimated by the port manager of Biloxi Ports and Harbors in his/her sole and absolute discretion, based on the estimated total amount for the days of occupancy.

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