

**THE VILLAGE OF MASSET HARBOUR AUTHORITY
OPERATIONS DIRECTIVE # 1
OPERATIONAL GUIDELINES**

I. INTRODUCTION

A. PURPOSE

The purpose of this directive is to promote the safe and efficient operation of the harbour for all harbour users.

B. APPLICATION

This directive applies to all harbour personnel and all users of the harbour.

C. DEFINITIONS (to be used throughout)

1. **HARBOUR:** all water, land and buildings within the boundaries of the harbour as per the Harbour Authority's head lease. The harbour is known as Delkatla Slough Harbour.
2. **MANAGER:** the Manager of the Harbour Authority or any person to whom the Manager may delegate his or her authority.
3. **OWNER:** any person, firm, partnership, corporation, association or organization or agent thereof with actual or apparent authority who expressly or implicitly contracts for use of a harbour facility.
4. **HARBOUR USER:** any person including vessel owners / operators, tenants and general public entering the harbour.
5. **ASSIGNMENT:** any rental, sub-rental, lease, sub-lease or assignment, whichever is applicable.
6. **VESSEL:** every variety of watercraft or other artificial contrivance capable of being used as a means of transportation on the water.
7. **BERTHAGE FACILITY:** any properties or facilities owned or operated by the Harbour Authority.
8. **CHARGES:** charges for berthage and storage and all other charges owing or to become owing under a contract between a harbour user and the Harbour Authority.
9. **HARBOUR AUTHORITY:** The Harbour Authority (HA) is the Corporation of The Village of Masset (VOM)

II. POLICY

APPLICABLE STATUTES

1. Fishing and Recreational Harbours Act and Regulations.
2. Government Property Traffic Act.
3. Warehouse Liens Act.

NOTIFICATION

It is the responsibility of all harbour users to obtain harbour directives from the Harbour or Harbour Authority office. The Harbour Authority does not accept responsibility for mailing or delivery of harbour directives, nor for ensuring that harbour users have familiarized themselves with said directives.

A. ENFORCEMENT

1. Harbour personnel or the Manager may enforce all HA directives by written or verbal instruction. Any person or persons who violate any HA directive and / or refuse to follow instructions given by HA personnel may be instructed to leave the harbour.
2. Harbour users who violate HA directives or accrue an unreasonable amount of debt to the HA may be subject to cancellation of berthage and storage privileges and / or the detention or removal of their vessel(s) or gear. Any charges associated with detention or removal of gear will be levied against the owner of the vessel(s) / gear.

B. LIABILITY

Anyone visiting or using the harbour or its facilities does so at his / her own risk. The Harbour Authority does not assume any responsibility for loss or damage to property or persons within the harbour.

Harbour Authority personnel reserve the right to board any vessel if required during the course of their duties. The Harbour Authority assumes no responsibility whatsoever for any incidental damage done to any vessel by any of its personnel during the course of said duties.

C. VEHICLE TRAFFIC

1. Vehicle operators must obey all posted speed limits.
2. The Manager may establish traffic and parking regulations, including the posting of signs, as required for safety and efficient utilization of harbour premises.

3. Any vehicle parked in violation of HA signs or regulations may be towed at the owner's expense.
4. Riding bicycles, skateboarding and rollerblading on floats or piers is prohibited.
5. Living in cars, vessels or any other type of unconventional accommodation on harbour property is prohibited.
6. No live aboard residences on harbour property are permitted. For live aboards and temporary residences on vessels see Operations Directive #9.

D. GARBAGE / ENVIRONMENTAL WASTE

1. All garbage / environmental waste is to be disposed of in the appropriate waste containers provided.
2. Negligent disposal of garbage, oil, fuel or any other substance detrimental to the marine environment in the harbour's uplands or water lots is strictly prohibited. Any person(s) caught polluting the marine environment may be prosecuted and/or may be reported to appropriate federal/provincial agencies.
3. Disposal of household refuse in harbour waste containers is prohibited.
4. Disposal of refuse in the harbour waste containers that is not from moored harbour users is prohibited.

E. CONDUCT

1. Any person whose conduct is threatening or physically or verbally abusive toward any Harbour Authority personnel may be charged accordingly, and /or be ordered to vacate the harbour.
2. Any behaviour that unreasonably disturbs or creates a nuisance for other harbour users is prohibited.
3. Subject to the balance of this policy cannabis use or drinking of alcoholic beverages is prohibited unless on licensed premises or on private vessels. Use of illegal drugs is prohibited anywhere on harbour premises.
4. Consistent with our commitment to provide a safe and healthy work environment, the Harbour must maintain a drug free work place.
5. Employees must report to work free from the influence of any drugs or alcohol and for the remainder of the shift.

