

Town of Plymouth

Waterways Regulations

Effective date: May 3, 2006

Definitions:

CHANNEL- means a navigable route for the passage of vessels, established by customary use under the authority of federal, state or municipal law.

CERTIFIED MOORING INSTALLER/INSPECTOR- means an individual who has received written approval to inspect and install moorings from the Harbor Master. The Harbor Master shall maintain a list of certified installers/inspectors.

VESSEL- means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on the water.

I. General Regulations

A. Berthing

1. Only vessels engaged in commercial activity will be permitted docking privileges. Exceptions may be granted by the Harbor Master. These vessels must show proof of insurance.

B. Anchoring

1. Boats shall not anchor in any mooring field or marked channel in the Town of Plymouth.

II. Mooring Regulations

A. Applications and Permits

1. Mooring permit holders who wish to put a larger vessel on their mooring must first gain approval from the Harbor Master. If the existing mooring space will not accommodate a larger vessel then the owner may fill out a mooring application and be placed on the mooring waiting list.
2. Mooring permit holders must notify the Harbor Master's office of any changes such as; address, phone numbers, boat name, type and make.

3. Boat moorings will be assigned to an applicant from the waiting list by the Harbor Master when such moorings are not in use by the Harbor Master, pursuant to the procedures established by these regulations. Once assigned by the Harbor Master, Moorings can not be rented or transferred by their owners other than as permitted by these regulations and the Harbor By-Law.
4. The owner of a mooring must be the sole user of a mooring and must occupy the mooring with his/her own vessel for at least eight (8) weeks between May 1st and October 1st of each year. Boat owners who vacate their moorings for seven (7) days or more must notify the Harbor Master. The Harbor Master may, upon written request and for good cause shown, allow the owner to not use his/her mooring for one season only. After that time, the mooring will be forfeited and transferred to the next available person on the waiting list. Exceptions for extenuating circumstances may be granted by the Harbor Master.
5. Mooring owners must pay their mooring fees on time at the Collector's Office at Town Hall. Failure to pay the mooring fee by the deadline printed on the bill may result in the revocation of mooring privileges.
6. After payment of mooring is made at Town Hall, mooring owners must bring proof of payment, a valid boat registration or documentation papers showing that they in fact own the boat and proof of payment of boat excise tax to the Harbor Master's office in order to obtain their mooring permits.
7. Mooring permits must be placed on the port side of the boat in plain view for inspection. Any boat found on a mooring without a current permit will be fined and/or removed at the owner's expense.
8. It is the mooring holder's responsibility to make sure he/she receives a mooring bill. If a bill is not received by May 1st of each year he/she should contact the Harbor Master's office.
9. Applicant's must correctly and accurately complete application forms for mooring permits, particularly with respect to the size and characteristics of the vessel. Applicants are expressly prohibited from overstating the size of their vessel to secure a larger mooring size than currently necessary. Mooring owners may not transfer their mooring permits from one boat to another without the authority of the Harbor Master. Violation of this provision may subject an applicant to revocation of mooring privileges and/or any other penalties authorized by law.
10. Mooring owners shall have their mooring block, chain and other mooring tackle inspected by a certified mooring installer/inspector every three (3) years. Anyone found with faulty gear may be fined or have his or her mooring rights revoked.
11. No mooring shall be moved or set without the permission from the Harbor Master.

12. The Harbor Master may make emergency mooring assignments to any mooring known to him not to be currently in use. Such assignments shall not exceed the duration of the emergency or emergency condition necessitating the assignment.
13. The Harbor Master may make temporary mooring assignments to any mooring know to him to be left vacant for a season by its owner. Such temporary assignments shall not exceed thirty days in duration.
14. **Failure to comply with any of the above mentioned regulations may result in the revocation and forfeiture of mooring privileges.**

B. Mooring Assignment Method

1. The following method will be used for mooring assignment. A mooring list will be established and managed by the Harbor Master. As new or vacant moorings become available, the Harbor Master will offer the mooring to the next applicant on the waiting list. Priority will be given to the applicant on the waiting list with the earliest date of application and appropriate size range and type for the mooring space available.
2. Waiting list applications must be renewed in person between January 1st and February 28th each calendar year. The applicant's position on the waiting list is determined by the initial filing date of the application. Failure to renew a mooring application will result in removal from the list. (Updated 4/2010 Selectboard)
3. Boat size and other pertinent data on file can be amended on an application form in writing with the applicant retaining priority on the waiting list based on the date of initial application.
4. If an applicant on the waiting list refuses a mooring space offered by the Harbor Master, the applicant may be removed from the waiting list.
5. If an existing mooring becomes available for transfer, the next available person on the waiting list in the appropriate size range will have the option to purchase the ground tackle from the previous owner at fair market value.

C. Tenders

1. Tender permits are available at the Harbor Master office. Any one wishing to purchase a tender sticker must notify the Harbor Master office prior to March 1st of each year. The tender fee will be incorporated in their mooring bill and will be paid at the collector's office at Town Hall. The fee may be determined from time to time by the Town.
2. Tender stickers may be picked up at the Harbor Master office after he/she shows proof of payment and a valid boat registration, if applicable. Tender stickers must be placed on the inside of the transom and visible from the floats for inspection.
3. Only mooring holders are allowed to purchase tender permits unless otherwise authorized by the Harbor Master.
4. Tenders shall be fourteen (14) feet or shorter in length unless otherwise authorized by the Harbor Master.
5. Any tender or skiff found secured to Town owned floats without a valid tender permit will be removed at the owner's expense.
6. Tenders must be removed from all Town owned floats by November 1st of each year. The Harbor Master may grant exceptions.
7. Tenders shall not be locked to any of the Town owned floats.

II. Conducts

A. Reporting Boat Accidents

1. All boating accidents occurring in Plymouth waters where damage exceeds \$500 or results in death, missing person(s) or requires medical treatment more than first aid shall be reported to the Harbor Master and to:
Commonwealth of Massachusetts
Massachusetts Environmental Police
Safety Bureau
1019 Route 132, Second Floor
Hyannis, MA. 02601

B. General Conduct

1. No public drinking, disorderly conduct or disturbing the peace allowed on any Town owned facilities.

III. Penalties

A. Fines

1. A fine not to exceed fifty (\$50.00) dollars may be imposed for each first offense infractions or disobedience to this code of regulations. A fine not to exceed one hundred (\$100.00) dollars may be imposed for second offense infractions within the same calendar year. All other fines that are applicable are defined in MGL c.40 sec 21.
2. Offenders will be prosecuted by the Harbor Master, Assistant Harbormasters, and Seasonal/Intermittent Harbormasters Assistants.
3. Violations of this chapter may be sufficient cause for the Harbor Master to refuse an individual or his or her vessel the use of town-owned or town-controlled facilities or mooring privileges for such period of time as may be determined by the Harbor Master, in addition to necessary court action in cases of violation of the Motorboat Law.

B. Conformance with existing regulations

1. Nothing in the above regulations shall be construed as altering in anyway the content and meaning of provisions of Chapter 81 of the Town of Plymouth by-laws, State statue, or Code of Massachusetts Regulations.