



TOWN OF NORWELL

345 Main Street
Norwell, Ma. 02061

Mooring Rules and 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 temporary placement of moorings and locations of berthed vessels, by establishing standards for mooring tackle, and by providing for regular mooring inspections.

2. Responsibility

It shall be the responsibility of the applicant/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.

3. Authorities 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 receive a temporary permit from the Harbormaster or other designated official.

b. These rules and regulations are accepted by the Harbormaster and approved by the Board of Selectman acting pursuant to Article XX, Section 4 (c) of the By-Laws of the Town of Norwell, Massachusetts General Laws Chapter 102, Section 21, Massachusetts General Laws Chapter 91, Section 10A, Massachusetts General Laws Chapter 43B, Section 13; 310C.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 hereafter designate, shall enforce these rules and regulations.

d. Under the authority of the Massachusetts General Laws, Chapter 90B, Section 15B; Massachusetts General Laws Chapter 102, Section 19-28; 310C.M.R. 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. April 11, 2018.

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 used 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 Selectman 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 Selectman.

“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 boat yard.

“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 a 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, or float within the North River. This permit will be issued to the person that is shown on the boat registration.

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

“Mooring Year”- begins on February 15th and ends on December 31st 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, as amended.

“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 relocating their moorings to other areas.

“10A Permit” - means a permit issued by the Harbormaster for free standing float or platform used for the purpose of swimming, wave deflection and boat berthing or any other purpose that needs the approval of the Harbormaster.

“Vessel of Record” means - The vessel identified on the mooring permit application and the current boat registration.

“Winter Stick” means- a long tapered buoy used in place of a standard round mooring buoy during the winter months.

5. Applicability.

These rules and regulations apply to **(a)** all moorings, mooring tackle, and equipment, floats that are free floating, berths, and all other moorings 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 of each year, the Town of Norwell shall have available mooring applications that may be downloaded from the Town of Norwell website, be picked up in person at the Town Clerk's Office and or sent out by mail upon telephone request made to the Town Clerk's Office or the Harbormasters Office.
- b.** All mooring permits shall be issued annually, shall be valid for the mooring year beginning on February 15th 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 and due by May 15th, a late fee of \$75.00 will be assessed after May 15th. This fee may be waived by the Harbormaster in discretion for good cause.
- 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 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 a 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 application 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 application fee (if applicable) and the annual vessel mooring/berthing fee.
- e.** The Town's Clerk's Office will date stamp and initial each completed application 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 (15) days and if approved notify the applicant and issue a mooring registration number to be placed on both the mooring buoy 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 the 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.
- i.** Applications may be denied by the Harbormaster for cause, including without limitation due to delinquent mooring permit fees, boat excise taxes or other local fees in accordance with other applicable state and local bylaws, or due to non-compliance with these Mooring Rules and Regulations. It is the responsibility of the applicant to know the bylaws and these rules and regulations and provide the Harbormaster with the correct updated contact information.
- j.** Any person aggrieved by a refusal to permit such temporary mooring or by any condition or restrictions imposed relative to such mooring, may appeal to the Department of Environmental Protection's Division of Waterways within (30) thirty days after receiving notice of such refusal or of the imposition of such conditions or restriction. Said division shall review the circumstances resulting in such appeal and shall render a ruling either confirming the action of the Harbormaster or other designated official setting such action aside, or amending such action and imposing its own conditions

and restrictions as deemed necessary or appropriate by Massachusetts General Laws Chapter 91, Section 10A.

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 of each such mooring and berth must be received from the Harbormaster by May 15th of each year. Any mooring or berth not so registered by May 15th each year shall be canceled 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 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 (1) full mooring year, he or she shall notify the Harbormaster within ten (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 if the owner fails to notify the Harbormaster and the mooring was not renewed by the end of one (1) mooring year then after thirty days (30) of the next mooring year the mooring and tackle will be deemed abandoned and become the property of the Town of Norwell.

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

g. Rental of private moorings is forbidden and shall result in immediate termination 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 including the permit holder's father, mother and children.

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 with the exception of a 10A permit. The permittee must be the sole or majority (51% or more) owner of the vessel of record or the sole or majority (51% or more) owner of the corporation that owns the vessel of record.

8. Mooring and Float Tags.

Each permitted mooring or berth shall have attached on the mooring buoy, float, or finger pier above the water line 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 owners vessel.

