

Town of Eastham

Mooring Regulations and Policies

1.0 Authority

The Board of Selectmen, through the authority derived from MGL, Chapter 102, (Shipping and Seamen, Harbors and Harbor Masters), Section 21, (Powers of Harbor Masters), hereby adopts a set of guidelines for Eastham's Mooring Regulations and Policies.

2.0 Purpose

The Town of Eastham mooring regulations have been established in order to provide efficient utilization of the waters of the Town, to improve the safety of moored vessels, and to provide adequate space for the enjoyment of all users of those waters. This shall be done by controlling the placement of moorings, establishing standards for mooring tackle, and with annual inspections of all mooring placed within the Town's waters.

3.0 General Regulations:

- 3.1 All motorized vessels moored in the waters of the Town of Eastham shall have properly displayed registration numbers and a valid registration certificate as assigned in the state wherein the vessel is registered; or in the case of documented vessels, the documented name of the vessel and homeport shall be displayed.
- 3.2 All moorings and vessels, including installation maintenance, and removal shall be the responsibility of the owner.
- 3.3 New mooring permits shall be sold annually at the Natural Resources Department (Harbormaster's office) starting on May 1st. Renewals of mooring permits shall be done from April 1st to April 30th. Moorings not renewed by April 30th may be subject to loss of location to new applicants. removal, fine, and/or loss of mooring privilege.
- 3.4 A mooring permit **must be obtained** and the mooring sticker and mooring tags shall be attached BEFORE the vessel or mooring is moored or placed in the Town of Eastham waters.
- 3.5 No mooring permit shall be issued to any boat owner for which there is delinquent Excise Tax demand.
- 3.6 'Unutilized moorings' means a mooring set in the sand without a vessel attached for less than two weeks in a year. Unutilized moorings left for more than one season in mooring areas with established waiting lists, shall be subject to revocation/non-renewal of the mooring permit. Notice will be given to the permittee within 30-days of revocation. The permittee may submit a completed new application to be placed at the at the end of a mooring waiting list.

- 3.7 'Marina Mooring' means a mooring issued to a private marina business owning property on Town Cove. All marina moorings must be placed within the immediate vicinity of the marina business, and must be located directly in front of the marina's property. The harbormaster and/or Select Board reserve the right to limit the number of marina mooring permits issued.
- 3.8 Applications for mooring permits shall be available at the office of the Natural Resources Department, 555 Old Orchard Road, Eastham, MA, 02642; or online at: www.eastham-ma.gov/Public_Documents/EasthamMA_Resources/Harbor
- 3.9 Two (2) mooring tags shall be issued for each mooring. One shall be attached to the mooring buoy and the other to the chain before the mooring is placed in the water or on the flats of Eastham.
- 3.10 Moorings without valid identification or incorrectly installed may be removed by the Natural Resources Department and or it's designees from the waters of the Town at the expense of the owner.
- 3.11 A mooring sticker shall be issued with the mooring tags and shall be placed on the port side of the hull, one (1) inch aft of the state registration sticker. On non-engine propelled boats and floats it shall be placed on the port side and above the water line before the vessel is moored in the Town of Eastham waters.
- 3.12 All recreational vessels with installed toilet facilities shall have an operable Coast Guard certified Marine Sanitation Device (MSD) classified as either Type I, II, or III. Coast Guard certified devices are so labeled.
- 3.13 Mooring permits shall be issued by the Natural Resources Department for a specific owner. No mooring permit (i.e., tags or stickers) may be transferable to another person. Sub-letting or rental of moorings and/or vessels with mooring permits is prohibited. Mooring permits are not transferrable.
- 3.14 After obtaining a valid mooring permit an applicant may obtain a vessel storage permit for a vessel tender that same year, subject to availability.
- 3.15 Any float measuring greater than eight by six (8ft. X 6 ft.), shall require additional permitting and approval from the Conservation Commission.
- 3.16 An Eastham Commercial Shellfish permit holder with a valid mooring permit may obtain a vessel storage permit for one vessel at no cost, subject to availability.
- 3.17 Vessels may not be stored on the shore unless within approved vessel storage permits located in designated areas. Unattended and unsecured vessels on town landings and beaches is prohibited. Unattended and unsecured vessels are subject

to immediate removal by the Town and will be subject to a \$200 fine, per vessel, with each violation constituting a separate offence.

Any vessel, mooring, or object constituting a hazard to navigation and any vessel or object improperly secured, swamped, sunk, washed ashore or found in an abandoned condition may be removed by the Harbormaster or their agent. Any expense or liability incurred therefore shall be the responsibility of the boat owner. The last owner of record of a vessel at the time it was abandoned shall be presumed to be the person who abandoned the boat.

3.18 Advertising of commercial businesses or services, utilizing signage, vessels, or other objects on town landings, beaches, or vessel storage or mooring areas is prohibited.

4.0 Mooring Fees

<u>Length of Vessel</u>	<u>Fee Amount</u>	<u>Fee Amount for Eastham Commercial Shellfish Permit Holder</u>
Less than Sixteen (16) feet	Fifty Dollars (\$50)	Twenty-five Dollars (\$25)
Sixteen (16) feet to Twenty-five (25) feet	Seventy-five Dollars (\$75)	Fifty Dollars (\$50)
Greater than Twenty-five (25) feet	One Hundred Dollars (\$100)	Seventy-five Dollars (\$75)
Marina Moorings	Two Hundred and Twenty Dollars \$220	N/A

5.0 Mooring Specifications:

5.1 All moorings are required to be of the mushroom anchor design unless otherwise authorized by the Natural Resources Department.

