

Sec. 9-95. Use of town wharf and landings.

(a) Tying up: No vessel other than a permitted skiff shall be made fast to the town wharf except for twenty (20) minutes as required for loading or unloading. There shall be no overnight tie-ups. Exceptions may be made in emergencies only by permission of the harbormaster. No vessel other than the harbormaster's patrol boat shall tie up to the town wharf in the space marked for use by the harbormaster.

(b) Storage: Except as provided in subsection (g) below, personal property, including but not limited to lobster traps, motor vehicles, cradles, boats and floats shall not be stored on the town wharf or landing for more than thirty (30) minutes. Any designated loading zone shall be used only for lobster traps, fishing gear and other items in transit.

(c) Usage: No person shall loiter, create a public nuisance, or partake of alcoholic beverages on the town wharf or landing.

(d) Jumping and diving from the town wharf: Jumping, swimming and diving from, at or near the town wharf is prohibited. Violators may be subject to a fine not to exceed twenty-five dollars (\$25.00). All fines shall be recovered to the use of the town on complaint or by other appropriate action before a court of competent jurisdiction.

(e) Obstruction: It shall be unlawful to obstruct by any means whatsoever the free use of the town wharf or landing or any other common landing place. Said areas shall be used only for loading and unloading. Vessels shall not remain tied up at said structures for a period longer than is reasonably necessary for this purpose, except by permission of the harbormaster in case of emergency. The harbormaster shall remove or cause to be removed, any unattended vessel obstructing free use of said areas after due effort has been made to notify the master or owner of said vessel of the above violation. The vessel shall be responsible for all costs associated with said action.

(f) Non-commercial/recreational skiffs: No skiffs, dinghies, or similar vessels shall be allowed on top of the town wharf. Their owners shall maintain such vessels and the owners shall be liable for any damage occurring to the town property or other vessels. Any such vessels maintained in the anchorage and using town facilities for a total [of] or more than fourteen (14) days per annum shall be registered with the harbormaster by notation on the application or a mooring permit and have the mooring space number and the owner's name visibly displayed on the inside transom of said vessel. Skiffs may be secured at the finger floats on the north side of the floats off the town wharf provided they comply with all of the below conditions:

(1) Effective January 1, 2007 a valid skiff registration sticker must be affixed to any skiff stored at the town wharf or any approved adjacent storage area. Not more than sixty (60) resident skiff registration stickers and thirty (30) non-resident skiff registration stickers shall be issued annually. The registration fee shall be fifty dollars (\$50.00) for residents and one hundred dollars (\$100.00) for non-residents. Commercial fishermen shall be exempt from this fee.

Registration stickers shall be available annually on a first come first serve basis the second Saturday in April each year.

(2) Each skiff shall be marked with the owner's name and mooring number for purposes of identification.

(3) No skiffs may be secured on the outer faces of the town floats or under the town landing pier.

(4) All skiffs shall be properly secured and maintained. Skiffs shall not be secured with chains or wire, nor padlocked to the float and will not be left overnight with ~~an outboard attached~~ or fuel onboard.

(5) No skiff longer than nine (9) feet may be secured on the town floats.

(6) Skiffs in violation will be impounded and stored at owner's expense.

(7) The town may supply a fleet of municipal dinghies available for public use, in accordance with rules to be established by the harbor master.

(g) Lobster traps: The maximum number of traps on floats is forty (40). Traps shall be removed the same day that they are placed on the float and must not obstruct access to floats. No traps or gear shall be permitted on docks or floats on Saturday or Sunday at anytime during the year. No traps are allowed on docks or floats from July 1 until after Labor Day on docks or floats. Traps and bait are not to be dragged down main dock.

(h) Use of public landing ramp and/or parking area at the town wharf:

(1) The public landing ramp is intended to be used primarily for noncommercial launching of recreational boats.

(2) The town council may, by order, establish a fee schedule for use of the public landing ramp or parking area or both by non-residents, commercial launchers and venders, which fee schedule shall be kept on file in the town clerk's office. There shall be no fee for resident noncommercial launchers.

a. Upon request by a resident and upon payment of the appropriate fee by non-residents, commercial launchers and venders, the town clerk shall issue a permit authorizing the use of the public landing ramp or parking area or both.

b. Persons launching boats shall have in their possession the required permit and shall display the permit upon request of the harbormaster or his agent.

(3) There will be no parking of trailers in the lower parking lot at any time year round.

(4) The harbormaster shall have the authority to prohibit the use of the public landing ramp and parking area if the harbormaster, in his sole discretion, deems that the activity will interfere with the use of the landing for launching of recreational boats or if the harbormaster deems that use to be unsafe or likely to cause damage to the public landing ramp or parking area or both. Parking for residents only is permitted at the town landing lower lot as well as the upper lot on Route 88. These resident vehicles must display a current town sticker, which may be purchased for three dollars (\$3.00) (good for three (3) years) at the town hall or harbormaster's office upon presenting a current vehicle registration. There is also handicap parking available in the lower and upper lots.

(5) In addition to other penalties set forth in this article, any person who violates this section shall be responsible for the cost of repair or reconstruction should damage to the public landing ramp or parking area or both result from the violation.

(Ord. of 3-25-2002, § 1; Ord. of 1-27-2003; Ord. of 11-27-2006; Ord. of 12-18-2007; Amd. of 12-22-2008)

