



TOWN OF IPSWICH POLICE DEPARTMENT



HARBORMASTER OFFICE

RULES AND REGULATIONS OF THE WATERWAYS

Effective date: March 25th, 2011

Amended date: May 18th, 2015

ARTICLE I: PURPOSE

The Town of Ipswich mooring regulations have been established in order to promote the most efficient and optimum utilization of its Waterways by the boating public, to provide for the safety of moored and berthed vessels, and to protect water quality and the environment.

This shall be done by designating the location and capacity of specific mooring areas, by controlling the placement of moorings and the location of berthed vessels, by establishing standards for mooring tackle, and by providing for regular systematic mooring inspections.

§1 Authority and enforcement

- a) These regulations are adopted by the Harbormaster pursuant to Massachusetts General Laws, Chapters 90B, 91 and 102, and the Code of Massachusetts Regulations Chapter 310, Section 9.07.
- b) The Harbormaster and/or Assistant Harbormasters have the authority to enforce all regulations set forth herein. The Harbormaster and/or Assistant Harbormasters reserve the right to board any vessel in the

Ipswich Waterways for safety, regulatory and waste discharge inspections

§2 Definitions

The following words, for the purposes of these regulations, unless another meaning is clearly apparent for the way the word is used, have the following meanings:

- 1) “berth” means any space wherein a vessel is confined by wet slip, float, or mooring.
- 2) “boatyard” means a facility whose function is the construction, repair, or maintenance of vessels, which may include provisions for vessel storage and docking while awaiting service.
- 3) “channel” means a navigable route for the passage of vessels, established by customary use or under the authority of federal, state or municipal law.
- 4) “dinghy” shall mean any vessel not exceeding twelve (12) feet in length used primarily to carry people and/or supplies to a moored vessel.
- 5) “Harbormaster” means the duly appointed Harbormaster or Assistant Harbormaster.
- 6) “headway speed” is the slowest speed at which a vessel may be operated and maintain steerage.
- 7) “immediate family” means parents, siblings, children, spouses, and legally adopted children.
- 8) “length” means the straight line measurement of the overall length from the foremost part of the vessel to the aftermost part of the vessel, measured at the centerline, exclusive of bowsprits, bumpkins, rudders, outboard motor brackets, and similar fittings or attachments.

- 9) “lobstering” shall include the taking of lobsters by means of a trap, net, or Scuba equipment.
- 10) “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. All such marinas and yacht clubs shall offer services and/or membership to the general public, subject to availability.
- 11) “marina moorings” are mooring assignments delegated by the Harbormaster to be organized by a Marina or Yacht Club
- 12) “mooring ” means the anchor(s), or ground tackle used to secure a vessel, float, or docks.
- 13) “other object” means any floating object, including but not limited to floats or rafts, storage cars for marine products, secured by anchors or bottom moorings.
- 14) “person” means any individual.
- 15) “qualified mooring inspector” means an individual who has received written approval to inspect moorings from the Harbormaster. The Office of the Harbormaster shall maintain a list of qualified mooring inspectors.
- 16) “vessel” or “boat” means watercraft of every description, including documented boats or ships, used or capable of being used as a means of transportation on the water and including all means of propulsion and appurtenances thereto.
- 17) “water skiing” shall include the towing or manipulation of a surfboard, aquaplane, parasail or other similar device behind any vessel.
- 18) “waterway” is all the bodies of water within the territorial confines of the Town of Ipswich.
- 19) “awash” shall mean a semi-submerged vessel or object.

§3 Applicability

These regulations apply to all:

- a) Mooring tackle in the waters of the Town of Ipswich.
- b) Vessels or other objects anchored or moored on the waters of the Town of Ipswich.
- c) Vessels operating within mooring areas and their approaches, as identified by the Harbormaster.

ARTICLE II: MOORING AREAS

§1 Designated Mooring Areas

- a) **Authorized Areas** - The Harbormaster will issue permits for moorings in areas determined to be practical from a safety and accessibility perspective. Safety issues will be considered to be present in areas unprotected from strong winds, and affected by strong currents and/or long fetch and where moorings may encroach or inhibit normal marine traffic use. Accessibility will be judged by consideration of landing facilities nearby and/or usable to the public. The following vicinities are designated Authorized Mooring Areas and Limited Access Mooring Areas.

