

AN ORDINANCE REGARDING MOORING ASSIGNMENTS

Be it ordained by the Town Council of the Town of Falmouth, Maine, in Town Council assembled, as follows:

Section 1. That Section 9-94(h) of the Falmouth Code of Ordinances is hereby amended to read as follows:

(h) **Mooring Assignment:** All persons who received and used a mooring assignment in the previous year and all persons who will access their mooring from a place other than Town Landing, and whose mooring application was received in a complete and timely fashion, will receive a mooring assignment for the current year before June 1 of that year. Additionally, the harbormaster shall, before June 1, 2010, issue mooring assignments to not more than twenty (20) persons who will access their mooring through Town Landing and who are on the waiting list established under section 9-94(i). Each year thereafter, the harbormaster may issue new mooring assignments to such persons on the waiting list but such new mooring assignments may not exceed the number of mooring assignments not renewed from the previous year. All assignments from the waiting list shall use the priorities set forth in section 9-94(i). The harbormaster and the harbor/waterfront committee will endeavor to maintain a balance of not less than ten (10) percent non-resident mooring assignments. At all times the following priority order shall be maintained:

- (1) Resident fisherman;
- (2) Resident/recreational;
- (3) Commercial passenger boat;
- (4) Resident commercial marine enterprise;
- (5) Resident: additional mooring;
- (6) Non-resident recreational;
- (7) Rental moorings;
- (8) Non-resident fisherman;
- (9) Non-resident commercial marine enterprise;
- (10) Non-resident; additional mooring.

Sec. 2. That Section 9-94(i) of the Falmouth Code of Ordinances is hereby amended, in the first sentence thereof, to read as follows:

(h) **Waiting List:** The Harbormaster shall maintain one chronological waiting list with complete application information of all applicants who have applied for but not received a mooring assignment and who will access their mooring through Town Landing.

Sec. 3. This Ordinance repeals any moratorium on the issuance of mooring assignments that may be in effect on the effective date hereof.