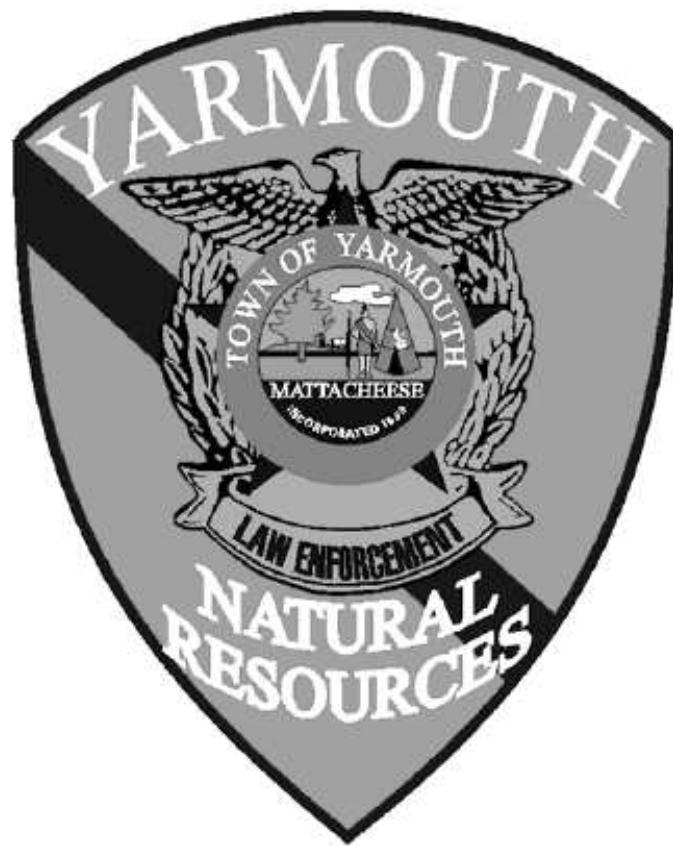


HARBOR AND WATERWAY REGULATIONS



General Marina Regulations Overview

1. These regulations apply to all town owned and/or operated marine facilities including, but not limited to: marinas, wharves, bulkheads, slips, and mooring areas. The Waterways Committee, Harbormaster and Assistants, Wharfingers, Natural Resource Officers and Police Officers will strictly enforce these regulations.
2. Applications for slips and berths shall be made to the Waterways Committee, or their designees, at the Division of Natural Resources' building located at 597 Forest Road, West Yarmouth, MA 02673. Applications for moorings shall be made to the Harbormaster, or designees, at such place that the Harbormaster may designate.
3. Vessels will be annually assigned to seasonal slips. Slip tenants may not exchange assigned vessels, nor may they rent, sublet, lend, or assign any berth or interest therein. Any unassigned vessel occupying a berth will be removed and stored at the owner's expense. The Waterways Committee, Harbormaster, Wharfinger, or Director of the Division of Natural Resources may reassign slips for the purpose of public safety and management of all marina facilities.
4. The tenant shall advise the Harbormaster or Wharfinger when vacating a berth for periods of two days or longer. In such event, an interim slip reassignment may be made by the Harbormaster or Wharfinger. No credit shall accrue to the regular tenant for such temporary use.
5. Living aboard shall not be permitted in town owned marina facilities. Slips will not be available to non-self-propelled vessels.
6. Any vessels using town marina facilities shall observe all applicable Federal, State, and Town safety, health and sanitary laws and regulations. Vessel owners shall be responsible for the orderly conduct of their crew and guests while in the proximity of marina facilities, whether on board, on docks or floats, or ashore. Any unsafe or indecorous behavior will constitute grounds for eviction from marina facilities by the Harbormaster or Wharfinger.
7. All vessels shall be maintained in safe and seaworthy condition. Slip tenants will be responsible for all necessary lines, fenders and other securing tackle for the proper berthing of their vessels. Unseaworthy, unsightly, or hazardous conditions exhibited by a vessel will constitute grounds for removal and storage at the tenant's expense.
8. No vessel will be permitted to pose a hazard to any marina facility, to any occupants or officials thereof, or to persons or property in proximity thereto by virtue of manner of seamanship, boat handling, inappropriateness of equipment or tackle, or dangerous or potentially dangerous cargo or stores.
9. No conduct of business or solicitation thereof will be permitted at marina facilities except as specifically permitted by approval of the Board of Selectmen and Waterways Committee. Any booths, stands, signs, or other evidence of commerce or solicitation will be subject to periodic town review and subsequent approval or disapproval.

