



7D

**Agenda Bill No.:** 24-1374

**Assembly Meeting Date:** 04/23/24

<b>Business Item Description:</b>	<b>Attachments:</b>
Subject: HDTRMSA Commercial Fees	1. Ordinance 24-04-672 2. HDTRMSA Board Request for Action
Originator:	
Originating Department: Administration	
Date Submitted: 4/4/24	

**Full Title/Motion:**  
No motion necessary since this ordinance is already scheduled for a second public hearing May 14th.

**Administrative Recommendation:**

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$	\$ 0	\$ 0	

**Comprehensive Plan Consistency Review:**

Comp Plan Goals/Objectives:	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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**Summary Statement:**

The Historic Dalton Trail road maintenance service area board has long been charged with establishing a commercial fee schedule. Over the years, there have been several attempts at doing so, none of which were adopted.

This proposal received unanimous support from the HDTRMSA board. The Assembly, at its last meeting, directed staff to bring an ordinance to codify the commercial fees.

The recommendation is to refer this ordinance to the Commerce Committee for review.

**Referral:**

Referred to:	Referral Date:
Recommendation:	Meeting Date:

**Assembly Action:**

Meeting Date(s): 04/09/24	Public Hearing Date(s): 04/23/24, 05/14/24
	Postponed to Date:

**An Ordinance of the Haines Borough Assembly Amending Haines  
Borough Code Section 7.08.050 Historic Dalton Trail Road  
Maintenance Service Area to Provide for Commercial Fees.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

**Section 1.** Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

**Section 2.** Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

**Section 3.** Effective Date. This ordinance is effective upon adoption.

**Section 4.** Amendment of Section 7.08.050(F). Section 3.70.040(F) shall be amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED  
~~STRIKETHROUGH~~ ITEMS ARE DELETED

**7.08.050 Historic Dalton Trail road maintenance service area.**

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D. *Commercial Use*. The **following** ~~service area board shall develop a fee schedule for commercial users~~ **has been adopted by the service area board**. These funds shall be used for capital improvements and repairs. **The following user fees shall be annual fees and shall be supported by an affidavit from the commercial user describing the basis for the fees and a description of location of the use:**

- **Commercial Tourism:** A fee of \$1 per client shall be collected from all commercial tourism companies for each client that enters the Historic Dalton Trail road maintenance service area (RMSA). This fee is due upon renewal of the annual tour permit based upon the previous year's clients. For 2024, the fee is due by July 31, 2024.
- **Mineral Exploration and Placer Mining:** A fee of \$100 per full time seasonal company staff working in the RMSA. Estimated payment due by July 31st.
- **Forestry-based businesses:** A fee of \$5 per 1000 Board Foot. Estimated Payment due by July 31st.
- **Mineral Extraction:** \$1 per yard for hauling aggregate in any from within the RMSA e.g. soil, sand gravel, rock, etc. Estimated Payment due by July 31st.
- **TV Shows/ filming:** A fee of \$100 per full time seasonal company staff working in the RMSA. Estimated Payment due by July 31st.

**Payments in Lieu of Commercial Fees**

Commercial businesses may perform needed maintenance on borough-owned roads within the

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Ordinance No. 24-04-671  
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service area with the consent of the Borough Manager in writing. A statement of value shall be provided to the borough after the maintenance work is completed.

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Adopted by a duly constituted quorum of the Haines Borough Assembly this \_\_\_\_ day of May, 2024.

ATTEST:

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Thomas C. Morphet, Mayor

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Alekka Fullerton, MMC, Borough Clerk

Date Introduced: 04/09/24  
Date of First Public Hearing: 04/23/24  
Date of Second Public Hearing: 05/14/24

**Historic Dalton Trail Road Maintenance Service Area Commercial Use fees  
Unanimously adopted by the HDTRMSA Board on March 13, 2024.**

**Authority**

Haines Borough Code: 7.08.050 D. Commercial Use. The service area board shall develop a fee schedule for commercial users. These funds shall be used for capital improvements and repairs.

**Rationale**

Funds are needed each year to brush, grade, ditch, cold patch and provide general maintenance. Commercial businesses often use trucks, buses, trailers, and vans over multiple trips causing additional wear on roads. The intent of these fees is to have commercial users pay their fair share with an easily administered system.

**2024 Maintenance Plan**

An estimated \$14,000 will be needed to ditch and scrape Chilkat Lake Road and an estimated \$10,000 will be needed for two gradings of the Porcupine Road.

**Recommendation for yearly commercial user fees, based on the honor system.** Each company will detail where their use is taking place so funds can be allocated correctly.

- **Commercial Tourism:** A fee of \$1 per head shall be collected from all commercial tourism companies for each client that enters the Historic Dalton Trail RMSA. This fee is due upon renewal of the annual tour permit for the previous year's clients. For 2024, a voluntary amount is requested by July 15<sup>th</sup>, 2024.
- **Mineral Exploration and Placer Mining:** A fee of \$100 per full time seasonal company staff working in the RMSA. Estimated payment due by July 15<sup>th</sup>, 2024.
- **Forestry-based businesses:** A fee of \$5 per 1000 Board Foot. Estimated Payment due by July 15<sup>th</sup>, 2024.
- **Mineral Extraction:** \$1 per yard for hauling aggregate in any from within the RMSA e.g. soil, sand gravel, rock, etc. Estimated Payment due by July 15<sup>th</sup>, 2024.
- **TV Shows/ filming:** A fee of \$100 per full time seasonal company staff working in the RMSA. Estimated Payment due by July 15<sup>th</sup>, 2024.

**Payments in Lieu of Commercial Fees**

Commercial businesses may perform needed maintenance on borough-owned roads within the service area with the consent of the Borough Manager in writing. A statement of value shall be provided to the borough after the maintenance work is completed.

**Note** If this fee schedule is not adopted by the Assembly in time for the 2024 summer season, the clerk's office will send a letter to all commercial users of the RMSA asking for a voluntary donation until the fee schedule is finalized.