Upper Ipswich River – Map 1 (Green St Bridge to Nabby’s Point)

Middle Ipswich River – Map 2 (Nabby’s Point to Treadwell Island)

Lower Ipswich River – Map 3 (Treadwell Island to Mouth of Ipswich River)

Pavilion Beach – Map 3

Eel Run – Map 4

Sandy Point – Map 4

Grape Island – Map 4

North Ridge – Map 4

**Ipswich Bay Yacht Club (IBYC) – Map 4
(Limited Access; Appendix A)**

Clark Beach – Map 4

Eagle Hill – Map 5

Third Creek – Map 5

Back Beach – Map 6

§2 Marinas and Yacht Clubs: Limited Access Mooring Areas

- a) In recognition of the fact that private Marinas and Yacht Clubs enhance public access to the waterfront by investing in and maintaining slips, docks and piers, and by operating launch services, and to facilitate the orderly operation of such Marinas and Clubs, the Harbormaster may designate areas as Limited Access Mooring Areas in Appendix A to these Regulations, and delegate the supervision of such areas to the operator of a Marina or Yacht Club, including authority to assign all moorings on an annual basis within the designated area solely to customers and/or members. Designation of Limited Access Mooring Areas shall be based on a determination that it will serve a public purpose, will not unreasonably interfere with navigation in a channel, and promote safe access to moored vessels. The Harbormaster shall authorize a specific number of Marina Moorings in such designated areas supervised by the Marina or Yacht Club. The Harbormaster retains ultimate supervisory authority over such mooring areas.

- b) A Mooring Permit must be obtained each year from the Harbormaster by the vessel owner for all vessels moored in such designated areas. The vessel owner is responsible for filing a complete mooring application, paying all applicable Mooring Permit fees and Waiting List fees, and for complying with all Mooring Permit requirements in accordance with these Regulations.
- c) Each year, the Marina or Yacht Club operator shall supply the Harbormaster with a list of all vessel owners authorized to moor vessels in the designated mooring areas.
- d) If a vessel owner ceases to be a customer of a marina or member of a yacht club, the Harbormaster may assign that vessel owner a new mooring elsewhere, giving that vessel owner seniority over persons on any waiting list.

ARTICLE III: MOORING PERMITS

§1 Vessels required to have a mooring permit

- a) All vessels berthed on the waters of Ipswich shall obtain a mooring permit from the Harbormaster.
- b) Other objects, either anchored to or extending from private property, including, but not limited to, floating docks, and floats or rafts attached to ground tackle shall obtain written permission from the Harbormaster.
- c) Any vessel required by the State of Massachusetts to be registered and/or in excess of twelve (12ft) feet in length and is secured to a permitted floating dock or moored float shall have a mooring permit assigned to that floating dock or mooring.
- d) Mooring permits are issued annually and expire on December 31st of the calendar year they are issued.

- e) A private mooring permit shall not be transferred, except to a member within the immediate family with the written approval of the Harbormaster.

§2 Obtaining a new mooring permit

A person desiring assignment of a new mooring permit and/or issuance of a new mooring location shall:

- a) Complete a “Town of Ipswich Mooring Application” provided by the Office of the Harbormaster.
- b) In order to receive a mooring permit the applicant must present the Application and pay the appropriate fee. [See below for fees.]
- c) The Harbormaster must approve and sign the Application.
- d) Failure to complete the steps above shall result in rejection and return of the application, or invalidation of a permit.
- e) If there is no mooring available, the applicant may request to be placed on the waiting list for the desired mooring location. [See Article V, Section 12 below for waiting list procedures.]

§3 Renewal of an existing permit

- a) A mooring permit holder will receive annually a Mooring Permit Renewal form from the Office of the Harbormaster.
- b) The mooring permit holder who wishes to renew the permit shall
 1. Ensure that the information on the form is accurate and that all requested information is complete;
 2. Maintain a current boat registration or documentation certificate;
 3. Pay all current excise taxes to the Town of Ipswich and

4. Return the form to the Office of the Harbormaster with the required annual fee before 30 April.
- c) A permit holder who does not wish to renew the permit should so indicate on the renewal form and return the form to the Office of the Harbormaster.
 - d) Renewal of a mooring permit may be denied if the permit holder is delinquent in the payment of any local taxes, fees, assessments, betterments or any other municipal charges.
 - e) A person who fails to renew a mooring permit by 30 June will forfeit the mooring location and the associated mooring permit.