10. Any vessels alongside a marina dock, float or bulkhead, whether as a transient, or loading or unloading must be attended at all times by a crew member capable of moving such vessel if so directed by the Harbormaster or Wharfinger. All such vessels shall be fully responsible for safety and cleanliness, and will be subject to these regulations while present in and around the marina facilities, whether under way or berthed.
11. Any injury or damage to persons or property shall be reported to the Harbormaster or Wharfinger immediately. Vessels causing damage to marina facilities will be held liable for compensation in an amount equal to the cost of repairs or replacement of such damaged property, as determined by the Waterways Committee.
12. The following are not permitted at marina facilities:
 - A. discharge of oil, contaminated bilge water or sewage
 - B. vessel repair or maintenance; other than routine, nonpolluting, nontoxic, or nondisruptive and minor
 - C. hanging clothing or laundry
 - D. transferring or pumping gasoline or other hazardous material
 - E. excessive running of engines or other operating noise
 - F. unrestrained pets
 - G. swimming in or around the marina area
 - H. hibachis, grills, welding, or any open flames of any type.
13. All electrical shore connections are to be properly protected with grounding, correctly-sized circuit breakers, locking plugs, and suitable marine cable; any evidence of conditions leading to potentially dangerous or stray current will be immediately discontinued. No leaking fresh water connections, hoses, or shutoffs will be permitted.
14. Rafting of vessels is not permitted.
15. All tenants shall hold harmless the Town of Yarmouth, its agents, or employees for any liability relating to damage, injury, or loss of any kind.
16. Vessel/slip assignments shall be made by April 1st of each year. If a slip is not occupied by June 30th, the tenant may (could) forfeit the slip.
17. All vessels must be removed from all town owned marinas if ordered by the Director of the Division of Natural Resources, Harbormaster or Wharfinger, for the purpose of weather-condition readiness to ensure public safety, as well as to minimize damage to the facilities.

General Harbor Regulations

214-1 Speed

- A. Limit 6 M.P.H., NO WAKE, commencing with (a) buoyed channel (#4 to buoy #30) for Bass River (in all Yarmouth waterways and protected channels).
- B. EXCEPTION: Designated ski and speed zones ONLY!
Motorboats shall be operated NOT MORE than headway speed under bridges or around bends with obscured views (enough speed to maintain steerage, but never more than 6 M.P.H).

214-2 Water Skiing

- A. Permitted in Lewis Bay, Bass River "Salt Box" area and Follins Pond. No person shall tow any water skis or surfboards between sunset and sunrise.
- B. No person shall tow any skier or any device without a competent observer at least 12 years old, and in a position to clearly observe the person being towed.
- C. The towboat must be equipped with a ladder or similar device to remove the towed person from the water safely.

214-3 Pollution

- A. No oil or other petroleum products shall be dumped or pumped overboard.
- B. No untreated sewage, rubbish, garbage, or dead fish shall be discharged overboard into Yarmouth Waters.

214.4 Berthing

All vessels entering the Town of Yarmouth waters are subject to the direction of the Harbormaster office which should be consulted before anchoring or tying up to any town owned facility or mooring.

214.5 Negligent Operations

- A. No person shall operate any motorboat or any other vessel in a reckless or negligent manner so as to endanger the life, safety or property of another.
- B. No person shall operate any vessel while under the influence of any intoxicating liquor, narcotic drugs, barbiturates or marijuana.

ARTICLE II Mooring Regulations

214-6 Applications

- A. No mooring will be installed, or set prior to approval and inspection by the Harbormaster or designees.
- B. Applications for mooring spaces in all areas shall be signed, dated, filed and paid for with the Harbor-master office prior to inspection and occupation.
- C. A mooring space relinquished by a boat owner voids all rights to that mooring space, unless prior ar-rangements have been made with the Harbormaster.
- D. The mooring assignment applies only to the person named on the mooring application and boat registra-tion. The mooring is non-transferable to others to include, but not be limited to, family, heirs of their es-tates, friends, or any other persons with interest.
- E. Any mooring permit holder that violates any Mooring Regulation or fails to have the mooring inspected, placed and utilized by July 1st of each year or obtain authorization from the Harbormaster for a waiver will forfeit all rights to that mooring.
- F. A mooring wait list will be maintained by the Harbormaster or designee by an established and docu-mented policy on a first come, first served basis, by area, boat size and date applied. A \$25.00 fee shall be charged to enter the wait list and a \$10.00 fee for each subsequent year to maintain the applicants position on the list.

