

Town of Norwell Mooring Regulations

Rules and Regulations For Moorings and Permits

1. Purpose

The Town of Norwell mooring regulations have been established in order to promote the most efficient and optimum utilization of the North River by the boating public, to provide for the safety of moored and berthed vessels, and to protect the environment and water quality. This shall be done by controlling the placement of moorings and location of berthed vessels, by establishing standards for mooring tackle, and by providing for regular systematic mooring inspections.

2. Responsibility

It shall be the responsibility of the applicant/boat owner to ensure compliance with all applicable laws and these regulations. While the Town has made reasonable efforts to develop specifications believed to be proper, they are not a guaranty or assurance of a safe mooring or berth. Due to weather, use, and other factors over which the Town has no control, the ultimate responsibility and liability for moored and berthed vessels rest with each individual vessel owner.

September 7, 2007

3. Authority and Enforcement

- a. Massachusetts General Laws, Chapter 91, Section 10A, states that individuals who wish to moor or anchor a boat in the various harbors or waterways within the Town of Norwell (or any other town in the Commonwealth) must first obtain permission from the Harbormaster.
- b. These Rules and Regulations are accepted by the Harbormaster and approved by the Board of Selectmen acting pursuant to Section _____ of the By-Laws of the Town of Norwell, Massachusetts General Laws Chapter 102, Section 21 et. seq., Massachusetts General Laws Chapter 91, Section 10A, Massachusetts General Laws Chapter 43B, Section 13, 310 C.M.R. 9.07, and any other applicable legal authority.
- c. The Harbormaster, Assistant Harbormaster, and any other official whom the Board of Selectman may designate, shall enforce these rules and regulations.
- d. Under the authority of Massachusetts General Laws, Chapter 90B, Section 15B; Massachusetts General Laws Chapter 102, Section 19-28; 310 CMR 9.07; Massachusetts General Laws Chapter 40, Section 57; Massachusetts General Laws Chapter 60B, Section 4, and all other applicable laws and regulations, the following rules and regulations are promulgated effective

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4. Definitions

“Berth” – means any space wherein a boat is confined by a mooring, wet slip, pier, dock, float, or any other type of docking facility.

“Boat” or “Vessel” – 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, moored, or berthed on the water, excluding canoes, kayaks, and boats twelve (12) feet in length and under.

“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.

“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.

“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 an independent facility or may be associated with a boatyard.

“Mooring” – means a place where buoyant vessels, lobster-cars, floats, or rafts are secured to the bottom of a 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.

“Mooring Inspector” – means a person authorized by the Harbormaster to perform mooring inspection, installation, and maintenance services.

“Mooring Permit” – means written authorization issued by the Town of Norwell to place a mooring within the North River or to berth a boat upon a wet slip, pier, dock, or float within the North River.

“Mooring Tackle” – means the block, chain, pennant, buoy, and any other equipment used to moor or secure a vessel.

“Mooring Year” – begins on February 15 and ends on December 31 each year.

“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.

“Persons” – shall include individuals, corporations, societies, associations, partnerships and limited liability companies.

“Waiting List” – means a list maintained by the Harbormaster listing all individuals waiting to be granted mooring permits or to be relocate their moorings to other mooring areas.

5. Applicability.

These rules and regulations apply to (a) all moorings, mooring tackle and equipment, floats that are free floating, berths, and all other mooring and berthing locations within the waters of the North River lying within the jurisdiction of the Town of Norwell

and (b) all vessels and other objects moored or berthed within the waters of the North River lying within the jurisdiction of the Town of Norwell.