ARTICLE IV: MOORING FEES

§ 1 Mooring Fees

The following fees shall apply to all vessels, moorings or other objects, both public and private, moored on waters of the Town of Ipswich. The fees are for all vessels on moorings, slips, docks, or floats and apply to both commercial and recreational vessels, and facilities.

All fees are nonrefundable

- a) Private moorings, resident or non-resident taxpayer:

| | |
|---------------------------------|------------------------------------|
| All vessels, length overall: | \$6.00 / foot (\$50.00 minimum) |
| Floating Docks / Mooring Floats | \$35.00 |
- b) Dinghy Dock permits

| | |
|----------------------------|---------|
| (1) Town Wharf | \$35.00 |
| (2) Ipswich Bay Yacht Club | \$35.00 |
- c) Waiting list fees

| | |
|-----------------------------------|---------------|
| Initial fee / Annual renewal fee: | \$10.00 /boat |
|-----------------------------------|---------------|

- d) Late fees
 Mooring Permit renewals or Waiting List renewals received
 after April 30th: \$25.00/ month

NOTE: All late fees are in addition to the original fee.

**ARTICLE V: MOORING TACKLE SPECIFICATIONS,
 IDENTIFICATION and INSPECTION OF MOORINGS**

§1 Mooring Tackle Specifications

- a) Substitutions of similarly sized mooring anchors are not permitted without the approval of the Harbormaster.
- b) The tackle specifications outlined below are minimum standards and are not designed to meet severe conditions. If severe weather is predicted, the prudent mariner should take additional measures, including the removal of the vessel from the water.

| Town of Ipswich Harbormaster Mooring Gear Reference Chart | | | | | | | |
|--|---|--|---|--|---|--|--|
| <u>Vessel</u> <u>(ft.)</u> | <u>Mushroom</u> <u>(lbs)</u> | <u>Helix</u> <u>Screw</u> <u>(lbs</u> <u>holding)</u> | <u>Pyramid</u> <u>Type</u> <u>(lbs</u> <u>Holding)</u> | <u>Block</u> <u>Dead</u> <u>Weight</u> | <u>Top</u> <u>Chain</u> <u>Size</u> <u>(in.)</u> | <u>Bottom</u> <u>Chain</u> <u>Size</u> <u>(in.)</u> | <u>Pendants</u> <u>Size</u> <u>(in.)</u> |
| - | | | | | | | |
| 13 | 100 | 1500 | 70 | 200 | 3/8 | 1/2 | 1/2 |
| 14-16 | 150 | 1500 | 135 | 300 | 3/8 | 1/2 | 1/2 |
| 17-20 | 200 | 2500 | 175 | 500 | 3/8 | 1/2 | 1/2 |
| 21-24 | 250 | 4000 | 300 | 800 | 3/8 | 1/2 | 1/2 |
| 25-28 | 300 | 5000 | 350 | 1000 | 1/2 | 5/8 | 5/8 |
| 29-31 | 400 | 7000 | 500 | 3000 | 1/2 | 5/8 | 5/8 |
| 32-35 | 500 | 10000 | 700 | 3800 | 1/2 | 5/8 | 3/4 |
| 36-41 | 600 | 12000 | 1000 | 4000 | 1/2 | 3/4 | 3/4 |
| 42-48 | 800 | 12000 | 1000 | 5000 | 1/2 | 3/4 | 1 |
| Over 50 | As Specified by the Harbormaster | | | | | | |
| Floats and Docks Docks | As Specified by the Harbormaster | | | | | | |
| All mooring hardware, shackles and swivels, should be a size larger than chain size. | | | | | | | |
| Pendent size are based on double pendants which should be used on all moorings. | | | | | | | |