ALL MUSHROOMS MUST BE BURIED.

CONCRETE OR CINDER BLOCKS ARE NOT PERMITTED AS MOORING MATERIAL.

5.2 The minimum tackle specifications shall be as follows:

Length of Vessel (feet)	Mushroom weight: Protected Area (Nauset Marsh & Great Pond)	Mushroom weight: Non-Protected Area (Cape Cod Bay)	Chain/Shackle (inches)	Line Diameter (inches)
Under 16	50 lbs.	75 lbs	3/ 8	1/ 2
16 to 18	75 lbs.	100 lbs.	3/ 8	1/ 2
19 to 25	100 lbs.	150 lbs.	3/ 8	1/ 2
26 to 30	150 lbs.	200 lbs	1/ 2	5/ 8

5.3 Mooring buoys shall be of white Styrofoam, rubber, or plastic material and shall have a blue horizontal stripe. The mooring buoy shall bear the last name of the moorings owner.

5.4 Use of a wooden or steel winter buoy is permitted on moorings only from November 1st to April 1st.

5.5 The total length of the mooring – chain and pennant – shall be equal to at least three (3) times the depth of water at Mean High Water where the mooring is located. The total length of the mooring – chain and pennant - shall not exceed seventy-five (75) feet.

5.6 Double Anchoring (anchoring bow and stern) and trot lines are PROHIBITED without the express permission of the Harbormaster.

5.7 Only one vessel may be placed on a mooring at any one time.

6.0 Mooring Areas and Placement:

6.1 Before placement of any mooring the Natural Resources Department and their designees shall approve the location, type and adequacy of the mooring if they deem necessary.

6.2 *In the waters of Cape Cod Bay the following regulations apply:*

6.2(a) No vessel shall be moored within the extension of the Town of Eastham’s property boundaries of public bathing areas or so to interfere with swimming in said areas.

- 6.2(b) No mooring shall be placed within a distance of one hundred twenty-five (125) feet of another mooring.
- 6.2(c) No mooring shall be located such that the vessel when aground at low tide is a minimum of twenty-five (25) feet from all aquatic vegetation including but not limited to sedge (*Spartina*) or eelgrass (*Zostera*).
- 6.2(d) No vessel shall be moored in a channel upstream of the point where of the width of the channel is less than one hundred fifty (150) feet at high tide as determined by the Natural Resources Department.
- 6.2(e) No vessel shall be moored inshore of a line drawn across the mouth of Rock Harbor, Bee's River, or Hatches Creek.
- 6.2(f) The area of Boat Meadow Creek north of a line defined by coordinates N41°48'26.4", W70°00'08.1" to N41°48'27.8", W70°00'09.5" shall be limited to mooring vessels which are twenty-one (21) feet in length or less and whose draft is less than two (2) feet.
- 6.3(g) Applicants placing a mooring in front of waterfront property shall provide the Natural Resources Department with documentation of the upland property owner's permission to place said mooring. The owner may withdraw their permission at any time. Otherwise, mooring placement in front of upland private property along Cape Cod Bay is at the mooring owner's risk, as the location is not guaranteed for any length of time. Upland waterfront property owners may object to such mooring placement(s) at any time, requiring immediate removal and/or relocation of the permittee's mooring, at their expense. The upland waterfront property owner has the burden of demonstrating through providing adequate documentation to the Harbormaster that they own to mean low water, on which a mooring(s) has been placed. The upland property owner shall submit their objection in writing to the Harbormaster together with intertidal ownership documentation. This regulation shall apply to existing and future moorings.

6.3 *In the waters of Nauset Marsh and Town Cove the following regulations apply:*

- 6.3(a) No vessel shall be moored so as to interfere with the operation of a Town Landing.

- 6.3(b) No vessel shall be moored so as to interfere with navigation in what is deemed the “main channel” as defined by the Natural Resources Department.
- 6.3(c) No mooring shall be placed within a distance of fifty (50) feet of another mooring.
- 6.3(d) A waitlist shall be established and maintained for moorings at Collins Landing and Hemenway Landing, subject to annual renewal.
- 6.3(e) Marina Moorings may be permitted after review by the Harbormaster and approval by the Select Board at a public meeting. The applicant shall submit documentation demonstrating they are an operational marina and shall be the upland property owner to the location for which the mooring(s) will be placed.

6.4 *In the waters of **Great Pond** the following regulations shall apply:*

- 6.4(a) No vessel shall be moored within the extension of the property boundaries of public bathing areas or so to interfere with swimming in said areas.
- 6.4(b) No mooring shall be placed within a distance of twenty-five (25) feet of another mooring.
- 6.4(c) A waiting list will be maintained for the purpose of serving applicants who wish to be considered for a mooring in the future. It is established on a first come first serve basis and is subject to annual renewal.

7.0 Violations and Penalties:

Pursuant to Massachusetts General Laws: Chapter 40 – (Powers and Duties of Cities and Towns), Section 21D – (Non-criminal disposition of ordinance, by-law, rule or regulation violations) the following regulation does apply:

7.1 Violations of any provision of Sections 1-6 shall be punishable by a fine of up to two hundred dollars (\$200) and/or the loss of mooring permit, with each violation constituting a separate offense.

7.2 The foregoing regulations shall be enforced by the Harbormaster and his/her designees of the Town of Eastham.

Adopted by the Select Board, Revised April 2014;
Revised March 28, 2016,
Revised April 24, 2023