

§ 8-19. Board of Harbor Commissioners.¹

- A. Creation; appointment; term. A Board of Harbor Commissioners shall be created by a resolution of the Common Council. Such resolution shall state that the Board shall consist of seven members. Such resolution shall state the length of the term of each member of the first Board to be appointed so that the term of one or more will expire the first year, one or more in two years, and one or more in three years. Appointments to the Board shall be made by the Mayor, subject to confirmation by the Common Council. No person shall be appointed unless they are a qualified elector of the City and have been a resident of the City for at least three years. Not more than one member of the Common Council shall be eligible for appointment to the Board. The term of office of each member shall be three years. A person appointed to the Board shall serve until a successor is appointed and qualifies. Members of the Board shall receive no compensation for their services, but they shall be reimbursed for expenses actually and necessarily incurred in the performance of their duties. The Harbormaster shall serve as staff liaison to the Board of Harbor Commissioners. **[Amended 5-2-2017 by Ord. No. 2017-4; 8-1-2023 by Ord. No. 2023-15]**
- B. Organization. The Board shall select a President and Vice President. The Board may employ a Secretary. The Board shall hold meetings at such times and places as it determines.
- C. Powers and duties.
- (1) Planning. The Board of Harbor Commissioners shall make such plans as it deems necessary for the improvement of the harbor over which it has jurisdiction. The Board shall not carry out any such plans until approved by the Common Council.
 - (2) Commercial aspects. The Board of Harbor Commissioners shall have exclusive control over the commercial aspects of the day-to-day operations of the harbor and its facilities. Nothing contained herein shall prevent the Common Council from changing or restricting such control by resolution approved by a majority of the Council.
 - (3) Fees and charges. The Board of Harbor Commissioners shall fix fees and charges for the use of the harbor facilities, except such fees shall be subject to approval by the Common Council.
 - (4) Budgets. The Harbormaster shall submit an annual estimate of anticipated revenues and expenses for review and approval by the Board of Harbor Commissioners. The Board of Harbor Commissioners shall submit such budget to the City Administrator at a time to be designated by the City Administrator. The City Administrator shall submit the budget to the General Government and Finance Committee of the Common Council at a time to be established by the General Government and Finance Committee. Final review

1. Editor's Note: See also § 20-9, Department of Marina/Harbor Facilities.

of the budget shall be by the Common Council for inclusion in the annual budget of the City. All monies derived from the operation of the harbor facility shall be paid into the general fund. No money may be expended by the Board of Harbor Commissioners which has not been appropriated by the Council in the adoption of its budget. The Common Council may from time to time authorize the transfer of certain net income resulting from harbor operations from the general fund into the harbor reserve fund, in amounts determined by the Council. **[Amended 8-1-2023 by Ord. No. 2023-15]**

- (5) Annual report. The Board of Harbor Commissioners shall report annually to the Council giving an account of its activities and an account of its income and expenditures.
- (6) Health, order and safety. Nothing contained herein shall be deemed to remove from the authority of the Common Council, or its designees, control of the governmental aspects relating to the public health, order and safety.