- c) Construction of mooring blocks shall be approved by the Harbormaster or his designee. Concrete blocks 1000 lbs and over shall be steel-reinforced. Hairpins shall be 25% heavier than required chain.
- d) Total length of chain and pennant – shall be equal to at least 3-times the depth of water at Mean High Water (MHW) maximum, where the mooring is located.
- e) Mooring pennants (hawsers) shall be three strand-nylon or equivalent, shall be fitted with thimbles of appropriate size where they are attached to chain or metal fittings, shall be shackled directly to the chain, and shall be equipped with adequate chaffing gear where they pass through chocks or hawse holes.
- f) Length of Mooring pennants (hawsers) shall be 2 ½ times the distance from the waterline to top of the stem, plus the distance to the deck cleat.
- g) Shackles shall be one size larger than the chain to which they are connected.
- h) Swivels, if used, shall be one size larger than the chain to which they are connected.
- i) Shackles and swivels shall be safety wired or welded to prevent loosening.
- j) Screw anchors shall be installed by a licensed installer certified by the anchor manufacturer and approved by the Harbormaster.
- k) Location of all permanent mooring anchors, including blocks, shall be assigned by the Harbormaster, and exact latitude / longitude positions, using GPS or other approved system, must be obtained and recorded during the installation, and provided to the Harbormaster.
- l) Mushroom anchors shall be prohibited in waters where the Mean Low Water depth is less the six (6) feet.

m) Winter spars shall –

1. Be upright and visible at any period of tide
2. Not be constructed of wood or metal.
3. Not be used between June 15th and October 1st.
4. Be identified with the owner's name.

§2 Identification of moorings

- a) The last name of the owner / permit holder shall be permanently and legibly displayed on the mooring buoy or winter spar in block characters (letters and Arabic numerals) of at least three (3) inches in height and must contrast in color with the background.

§3 Identification of vessels or other objects secured by mooring tackle

- a) Each vessel or other object attached to a mooring shall display the current mooring permit sticker. The mooring sticker shall be displayed in a visible location on the upper right hand portion of the vessel's transom.

§4 Mooring Inspection

- a) Every year all moorings shall be inspected by the owner or installer.
- b) Every third year all moorings shall be inspected and approved by a Qualified Mooring Inspector, approved by the Harbormaster before being placed in service in the waters of the Town of Ipswich.

Mooring Inspection Guidelines:

1. Any chain showing more than 33% wear from the size specified in the mooring regulations must be replaced. If a mooring chain meets the 33% guideline but shows excessive or uneven wear in the opinion of the inspector, he/she may require another inspection within one year.
2. Any chain which has deformed (stretched or bent) links must be replaced

3. Only double-ring type or double shackle type swivels are permitted and must be replaced when ring or shackle pin is 33% worn. Swivels are only to be used between chain and pennant.
4. Shackles must be replaced when worn 33%. All shackles must be seized with electrical (plastic) wire ties or stainless steel wire.
5. Mushroom anchor eyes and shafts - wear must not exceed 33% of their diameter when new.
6. Mooring pennants with obvious chafing, stretching, or unlaying must be replaced. Approved pennant materials are nylon (strand or double braid), and pro-d (nylon and dacron).
7. Chain and tackle shall be supported by a floating mooring ball (hard plastic ball or inflated ball).
8. The Harbormaster shall assign all mooring locations.
9. Mooring inspections shall comply with all provisions contained in these Harbormaster Regulations.
10. Individual mooring owners may inspect their own mooring tackle using the Town of Ipswich mooring specifications.
11. The use of U.S. made chain and hardware is recommended.

Qualified Mooring Inspectors

1. No person shall act as a Mooring Inspector for purposes of this Section 4 without approval by the Harbormaster. Each Qualified Mooring Inspector:
 - a. must be able to supply, service, and/or repair all types of moorings in Ipswich waters for which he/she has been qualified; and
 - b. must be able to install or replace all moorings in their original field or on a site assigned by the Harbormaster.
2. Qualified Mooring Inspectors must certify that mooring tackle and equipment complies with all Town of Ipswich regulations including labeling the mooring ball with the permit holder's last name. The inspector shall provide to the Harbormaster a completed mooring inspection form for every inspection.
3. The written approval to become a Qualified Mooring Inspector requires proof of liability insurance in the amount of \$1,000,000.

4. The Town of Ipswich Harbormaster retains authority to manage all mooring activities, including issuing permits, inspections, and the collection of mooring permit fees.
 5. Inspectors shall adhere to all Town of Ipswich mooring regulations and by-laws.
 6. No law enforcement authority of any kind is authorized to a Mooring Inspector.
 7. Mooring Inspectors, with the approval of the mooring permit holder, may inspect the mooring by hoisting it from the water or by using a certified diver to dive on the mooring for the purpose of inspecting the mooring.
 8. Mooring Inspectors shall be appointed in writing for a three year period unless sooner suspended or revoked for failure to adhere to the mooring inspection guidelines set by the Harbormaster's and the Town of Ipswich mooring regulations. The Harbormaster is the sole authority on approval of mooring inspectors as well as the determination of said agreements at anytime. There is no right of appeal, implied or otherwise.
- c) The Harbormaster may, at any time, inspect any mooring; and may remove or cause to be removed any mooring that fails to meet the provisions of these regulations or Town Bylaws. The decision by the Harbormaster is final and there is no right of appeal, implied or otherwise.