6. Employees may not use or be under the influence of illegal drugs or substances, break any law involving drugs or alcohol, misuse legal drugs or alcohol, at any time on the Company premises, while on Harbour business, or while driving vehicles owned, rented or leased by the Harbour.
7. It is a violation of our drug-free workplace policy for employees to possess, sell, consume or be under the influence of alcoholic beverages or cannabis, abuse of prescription drugs or illegal drugs while on the Harbour premises.
8. An employee who is using prescription or over the counter drugs that may impair the employee's ability to safely perform the job, or affect the safety or well-being of the others, must notify their supervisor of such use immediately before starting or resuming work.

F. CHILDREN

1. The Harbour Authority strongly recommends that children be accompanied by an adult at all times while on harbour property, and wear approved personal flotation device.

G. PETS

1. All pets must be on a leash in all harbour areas. Pet owners are responsible for cleaning up animal waste.
2. Any animal found unattended on Harbour property will be turned over to the appropriate animal authority.
3. Any situation in which an animal is found in a condition considered by HA personnel to be inhumane will immediately be reported to the appropriate animal authority. An aggressive pet will be dealt with in the same manner as an aggressive person.

H. RECREATIONAL ACTIVITIES

1. Swimming, water skiing, scuba diving and operating any personal water craft (i.e. sea-doo's, etc.) are all prohibited within Harbour limits.
2. Overnight camping on harbour property is prohibited.
3. Suspending of crab pots or fishing in the Harbour from vessels, docks, floats, piers or along shoreline property is subject to the direction of the Harbour Manager.

I. CONTRACTOR / EVENT LICENSING REQUIREMENTS

Any person or company offering services to others or hosting an event on HA property may require a license to do so. Commercial filming and miscellaneous licenses can be obtained from the HA office.

III. BERTHAGE CONDITIONS

A. VESSEL REGISTRATION

1. All vessels entering the harbour are required to register at the HA office within 24 hours of their arrival or be refused services.
2. Any vessel owner that does not report in within 24 hours of his / her arrival may have their vessel detained by the HA until such time as the HA discovers the owner's identity and / or any debt associated with the vessel is paid in full.

B. VESSEL IDENTIFICATION

Vessels in the harbour must have the following valid identification permanently and clearly displayed on the exterior of the vessel:

- a. Vessel name.
- b. Vessel registration number (when required under legislation).
- c. CFV/VRN number (for active commercial fishing vessels).
- d. Emergency contact information. At least one contact must be locally available.

C. SEAWORTHINESS

1. All vessels berthed in the harbour must be completely seaworthy as determined by the HA. All vessels must also have working engines and be capable of moving under their own power at all times (unless in the midst of active engine repairs).
2. Vessels that the Harbour Authority deem unseaworthy or hazardous to harbour property or to other vessels will not be granted berthage.

D. BERTHAGE

1. Assignment of Berthage

- i. All non-transient vessel owners must sign a HA Berthage Agreement as a condition of occupancy. See Operations Directive #8 Berthage.
 - ii. A vessel's berthage can be assigned by the HA with regard to a vessel's length, breadth, draw, hull type and operating equipment.
 - iii. "Length" refers to the overall horizontal distance measured between perpendiculars to the water drawn at the extreme ends of the vessel. If no length has been measured, "length" will be taken as the length stated by DFO vessel licensing.
 - iv. There is no assigned berthage in the harbour other than allowed by ii above.
2. Vessel owners and operators are responsible for ensuring their vessel(s) have adequate fenders to protect adjacent vessels.
3. Vessel owners and operators are responsible for securing their vessel(s) with adequate berthing lines. All vessels must be secured with a minimum of a bow, spring and stern line or more if required due to vessel size. In the spirit of safety for all Harbour users and staff, berthing lines must not cross any floats, piers or walkways.
4. Bowsprits and other projections that extend over pedestrian floats are prohibited.
5. The HA reserves the right to move any vessel for the protection of life or property or to achieve the best utilization of harbour facilities. In the event that the HA needs to relocate a vessel for any reason, a HA staff member will attempt to inform the vessel's owner as a courtesy by calling their last known phone number. If the owner cannot be contacted, no such notice need be given.
6. The HA reserves the right to allocate the use of any berthage space as it deems necessary.
7. No berthing is permitted in designated loading zones. Vessels berthed in loading zones may be towed and relocated at the owner's expense.
8. Shore power cords and extension cords must meet all Federal and Provincial Electrical Code regulations and must be secured so that they do not hang in the water or otherwise create a hazard for harbour users.

E. LIVING ABOARD

Live-aboards are prohibited in the harbour. See Operational Directive #9 for details.

F. STORAGE ON PIERS OR FLOATS

1. Vessel owners and operators using the harbour are required to keep the piers or floats in the vicinity of their vessel clear at all times – storage of anything on piers or floats is prohibited. Violators may have their items seized and detained without notice. Any costs associated with the seizure and / or detention of such items will be levied against their owner.
2. Storage of any pollutants such as oily rags, open paints, gasoline or other flammable or explosive material is prohibited on the piers or floats. All such items will be immediately removed and / or disposed of at the owner's expense.