6. Applications

a. On or before February 15th the Town of Norwell shall have available mooring applications to be downloaded from the Town of Norwell website, to be picked up in person at the Town Clerk's Office, and to be sent out by mail upon telephone request made to the Town Clerk's Office.

b. All mooring permits shall be issued annually, shall be valid for the mooring year beginning on February 15 and ending on December 31st of the calendar year in which they were issued (unless revoked earlier by the Harbormaster for good cause), and must be renewed annually.

c. Any person wishing to obtain a permit to moor or berth a vessel or free float in the North River must submit to the Harbormaster each year either a New Mooring Application or a Renewal Mooring Application. Each New or Renewal Application shall state the approximate location of the proposed mooring or berth, a detailed description of the mooring block, chain, buoy, pennant, and all other equipment proposed to be used to secure the vessel to the bottom of the North River, and a detailed description of the vessel to be moored or berthed thereon. Each new Application shall indicate whether the applicant had placed a mooring in the North River as of June 30, 2007, and if so the location thereof.

d. Each applicant is required to submit with each New or Renewal Application (i) a copy of the state registration or documentation of the vessel, (ii) proof of payment of current excise tax for the

vessel, and (iii) payment of an Initial Application Fee (if applicable), and the annual Vessel Mooring/Berthing Fee.

e. The Town Clerk's Office will date stamp and initial each completed Application as received.

f. Falsifying information on a Mooring Application or failure to submit a completed Mooring Application shall be cause for denial or revocation of such Application.

g. The Harbormaster will review and act on each Application within fifteen (15) days, and if approved, notify the applicant and issue a mooring registration number to be placed on both the mooring buoy or float and on the vessel.

h. Renewal Applications shall include an Inspection Certificate signed by a Mooring Inspector approved by the Harbormaster, certifying that the mooring and mooring tackle have been inspected within the past four (4) years by a Mooring Inspector and meet the minimum requirements established by these Rules and Regulations. The Applicant shall be responsible for the cost of such inspection. Vessel owners with moorings in existence on the date that these Rules and Regulations are approved by the Board of Selectmen shall have one (1) year from the date of such approval to comply with this inspection requirement.

i. Applications may be denied by the Harbormaster due to delinquent mooring permit fees, boat excise taxes or other local fees in accordance with other applicable state and local laws, or due to non-compliance with these Mooring Rules and Regulations.

j. Any person aggrieved by a decision of the Harbormaster may appeal, first to any Mooring Bylaw Committee established by the Selectmen from time to time, and finally to the Selectmen.

7. Permits

a. All moorings and berths (including but not limited to free-floating floats, docks, finger piers, etc.) must be registered with the Harbormaster, and a Mooring Permit approving the placement and location for each such mooring and berth must be received from the Harbormaster by May 15 of each year. Any mooring or berth not so registered by May 15 each year shall be cancelled and the mooring or berthing space shall be allocated to those on the waiting list.

b. All Mooring Permits are for use only by the vessel identified on the permit issued. Use of the mooring or berth by another vessel is prohibited and shall be grounds for revocation of the Mooring Permit. A Mooring Permit holder may loan his or her mooring or berth at any time for not more than seven (7) days each Mooring Year, but not to any vessel that exceeds the specifications set forth in the Mooring Permit.

c. A one (1) year grace period shall be allowed for any unused mooring, provided all applicable Mooring/Berthing Fees are paid.

d. Individual Mooring Permits are transferable within the permit holder's immediate family (i.e. the holder's spouse, and children).

e. If any Mooring Permit holder discontinues use of any mooring for more than one full Mooring Year, he or she shall notify the Harbormaster within 10 days. The owner at that time shall remove

all mooring tackle, or be subject to removal of such tackle by the Harbormaster at the permit holder's expense.

f. Any mooring may be inspected at any time and removed or relocated by the Harbormaster at the permit holder expense whenever, in the Harbormaster's judgment, the safety of other vessels or the maximum use of the area requires such action.

g. Rental of private mooring is forbidden and shall result in immediate revocation of the Mooring Permit.

h. There is no relationship between any property owner and any Mooring Permit. Mooring permits are not transferable when property is sold (except to the permit holder's immediate family).

i. A Mooring Permit shall be required for each vessel berthed on a mooring, float, or finger pier. Only one (1) mooring permit shall be issued for each vessel. Only one (1) vessel shall be moored or berthed on each mooring, finger pier, or float.

j. The first year that these rules and regulations are in effect, every owner of an existing mooring shall have one (1) year from the date of approval of these Rules and Regulations to obtain a valid Mooring Permit from the Harbormaster for each existing mooring; provided, however, that the Harbormaster shall have the discretion to refuse to issue a Mooring Permit to the holder of any existing mooring, if it poses any danger to public health or safety or to navigation on the North River .