§5 Moving, relocating, removal of moorings

- a) Moorings shall not be moved from an approved location without the prior written approval of the Harbormaster.
- b) In the event that a mooring is moved from its approved location by storm, ice or other cause, it shall be the responsibility of the permit holder / owner of the mooring to, at the earliest possible opportunity to relocate the mooring to the location originally approved, or to another location approved by the Harbormaster.

- c) The Harbormaster may relocate, remove or cause to be removed or relocated any mooring or vessel whenever, in their judgment, the safety of other vessels or the maximum use of the area requires such action.
- d) Any expense of such inspection, removal or relocation and any liability incurred therefore shall be the responsibility of the permit holder / owner of said mooring.

§6 Transient / Temporary Permit Requirements

- a) A marina or boatyard may move, for a period of time not to exceed two weeks, a properly permitted vessel among or between moorings assigned to them provided such a change is to a mooring of equivalent or greater capacity, and with written approval from the Harbormaster.

§7 Rental of Moorings

- a) No person shall rent, sell, donate or lease a mooring to another person or group.
- b) If an assigned mooring will be unused for a designated period of time, the Harbormaster may temporarily grant permission for another vessel to use that mooring for a specific period of time not to exceed 30 days. The request must be made in writing to the Harbormaster. The written request shall include all owner and vessel information required on a Mooring Application and any additional information requested by the Harbormaster. No vessel shall attach to said mooring without prior written approval from the Harbormaster.
- c) Any violation of Section 7 will result in the revocation of the mooring permit, removal of the mooring, and non-criminal citation and fines consistent with these Harbormaster's Regulations.

§8 One Year Rule

- a) The sale of any boat or vessel shall not include the sale of a mooring location. Upon the sale of any boat or vessel, the Harbormaster must be notified in writing if the owner wishes to hold the mooring location for one year upon payment of the minimum application fee and shall not be subject to renewal without the permitting of a new boat or vessel to said mooring.

§9 Mooring Float Regulations for Private Use

- a) A Mooring Float permit is required to moor a float at a mooring location in order to accommodate a second boat or to facilitate special activities such as sailing classes. Said permit may be issued by the Harbormaster subject to the following conditions:
 - 1. That the request for a float to accommodate a second boat is for said second boat to be owned and registered to a member of the immediate family.
 - 2. That said float permit is only issued to a current mooring permit holder with an additional fee charged for the 2nd boat on the float.
 - 3. In addition to the above, float permits may be issued to a Commercial entity or individuals on a “special needs” basis (i.e. medical, elderly, or handicapped per the A.D.A.) at the Harbormaster’s discretion.
 - 4. The float owner’s last name shall be attached to each end of float in 3” block letters of contrasting color.
- b) Permits for Floats will be issued with particular consideration given to clear channels. Size shall be determined by the Harbormaster.
- c) Mooring tackle specifications will be as specified by the Harbormaster.
- d) Floats in locations where the Mean Low Water (MLW) is greater than four (4) feet should have an attached boarding ladder unless this requirement is waived by the Harbormaster. No other items may be attached to the float without the approval of the Harbormaster. The storage box may not contain flammable liquids or other pyrotechnic materials.

- e) Floats are for seasonal use only and must be removed by Nov. 1st each year unless permission is extended by the Harbormaster. New season launch date for floats shall be April 1st or later. The winter storage location must be reviewed and approved by the Harbormaster. In no case shall they be stored below the high tide line.
- f) A mooring permit for a float shall not be transferred, except to a member of the immediate family, without the written approval of the Harbormaster.
- g) Construction of the float shall be approved by the Harbormaster or his representative with particular emphasis on cleats which should be through bolted with backing plates.
- h) Environmentally sensitive bottom paint is permissible and encouraged.
- i) Float permits are issued annually and expire on December 31st of the year they were issued. They may be revoked if any of the above regulations are violated.

