

**CBJ DOCKS & HARBORS BOARD**  
**OPERATIONS/PLANNING COMMITTEE MEETING MINUTES**  
**Wednesday, February 18th, 2015**

I. Call to Order

Mr. Simpson called the meeting to order at 5:00 p.m. in room 224.

II. Roll Call

The following members were in attendance: Budd Simpson, David Summers, and David Logan – via telephone.

Absent – Bob Janes, and John Bush.

Also in attendance were: Carl Uchytel – Port Director, Dave Borg – Harbormaster, Gary Gillette – Port Engineer, and Michael Peterson – Board Member.

III. Approval of Agenda

**MOTION By Mr. Summers TO APPROVE THE AGENDA AS PRESENTED.**

The motion passed with unanimous consent.

*[Agenda Items IV through VI omitted]*

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VII. Unfinished Business

1. Harbor Code of Conduct

Mr. Uchytel said the Harbor Code of Conduct is a summary of some important regulations for patrons who live aboard their vessels. The Harbormaster can use the Harbor Code of Conduct to encourage proper etiquette on the docks. The Harbor Code of Conduct should be written simply enough for most people to understand. Also, it will require a regulation change. George Utermohle is the President of Grateful Doges of Juneau, Inc. He sent a letter in response to the Harbor Code of Conduct and the Pet Owners Code of Conduct, and that letter is included in your packet. Mr. Utermohle would like to see an addition to the Pet Owners Code of Conduct and some rewording to help clarify the latest edition.

## Committee Questions

Mr. Simpson asked do you want to replace the Pet Owners Code of Conduct we have prepared with what Mr. Utermohle has prepared.

Mr. Uchytel said yes, that would be my recommendation.

Mr. Peterson asked is what Mr. Utermohle recommending a conflict with what staff and law recommend.

Mr. Borg said the only conflict is the pet registration requirement. I want pets to be registered with the harbor so I know what animals a patron has on his or her vessel. There are many dogs in the harbors that are not registered with the City and Borough of Juneau, AK. There will also be a fee for having a pet living aboard a vessel in the harbor, and that will help cover costs associated with pets in the harbors.

## Public Discussion

Mr. Utermohle of Juneau, AK, said I am here on behalf of Grateful Dogs of Juneau, which is a local nonprofit membership organization that advocates on behalf of responsible dog owners and dogs. Codes of conduct are useful in establishing standards that promote harmonious social relationships. Our goal is to be good citizens and work well with the rest of the community. Currently the Harbor Code of Conduct is written to establish rules by which to ban patrons from the harbors. I suggest a Code of Conduct that people can aspire to and will make the harbors a more attractive and friendlier place to visit and live. I propose the Code of Conduct be aspirational instead of regulatory. Currently they set a very low standard of conduct and are on the edge of what is criminal and what is not criminal. Picking up after your dog is just one rule. Training the dog and having the dog be civil towards others would be better. Also, the current Code of Conduct is directed at residents of the harbors. There are a large number of people that use the harbors that the Harbor Code of Conduct should encompass. The Code of Conduct should include the areas surrounding the harbors so harbor users are not impacting non-harbor properties.

## Committee Discussion/Action

Mr. Summers asked do you currently or have you in the past resided in the harbors.

Mr. Utermohle responded no.

Mr. Summers said I consider you an advocate of the dogs. Do you think having a large dog on a small boat is good for the dog; knowing there is no yard and no place for the dog to go?

Mr. Utermohle responded that is a lifestyle choice and as to my expertise on the subject, I could not say.

Mr. Borg said there is a 28 foot Bayliner in the harbor with 4 dogs and 2 people living on it. Perhaps in the future we can address the maximum number of pets allowed on a boat.

Mr. Summers said I disagree with some of the points made in the letter from the Grateful Dogs of Juneau. People are entitled to peaceful use of their space. Harbor patrons are entitled to peaceful use of the harbors and we should not live in fear for our safety or the safety of our children. The letter from Grateful Dogs of Juneau is above and beyond the Code of Conduct that was prepared. One of the reasons it should be above and beyond is that there is only 8 feet of egress on the docks. When I encounter a dog on the docks I don't have a yard or a fence to try to get away from the dog. My solution to the dog waste problem in Savikko Park is that we do not allow dogs in Douglas Harbor. The regulations need to be punitive in order to stop the people who don't aspire to be good pet owners from disrupting the harbor flow.

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Mr. Simpson said I would like to have a Code of Conduct that has authority to support it as some of the dog owners in the harbors do not aspire to meet some of the basic requirements necessary to be in the harbors.

Mr. Borg said I have given the unabiding dog owners numerous opportunities to correct their actions. These dog owners respond negatively or completely ignore me when I tell them to put their dog on a lease. I have purchased 500 leashes for Harbor Officers to give to patrons walking their dogs on the docks without a leash. I appreciate Mr. Utermohle's suggestions, but I need a Code of Conduct that gives me more authority.

Mr. Peterson asked it says "infractions or penalties as provided in CBJ Animal Control Code," how will that give you more authority?

Mr. Borg said currently all I can do is write a \$25.00 civil fine. Animal Control Officers can write tickets for \$25.00, \$50.00 and \$100.00.

Mr. Peterson asked is there anything we can do to give you more authority than you already have.

Mr. Borg said only if it is in our regulations.

Mr. Simpson said we need to have the Harbor Code of Conduct first, and then we can go to the Assembly to request an ordinance change.

Mr. Uchytel said I met with the Law Department and was informed that if we have a code of conduct that will have more authority over patrons who have multiple infractions. We can issue a no trespass against patrons who have crossed the threshold of too many offenses. We currently have no authority for the issues listed in the Code of Conduct.

Mr. Simpson said the docks and the floats are different than anywhere else. There is a safety element that does not exist in a lot of other places and it warrants different treatment and more rules than what you might have elsewhere like a trail. We are willing to incorporate some of the suggestions presented by Grateful Dogs of Juneau. We will still need people to register their pets with Harbors. Also, there should be a provision that says “repeated violations of this Code of Conduct can subject the offender to punitive discipline and no trespass”.

Mr. Uchytel said the Law Department did not support the idea of us evicting pets from the harbors.

Mr. Simpson said we can direct the discipline at the pet owner.

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Mr. Uchytel said we have a process that allows us to impound vessels but we do not have a process that allows us to evict people from the harbors.

Mr. Simpson asked when we impound a vessel are the patrons evicted from the harbor.

Mr. Uchytel said no.

Mr. Peterson asked is the Law Department okay with number 5 which states, “Ensure animals are properly confined on the vessel”.

Mr. Borg responded yes, the Law Department is okay with number 5.

Mr. Logan said we need to consider pets that are transient. The pet registration should be for harbor use. Pets from people who don’t have a boat in the harbor or patrons who are transient should abide by the harbor rules too.

Mr. Simpson said I would like to see another draft of the Code of Conduct before we move forward.

*[Remainder of page 5, and pages 6, 7, 8, and a portion of 9 omitted.]*

## XII. Adjournment

The Operations/Planning Committee meeting adjourned at 6:40 p.m.