



TOWN OF NORWELL

345 Main Street
Norwell, Ma. 02061

Mooring By-Law

Section 1: Authority

This By-Law is adopted by the Town under its police powers to protect public health and welfare and its powers under M.G.L. Chapter 90B, Section 15; Chapter 91, Section 10A; Chapter 102, Section 19-28; Chapter 43B, Section 13; Chapter 40, Section 21D and 57; Chapter 60B, Section 4; 310 C.M.R. 9.07; and all other applicable laws and regulations.

Section 2: Purpose

The purpose of this Bylaw is to protect the public peace, good order and general welfare; to preserve and protect the waters of the North River within the jurisdiction of the Town of Norwell; to promote, preserve and protect the exercise and enjoyment of the public rights of fishing, fowling and navigation; and to so regulate the use of the waters of the North River within the jurisdiction of the Town of Norwell as to protect and promote the public health, safety, convenience and enjoyment thereof.

Section 3: Definitions

In construing this by-law, the following words shall have the meaning herein given, unless a contrary intent clearly appears:

“North River”- the waters within the North River lying within the Town of Norwell, as defined in N.O.A.A. map dated February 1979.

“Harbormaster”- shall mean any Harbormaster and any assistant Harbormasters duly appointed by the Norwell Board of Selectmen from time to time, and in the absence of any such appointment, the powers and authority of the Harbormaster shall be vested in the Norwell Board of Selectmen.

“Boat”- includes every description of watercraft, used or capable of being used as a means of transportation on the water, including seaplanes, amphibious vehicles, and any other variable use craft when navigating or moored on the water.

“Persons”- shall include individuals, corporations, societies, associations, and partnerships.

“Mooring”- means a place where buoyant vessels, lobster-cars, floats, or rafts are secured to the bottom of the water body and the mooring tackle, including the block, chain, buoy, pennant, and any other equipment, used to secure the vessel by permit from the Harbormaster.

“Marina”- means a berthing area with docking facilities under common ownership or control and with berths for ten or more vessels, including commercial marinas, boat basins, and yacht clubs, A marina may be independent facility or may be associated with a boatyard.

“Boatyard”- means a facility whose function is the construction, repair, or maintenance of boats, which may include provisions for boat storage and docking while awaiting service.

Section 4: Mooring Permits

a. No person shall place any block, chain, pennant or other mooring device within the North River, or moor any boat upon any pier or float within the North River, without first obtaining a mooring permit from the Harbormaster; provided, however, that this section shall not prohibit or restrict the placement of moorings for or the mooring of boats upon any pier or float duly licensed under M.G.L.Chapter 91.

b. A permit for each mooring must be obtained for each calendar year, and a mooring fee set by the Harbormaster on a form prescribed by the Selectmen. The application shall set forth the name and address of the owner, the size and type of the boat to be moored, the size and type of the mooring, and if the mooring is already in the water, the location thereof with sufficient details to enable the Harbormaster to locate it. No mooring shall be rented, except by an operator of a private, public, or commercial marina upon such terms, conditions, and regulations established by the Harbormaster. The Harbormaster shall not issue mooring permits to persons who have delinquent excise taxes.

c. The Harbormaster shall prepare regulations governing the use of moorings, applications for mooring permits, and the size and specifications for moorings, their hardware and pennants. All such regulations shall be submitted to the Selectmen for their approval. Upon approval, the regulations shall be published once in a newspaper of general circulation in the Town and shall be posted for seven (7) consecutive days at the Harbormaster's office and at the Town Clerk's office and shall become effective upon expiration of said (7) days. Copies of such regulations shall be available upon request at the Town Clerk's office and at the Harbormaster's office. Such regulations may be amended from time to time in the same manner.

d. Any hazard to navigation or property, or any mooring placed within the limits of the North River in violation of the foregoing provisions, may be removed by the Harbormaster at the expense of the owner.

Section 5: Penalties

a. Whoever violates any provision of this chapter or any rule or regulation adopted under Section 4 here of, and whoever fails to obey the lawful and reasonable orders of the Harbormaster, or resist him in the execution of his duties, shall be fined up to \$50.00 for each such violation and/or may have their mooring privileges revoked. This chapter shall be enforced by the Harbormaster or by the Board of Selectmen.