§10 Waiting lists for mooring location assignment

- a) The Harbormaster will determine when the waterways have achieved maximum mooring saturation and establish a waiting list for the issuance of mooring locations and permits.
- b) A person desiring a mooring shall complete a Mooring Waiting List Application which will include up to three (3) choices for preferred mooring areas and pay the appropriate fee.
- c) The Harbormaster shall enter the name of the individual and a description of the vessel –chronological from the date the application is received – on the waiting list.
- d) A person shall not list more than two vessels on the waiting list.
- e) The Harbormaster shall post, at the Office of the Harbormaster and on the Harbormaster website, the current waiting list.

- f) Upon presentation of a death certificate, the Harbormaster may transfer an applicant's position on a waiting list to a member of the applicant's immediate family.

§11 Assignment of mooring location in waiting list areas

- a) When a mooring location becomes available, within a specific mooring area, the Harbormaster shall offer the mooring location to the first individual on the waiting list who has requested and qualifies for a mooring in said area. Applicants have fifteen (15) days, from the date of notification, to accept or decline the mooring assignment. Failure to respond to the Harbormaster within 15 days will result in the applicant losing the mooring assignment. Factors considered to determine appropriateness include: waiting list seniority, vessel size and characteristics, owners point of access, and safety.
- b) If the individual chooses not to accept the location or fails to respond, the Harbormaster will contact the next appropriate vessel owner and so forth until the location has been assigned. If no one requesting the specific mooring area accepts the location, the Harbormaster will offer the location to the most senior name on the waiting list, regardless of their requested mooring area, until the location has been assigned. Appropriate factors to consider include: vessel size and characteristics, owners point of access, and safety.

§12 Waiting list renewal and removal from list

- a) Individuals on the waiting list will receive a Waiting List Renewal notice each year that must be returned to the Office of the Harbormaster indicating an intent (or not) to remain on the waiting list and of any change in the information contained in the original application.
- b) The form must be returned by 30 November, with the appropriate renewal fee. Failure to comply with these requirements may result in removal from the waiting list.

- c) An applicant who has failed to respond by 30 November and has been removed from the waiting list may petition the Harbormaster for reinstatement. Prior to reinstatement, the person must pay the applicable late fees before being returned to their original location on the waiting list.
- d) Any person who fails to petition the Office of the Harbormaster by 31 December that they wish to return to the waiting list and has paid the appropriate late fees, shall be removed from the waiting list.

§13 Lost moorings.

- a) In the event that a mooring is lost it shall be the responsibility of the permit holder / owner to, at the earliest possible opportunity, locate, mark and properly identify said lost mooring.
- b) If after six (6) months the permit holder / owner fails to locate, mark and properly identify a lost mooring, he shall relinquish the approved location, and the mooring may be removed by the Harbormaster. The cost of the removal shall be assessed against the permit holder / owner.

ARTICLE VI: SPECIAL PROVISIONS

§1 Pollution Control

- a) The coastal waters of the Town of Ipswich are included in the Upper North Shore No Discharge Area, a Federally designated body of water where the discharge of treated and untreated boat sewage is prohibited. This prohibition does not include grey water. When operating in the Federal No Discharge Area, Type I, Type II, and Type III Marine Sanitation Devices (MSDs) cannot be discharged. In addition, U. S. Coast Guard regulations state all MSDs Type I, II, and III must be secured to prevent discharge in any Federally designated No Discharge Areas.

- b) A mooring permit shall be revoked for pollution in an anchorage area by any vessel, including the discharge of oil, sewage, garbage, waste, rubbish, debris and/or holding tanks.
- c) A permit shall be denied or revoked to any vessel equipped with a Marine Sanitation Device, Type III that does not also have a pump out deck fitting. (Inspections may be held by the Harbormaster or his designee prior to the issue of a mooring permit.)
- d) All Marine Sanitation Devices must conform to U.S. Coast Guard requirements.

§2 Maneuverability

A mooring permit shall be denied or revoked to any vessel not capable of reasonably maneuvering reliably and safely under its own power. Maneuverability shall be determined by the reasonable discretion of the Harbormaster as a power and/or sail configuration suitable for the size/design of the vessel, which will allow it to reliably and safely navigate under the local conditions of tide, wind and weather.