9. Boat stickers.

Each vessel for which a mooring permit has been issued shall have attached to the vessel’s stern (2) two inches below the starboard side rail location with the numbered sticker issued by the Harbormaster that corresponds to the mooring number issued. Failure to display the sticker provided by the Harbormaster in its proper location shall result in a \$50.00 fine. This location may be changed with the approval of the Harbormaster or other designated official.

10. Fees.

- a. Application fee \$15.00.
- b. Annual vessel mooring/berthing fee \$3.25 per foot.
- c. All canoes, kayaks and other vessels 12 feet and under are exempt from fees unless they are used to acquire and maintain a mooring within the North River.
- d. A late fee of \$75.00 will be assessed on all renewals not received after May 15th of each boating year. The Harbormaster or other designated official may waive this fee.

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 the mooring was in existence on the date 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 that certain precautions are taken. The Harbormaster reserves the right to vary these mooring specifications based on the vessel and prevailing river conditions.

Boat length	Block weight	Eyelet	Chain	Shackle	Line
1-16	1000lb.	1 1/4	1/2	5/8	1/2
17-26	1500lb.	1 1/4	1/2	5/8	1/2
27-30	2000lb.	1 1/4	1/2	3/4	5/8
31-40	2500lb	1 1/4	5/8	3/4	3/4

- b. All pennants must be made of three (3)-strand nylon non-floating line.
- c. Pennant length must be two (2) times the freeboard at the bow plus the distance to the mooring cleat.
- d. Total length of chain must be five (5) feet above the depth of 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-enforced molded concrete, or solid steel.
- g. All chains, shackles, eyebolts and related hardware shall be hot dipped galvanized. Shackles shall be the same size as the chain or larger. Swivels (if used) shall be (1) one size larger than the chain to which they are connected. Shackles shall be safety wired to prevent loosening.
- h. Waterlogged, cracked or damaged mooring buoys and frayed mooring pennants (lines) shall be replaced within ten (10) days after issuance of notice of the Harbormaster. Mooring lines must be of nylon or equivalent but must not have floatability.

i. Winter sticks shall be removed by May 15th of each year and replaced with a proper mooring buoy. All mooring buoys shall have the proper mooring number and name of the permit holder. The winter stick can be re-installed no later than October 15th each year. The top two feet of the stick shall be painted white with a distinctive band on the top for visibility with the permit number displayed on the stick.

11-A Inspections.

a. All moorings will be inspected at least once every four (4) years by a qualified mooring inspector. Inspectors must receive a permit from the Harbormaster and must have a minimum of five (5) years mooring experience and carry a Certificate of Liability Insurance \$1,000,000.00 naming the Town of Norwell as the certificate holder.

b. A list of inspections will be sent to the mooring inspectors by April 1st of each year. All inspections will be required to be completed no later than July 1. Failure to comply will result in a \$50.00 fine for each offence.

c. A notice for inspection letter will be sent to the mooring holder no later than May 1st.

d. Additional inspections may be required at the Harbormaster's discretion; these reasons may include signs of worn or damaged tackle, new ownership or any other issue that concerns public safety to property or navigation.

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. The Marina will supply the Harbormaster with a list of the renters by May 1st of each year with the following information. The renters name, address, contact number, and boat registration number and its berthing location at the marina. Failure to comply will result in a \$100.00 dollar fine. They will also supply this information for renters coming after May 1st.

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.

A one (1) time application fee of \$15.00 will hold the application on file until a location is issued or the applicant withdraws their name from the list.

14. Conformance with existing Regulations and Disclaimer.

a. These Mooring Regulations are not an assurance of safe mooring due to variations in weather, individual boater use, and other factors over which the Harbormaster has no control. The responsibility for safety of persons and property rest on the individual vessel owners and permit holders. It shall be the responsibility of the vessel owners and permit holders to ensure compliance with all applicable laws and regulations, including these mooring regulations. Specifications and actions of the Harbormaster and the Town of Norwell are not to be considered assurances of safety.

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b. Nothing contained herein shall be construed to conflict with the jurisdiction of the United States Government with the respect to the enforcement of navigation, shipping, anchorage, and association laws of the United States, or any lawful regulation of the Division of Waterways of the Department of Environmental Protection, or the Environmental Police or any of the laws of the Commonwealth of Massachusetts.

The Norwell Board of Selectmen amended these Rules and Regulations on April 11, 2018