

Ordinance No. 2549

ORDINANCE TO AMEND SECTION 10.5-2-1 THE POINT CADET MARINA
AND THE BILOXI SMALL CRAFT HARBOR BERTHING RATE SCHEDULE OF
THE CODE OF ORDINANCES, BILOXI. MISSISSIPPI, OF 1992

WHEREAS, the City of Biloxi (the “City”) has invested significant resources in improvements to the Point Cadet Marina, including the installation of floating docks; 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 Point Cadet Marina berthing rate schedule be amended to include a berthing rate for the newly installed floating docks;

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

SECTION ONE: That Section 10.5-2-1 of the Code of Ordinances, Biloxi. Mississippi, of 1992, is hereby amended as follows:

Sec. 10.5-2-1. The Point Cadet Marina and the Biloxi Small Craft Harbor berthing rate schedule.

Berthing slip fees for the Point Cadet Marina and the Biloxi Small Craft Harbor shall be assessed according to the following schedule:

- (1) Month-to-month berth slip fee: \$6.00 per foot per month, plus power utility fee, environmental fee, and seven percent Mississippi sales tax;
- (2) Point Cadet Marina floating docks month-to-month berth slip fee: \$7.00 per foot per month, plus power utility fee, environmental fee, and seven percent Mississippi sales tax;
- (23) Charter boat berth slip fee: \$3.00 per foot per month, plus power utility fee, environmental fee, and seven percent Mississippi sales tax. This rate shall not apply to the floating docks in the Point Cadet Marina. To qualify for a charter boat rate, owners shall submit a valid business license, sales tax permit, proof of commercial insurance as required by the Charter Boat Rules and Regulations, and any other documents deemed necessary. Subsequent to the first year of operation as a charter boat in either the Biloxi Small Craft Harbor or Point Cadet Marina, charter boats must provide proof

of at least six paid charter trips over the prior calendar year and each year for renewal thereafter. Failure to submit this documentation on an annual basis will result in loss of the charter boat rate.

- (~~34~~) Vessels under repair berth slip fee: \$2.00 per foot per month, plus power utility fee, environmental fee, and seven percent Mississippi sales tax. This rate applies only to vessels which are inoperable. Upon return to operable conditions, the normal rates shall apply;
- (45) Transient slip fee: \$1.00 per foot per day, plus power utility fee, environmental fee, and seven percent Mississippi sales tax. Transients are limited to 25 consecutive nights. Transients may not solicit business for a commercial fishing charter or operate a commercial fishing charter. Other than special event vessels who are part of a special event agreement, all vessels moored and occupied overnight for longer than 25 consecutive nights shall be classified as live-aboard and charged according to live-aboard rates;
- (56) Tournament/special events berth slip fee: \$3.00 per foot per day, plus power utility fee, environmental fee, and seven percent Mississippi sales tax;
- (7) Floating Dock Tournament/special events berth slip fee: \$3.50 per foot per day, plus power utility fee, environmental fee, and seven percent Mississippi sales tax;
- (~~68~~) Month-to-month live-aboard berth slip fee: If a vessel is not berthed under a transient berth slip agreement or a tournament/special events berth slip agreement and if the vessel is occupied overnight for more than ten nights within any calendar month period, then the vessel shall be considered a live-aboard vessel that shall pay \$10.00 per foot per month live-aboard berth slip fee, plus power utility fee, environmental fee, and seven percent Mississippi sales tax, on a monthly basis. Owners of all live-aboard vessels are required to empty their holding tanks on at least a monthly basis at the designated dump station at the harbor or marina and receive a dump ticket, a copy of which is required to be delivered to the Biloxi Ports and Harbors' office within one day of receipt;
- (~~79~~) Excursion vessels: An excursion vessel is defined as a vessel used to carry passengers on short trips for the purpose of pleasure or sightseeing. The berthing rate for excursion vessels will be negotiated separately based on size, passenger capacity, and requirement for marina services.

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(§10) Power utility fees:

- a. For month-to-month lessees, live-aboards, transient tenants, and special event 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
 - 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 live-aboard, special event, and transient lessees: based on the estimated total amount for the days of occupancy, 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.

(911) 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.

(1012) Late fee: \$25.00 late fee if 20 days in arrears.

SECTION TWO: Upon unanimous vote of the members of the City Council, this ordinance shall be in full force and effect from and after passage, because it serves the public peace, health and safety of the citizens of Biloxi, and good cause exists for same. If not a unanimous vote this Ordinance shall become effective as soon thereafter as is signed, certified, and as is otherwise provided by law.

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

YEAS:	Lawrence	Tisdale	NAYS:	None
	Gines	Glavan		
	Newman	Shoemaker		
	Deming			

The President then declared the Ordinance adopted this the 26th day of March, 2024.



ATTEST:

Keeli Campbell
CLERK OF THE COUNCIL

APPROVED:

[Signature]
PRESIDENT OF THE COUNCIL

Submitted to and approved by the Mayor, this the 27th day of March, 2024.

APPROVED:

[Signature]
MAYOR