214-7 Mooring Specifications/Minimum Requirements

Typical Boat	Mushroom or Pyramid	Ballast Ball (Mushroom)	Bottom Chain Size	Riser Chain Size	Total Chain Length	Pennant Size	Pennant Length
up to 10'	25 lbs.		1/2"	3/8"			
10' – 14'	50 lbs.	27 lbs.	1/2"	3/8"		1/2"	
14' – 16'	75 lbs.	27 lbs.	1/2"	3/8"		1/2"	
16' – 18'	100 lbs.	27 lbs.	1/2"	3/8"	3 times	1/2"	3 times
18' – 20'	150 lbs.	48 lbs.	1/2"	3/8"	the depth	1/2"	the bow
20' – 24'	200 lbs.	48 lbs.	5/8"	1/2"	of the	5/8"	height
25' – 29'	250 lbs.	75 lbs.	5/8"	1/2"	water	3/4"	above
30' – 32'	300 lbs.	75 lbs.	5/8"	1/2"		3/4"	the water
33' – 35'	350 lbs.	75 lbs.	3/4"	5/8"		7/8"	
35' – 37'	400 lbs.	75 lbs.	3/4"	5/8"		1"	
37' – 39'	500 lbs.	75 lbs.	3/4"	5/8"		1"	
40' – 42'	600 lbs.	115 lbs.	1"	5/8"		1"	
42' – 48'	800 lbs.	115 lbs.	1"	5/8"		1-1/4"	

NOTES

- A. Other Anchor Systems may be approved by the Harbormaster not limited to Mushrooms, Inverted Mushrooms, Pyramid, Screw Embedment Anchor* or Block**
- B. *Screw Embedment Anchor. Additional standards apply. Only upon Harbormaster approval.
- C. ** Block must be 3,000 lbs. or greater. Additional standards apply. Only upon Harbormaster approval.
- D. Mooring weight is to be determined by the size and type of vessel along with the area location (open/protected).
- E. All standards for larger vessels are at the discretion of the Harbormaster.
- F. All shackles will be moused.
- G. Swivel will be the same size as the bottom chain.
- H. Chafing gear is highly recommended.
- I. Nylon line or approved equivalent – Non Stretch Cotton (better).
- J. All moorings are to be removed from all Town waterways by November 1st of each year. Additional standards apply for Screw Embedment Anchor or mooring devices greater than 600 pounds. Only upon Harbor-master approval.

Minimum Screw Embedment Anchor

All screw embedment anchors must be load-tested within 2 days of its installation. The test must be witnessed by the Town of Yarmouth Harbormaster's Department. The vertical load-test must exceed the minimum horizontal hold requirement of 9,000 lbs. The vertical load of 20,000 pounds must be held for a minimum of 15 minutes. Installation of the Screw Embedment Anchor will adhere to industry standards.

- A. The Screw Embedment Anchor must be the Helix AB Chance SS175 Anchor or its equivalent in material and construction.
- B. The shaft must be a minimum of 1-1/2" thick and at least 6 feet in length.
- C. The shaft and screw embedment anchor must be of galvanized or other non-corrosive steel.
- D. The shaft must be designed to allow the bottom chain to swivel around the shaft and not wrap or foul.
- E. Installation of screw embedment anchor must be done by a certified mooring contractor approved by the Harbormaster's Department. The installer must demonstrate knowledge of the proper installation procedures and have the necessary machinery and gauges necessary to properly install the mooring system.
- F. It shall be the responsibility of the installer to assure that the proper size and length screw anchor is used according to subsoils within a given mooring area and for the vessel to be moored.