8. Mooring and float tags.

Each permitted mooring or berth shall have attached on the mooring buoy, float, or finger pier above the waterline and visible

at all times, a numbered mooring tag or mooring number issued by the Harbormaster that corresponds to the annual Mooring Permit number assigned to and to be displayed on the owner's vessel.

9. Boat stickers

Each vessel for which a Mooring Permit has been issued shall have attached to the vessel's stern in a visible location a numbered sticker issued by the Harbormaster that corresponds to the mooring number issued by the Harbormaster.

10. Fees

- a. Initial Application fee (one-time) \$ 15.00
- b. Annual Vessel Mooring/Berthing fee \$2.50 per foot*

*All canoes, kayaks, and other vessels 12 feet and under are exempt.

11. Mooring specifications

a. Each mooring shall be of adequate size for the vessel moored to it. Each mooring shall meet the following minimum standards; provided, however, that moorings in existence on the date of approval of these Rules and Regulations may continue to be used until replaced, at which time they shall comply with these standards. These standards are set for normal weather conditions. In case of gale winds, hurricanes or extreme high tides it is the mooring owner's responsibility to

ensure certain precautions are taken. The Harbormaster reserves the right to vary these mooring specifications based on the vessel and prevailing River conditions.

Length	Block weight	Eyebolt	Chain	Shackle	line
1- 16	1000lb	3/4"	1/2	5/8	1/2
17-26	1500lb	3/4	1/2	5/8	1/2
27-30	1500lb	3/4	1/2	5/8	5/8
31-40	1500lb	3/4	1/2	5/8	5/8

- b. All pennants must be made of floating line.
- c. Pennant length must be two times the free board at the bow plus the distance to the mooring cleat.
- d. Total length of chain or line shall be 10 feet above the depth at mean high tide.
- e. All chain, shackle pins, shackles, line, thimbles, swivels, buoy and pennants shall be in good condition and of proper size.
- f. All mooring blocks must be granite, re-inforced molded concrete, or solid steel.
- g. All chains, shackles, eyebolts and all related hardware shall be hot-dipped galvanized or stainless steel. Shackles shall be the same size as the chain or larger. Swivels if used shall be one size larger than the chain to which they are connected. Shackles and swivels shall be safety wired to prevent loosening.

h. Waterlogged mooring buoys and frayed mooring pennants (lines) shall be replaced within 10 days after issuance of notice by the Harbormaster. Mooring lines must be of nylon or equivalent but must not have floatability.

12. Private, Public and Commercial Marinas

a. Each year, the operator of each Marina shall be allowed to place up to 30 moorings adjacent to the Marina (“Marina Moorings”) at locations approved by the Harbormaster, and may be granted the right to place additional Marina Moorings adjacent to the Marina only with the approval of the Harbormaster.

b. Each year, the operator of each Marina shall also be allowed to place a sufficient number of finger piers adjacent to the Marina to berth up to thirty (30) vessels each year (“Marina Finger Piers”), and may be granted the right to place additional Marina Finger Piers adjacent to the Marina only with the approval of the Harbormaster.

c. A Mooring Permit must be obtained each year for all vessels moored at Marina Moorings and for all vessels berthed at a Marina Finger Piers.

d. Each year, the Marina operator shall supply the Harbormaster with a list of all vessel owners authorized to moor or berth vessels at Marina Moorings and Marina Finger Piers.

e. Each vessel owner shall be responsible for obtaining a Mooring Permit from the Harbormaster, for paying all applicable Mooring Permit fees, and for complying with the Mooring Permit requirements in accordance with these Rules and Regulations.

13. Waiting List

The Harbormaster shall maintain a mooring waiting list providing for the fair and equitable distribution of mooring assignments open to all and assigned on a first come, first served basis.