G. DINGHIES

Dinghies are not allowed on wharves, floats or piers. Dinghies are not allowed to be moored to any float, pier or vessel without permission of the Harbour Master. All dinghies must be stored in or on the owner's vessel.

H. BOATHOUSES

Boathouses are not permitted in the harbour unless authorized by the Harbour Authority.

IV. GENERAL

A. SIGNS

1. All harbour users must obey all signs posted by the harbour Authority.
2. Posting of signs on harbour property without prior approval from the HA is prohibited.
3. Posting of signs for the sale of vessels berthed in the Harbour is permitted provided the sign(s) are not larger than 2' X 2' posted on-board the vessel or 8.5" x 11" posted on the HA bulletin boards.
4. Signs posted on vessels must not extend beyond the bow or stern of the vessel, nor be higher than 5' above the deck.

B. SAFETY EQUIPMENT

1. Firefighting equipment is to be used for fighting fires only. Any tampering with or theft of firefighting equipment will be brought to the attention of the RCMP and criminal charges may be pursued against any offenders.
2. Pollution control equipment and supplies are to be used for emergency spill response only. Any tampering with or theft of pollution control

equipment or supplies will be brought to the attention of the RCMP and criminal charges may be pursued against any offenders.

3. Lifesaving equipment is for emergency use only. Any tampering with or theft of life saving equipment or supplies will be brought to the attention of the RCMP and criminal charges may be pursued against any offenders.

C. THEFT / DAMAGE / INJURY

1. The Harbour Authority is not responsible or liable for any damages to or loss of vessels, their tackle, gear, equipment or property either upon said vessel or upon the premises adjacent thereto.
2. Should damage and / or personal injury result from violation of these regulations, the person in violation shall be held liable. Should any damage other than normal wear and tear be done to any HA float or structure for any reason, the person that caused the damage shall be held liable.

D. PAYMENT FOR SERVICES

Berthage, storage and service rates will be assessed in accordance with the current HA Rates Directive.

E. DELINQUENT BERTHAGE COLLECTION

1. If any owner berthing or storing a vessel at the berthage facility fails to pay charges owed for use of the facility, the Manager and harbour personnel are authorized to take reasonable measures, including the use of ropes and locks, to secure vessels within the berthage facility so that the vessels are in the possession and control of the HA and cannot be removed from the facility until the outstanding charges have been paid in full. Notification of such action shall be sent by mail to the owner's last known address. If no address was provided by the owner, or no update was given if the owner has moved, the HA need not give such notice.
2. If a vessel is detained under subsection 1 the owner may regain possession of the vessel by making payment to the HA for all outstanding charges. In extreme cases, the Manager reserves the right to make other arrangements with the vessel owner to resolve the situation on a case-by-case basis.

F. OTHER SERVICES

1. Winches

- a. The HA has winches at the harbour that are available to bona-fide harbour users free of charge. Users must ensure that they do not

exceed the posted load limits. Harbour users are requested to report any damage to the winches to the Harbour Authority immediately.

2. Emergency Equipment

The HA maintains bilge pumps and pollutant containment booms for emergency use only. In the event that emergency equipment is needed, contact the HA immediately at 250-626-7362 cell. Charges for equipment use will be in accordance with the current Rates Directive.

3. Electrical Power

- a. All electrical cords must meet posted Federal and Provincial Electrical Regulations. No accessories, utilities or other attachments shall be affixed to harbour structures without the approval of the HA.
- b. Shore power cords must be secured so they will not hang into the water or constitute a hazard to pedestrian traffic on floats.
- c. Floats are provided with 120-volt A/C service, either 20 amp or 30 amp. There are also three 240 volt 3-phase/4-wire 30-amp outlets. A 20-amp outlet requires a minimum 12-gauge outdoor rated cord. A 30-amp outlet requires a minimum 10-gauge outdoor rated cord. Do not plug a 20-amp connector into a 30-amp outlet.
- d. Power sharing is not permitted.
- e. Customer is responsible for keeping electrical cords from being a tripping hazard and out of the water.
- f. The use of power outlets may be withheld from vessel owners with delinquent accounts.
- g. During periods of heavy usage, only one outlet per vessel is permitted. The HA may approve exceptions under extenuating circumstances.
- h. Notwithstanding emergency situations, harbour users are not permitted to disconnect power cords from other vessels.
- i. Charges for electrical use will be in accordance with the current Rates Directive.
- j. The Harbour Authority may temporarily disconnect vessel power at any time and will reconnect as soon as possible thereafter. The Harbour Authority may periodically check a vessels power connection for stray AC or DC current.

G. CUSTOMER SUGGESTIONS AND GRIEVANCES

1. The Harbour Authority is sensitive to the concerns of its users and is obligated to take reasonable action regarding valid suggestions and complaints. Harbour users should submit any suggestions or complaints in writing to the Manager.

Harbour Authority

Date