

**PORT OF NEWPORT
RESOLUTION NO. 2018-11**

**A RESOLUTION AMENDING THE PORT OF NEWPORT FACILITIES CODE TO ADD A
PROVISION THAT THE PORT IS NOT RESPONSIBLE FOR LOSS, DAMAGE OR THEFT TO
PERSONAL PROPERTY ON PORT PREMISES**

WHEREAS, the Port of Newport Board of Commissioners adopted Ord. No. 1-2013 on May 28, 2013 creating the Port of Newport Facilities Code (PONFC); and

WHEREAS, the PONFC may be amended from time to time by resolution of the Commission; and

WHEREAS, the Commission last amended the PONFC via Resolution No. 2017-12 on October 30, 2017;
and

WHEREAS, the PONFC addresses Port Facilities in Chapter 2; and

WHEREAS, however, the PONFC does not include an exculpatory provision regarding personal property belonging to those who use Port facilities; and

WHEREAS, now the Port Commission would like to update the PONFC to include a provision that the Port is not responsible for loss, damage or theft to personal property on Port premises;

NOW THEREFORE,

THE PORT OF NEWPORT BOARD OF COMMISSIONERS RESOLVES AS FOLLOWS:

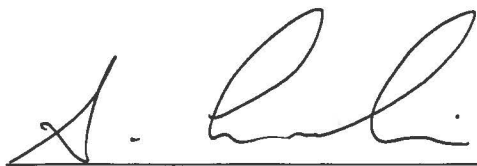
Section I. Add Section 2.1(a) as follows:

Anyone parking/storing personal property at the Port does so subject to this, the Facilities Code, and at his/her own risk. The Port does not assume responsibility for loss, damage or theft to any property within the Port area. The owner/operator is responsible for any cost incurred in removal of the property. The owner/operator shall maintain automobile liability insurance at all times on any vehicle parked in and around Port facilities.

Section II. This resolution becomes effective upon adoption.

Section III. Staff is directed to codify this amendment into the Port of Newport Facilities Code (PONFC) according to past administrative practices.

APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS this 28th day of August, 2018.



Stewart Lamerdin, President

ATTESTED:



Walter Chuck, Secretary/Treasurer

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