§3 Use of Waterways Prohibited

- a) The Harbormaster may prohibit SCUBA or other type of diving in mooring areas if such diving cannot be conducted safely without undue inconvenience to boat operations.
- b) No lobstering whatsoever shall be permitted in designated mooring areas.
- c) No vessel shall make fast to the Town landing for a period of more than fifteen (15) minutes without prior approval of the Harbormaster.
- d) No vessel shall exceed headway speed or cause a disturbing wake within mooring areas or other areas where vessels are at anchor.
- e) Water skiing is prohibited in mooring areas.

- f) No person shall operate a vessel in a reckless or negligent manner so as to endanger the life, safety or property of another person. Operators shall be responsible for damage caused by excessive wake at any time.
- g) Sail-boarding or wind-surfing is prohibited in all mooring, swimming or anchorage areas.
- h) No vessel or boat of any description shall be chained or locked to any Town owned or maintained dockage facilities.

§4 Anchoring

- a) No vessel shall anchor in any designated mooring area, designated swim area or channel.
- b) The Harbormaster may order any anchored vessel to move, if in the reasonable opinion of the Harbormaster, said vessel creates a safety concern.
- c) Vessels searching for safe waters during inclement weather may anchor within Ipswich Waterways without notifying the Harbormaster, provided once the weather subsides, notification shall be made if the vessel remains anchored for more than 24hrs.

§5 Town Landing and Floats

- a) Any dinghy tied to town floats, awash and left unattended for 72 hours or more, shall be pumped, removed and stored by the Harbormaster at the owner's expense.
- b) Dinghies shall be secured only by the bow and shall not interfere with the channel. Dinghies tied to town floats in violation of this regulation will be removed and stored by the Harbormaster at the owner's expense.
- c) No boat shall be made fast to a town landing or pier for more than fifteen (15) minutes, except by permission of the Harbormaster. Should the Town maintain docks for the purpose of securing dinghies thereto,

said dinghies shall be exempt from this rule provided the owners thereof have obtained a permit from the Harbormaster, paid the associated fee and have affixed a dinghy permit sticker to the upper right-hand transom of the dinghy. The Harbormaster may provide one (1) tie-up spot on said dinghy dock to secure vessels of appropriate size owned and used by handicapped boaters.

- d) The Harbormaster shall be responsible for town landings, floats, and piers.

§6 Violations

The owner of any vessel, mooring or other object not properly moored or not properly permitted, and anyone found in violation of these rules and regulations or any non-criminal violation of Massachusetts General Laws Chapter 90B, shall be liable to a non-criminal citation not to exceed \$100.00 per offense, removal of the mooring, vessel, or all three.

- a) An alleged violator may choose to pay the fine by appearing in person or through a duly authorized agent, or by mailing a check, money order or postal note within 21 days of the date of the notice to:

Ipswich Town Clerk,
Ipswich Town Hall,
25 Green Street,
Ipswich, MA 01938

- b) If an alleged violator desires to contest the matter, he may do so by making a written request for a non-criminal hearing, and enclosing a copy of the citation within 21 days of the date of notice to:

Clerk Magistrate,
Ipswich District Court,
188 State Street,
Newburyport, MA 01950.

- c) If an alleged violator fails to pay the fine or to request a hearing within 21 days, or fails to appear for the hearing or to pay any fine determined at the hearing to be due, a criminal complaint will be filed against him.

- d) Any property seized or removed by the Town of Ipswich for a violation of any Regulation shall be held until all liens are paid in full to the Town, and any and all removal and storage charges have been satisfied.
- e) In the event property is not claimed or cannot be identified, the Town may dispose of the property after a six month period.

§7 Conformance with existing regulations

Nothing contained herein shall be held or construed to supersede or conflict with or limit the jurisdiction of the United States Government with respect to the enforcement of the navigation, shipping, anchorage or other laws of the United States, or any lawful regulations of the Division of Marine and Recreational Vehicles, or any laws of the Commonwealth of Massachusetts.

In the event that any provision of these regulations is hereafter found invalid by a court, such decision of invalidity or voidance shall not affect the validity of the remaining provisions of these regulations.

The Harbormaster may adopt additional regulations for the orderly management of mooring, anchorage or waterways in the Town.

By Authority of the Harbormaster of the Town of Ipswich these regulations have been amended, replacing any prior regulations and shall take effect on May 18th, 2015.



Paul A. Nikas
Harbormaster, Town of Ipswich