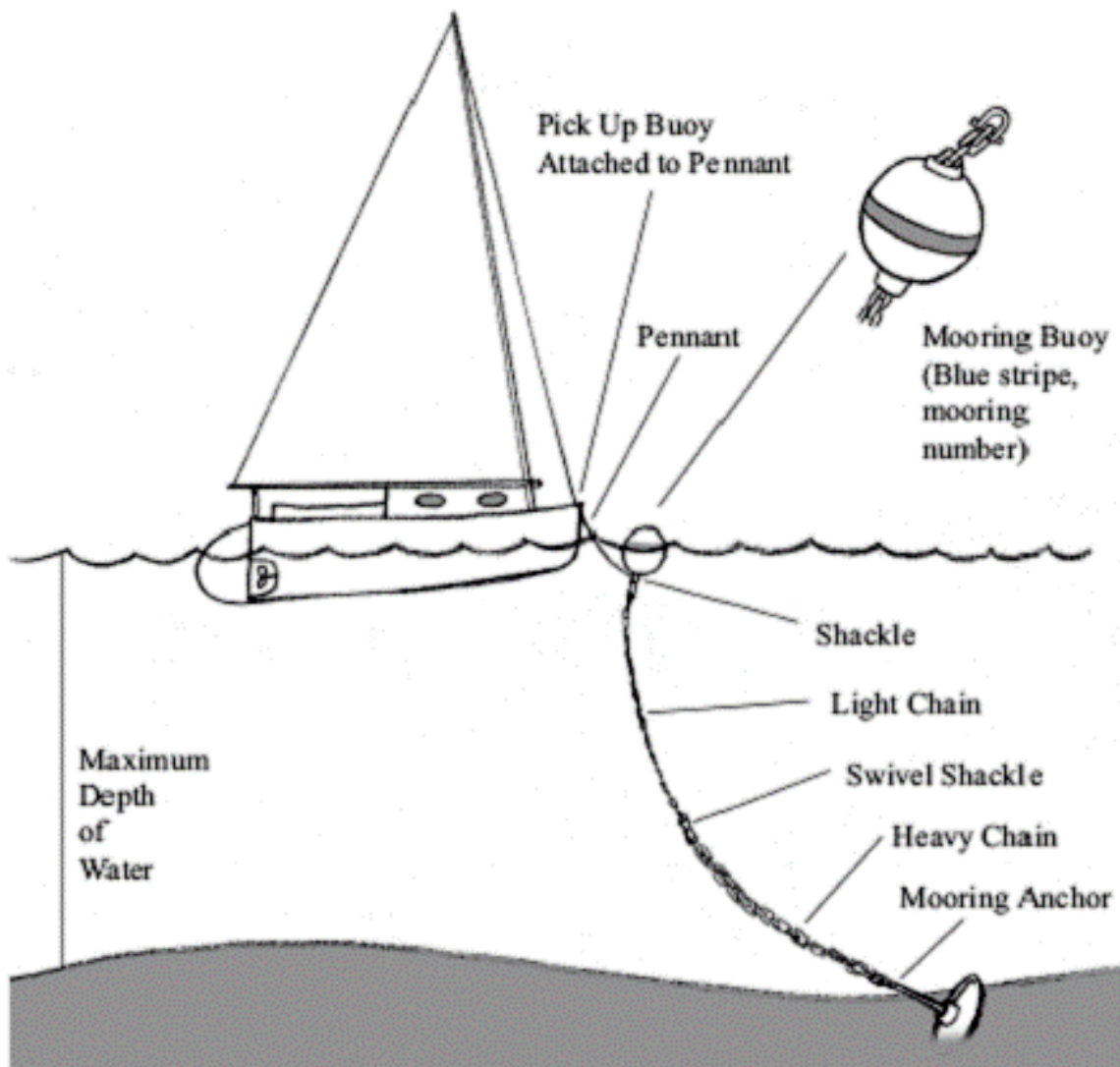
- G. The installer shall record the position of the screw embedment anchor mooring by a GPS fix and record all the mooring specifications including the length of the shaft, depth of mean high water, torque reading at installation, estimated hold and all size and lengths of ground tackle. All information shall be filed with the Harbormaster's Department within 48 hours.
- H. All screw embedment anchors shall be installed as close to flush with the bottom surface as possible with no more than 6" protruding above the bottom surface. The top screw must be at least 30" below the bottom of the mooring area.
- I. All pins shall be distressed or double-nutted so as to not allow the pin or the bolt to back out.
- J. All ground tackle must be inspected prior to installation.
- K. All chain and pennant specifications will remain constant with the mushroom anchor chart.
- L. All ground tackle must be inspected annually. It is the responsibility of the installer to photograph the screw embedment anchor prior to June 1st of each calendar year. All ground tackle must be removed and arrangements made for inspection by the Harbormaster, Ass't. Harbormaster or designee. In the event that a diver is used to replace the tackle, they must certify the condition of the top section of the helix, at that time, is in good and proper condition.
- M. A full out of the water inspection of the mooring and tackle shall take place every five years.
- N. A winter stick buoy will be installed on the screw embedment anchor system prior to November 1st and removed prior to April 1st of each calendar year. Each winter stick shall be visible in a vertical position above the water at least 24" at all times. All winter sticks must be white with a 3" blue horizontal stripe. A 3" reflective horizontal band must be positioned 4" from the top of the winter stick. The winter stick must be marked with the towns assigned mooring number in 3" black numbers/letter.

All approved mooring devices greater than 600 pounds will be required to follow the mooring inspection requirements.

- A. The installer shall record the position of the mooring by a GPS designated location.
- B. All ground tackle must be inspected prior to installation.
- C. All chain and pennant specifications will remain consistent with the mushroom anchor chart.
- D. All ground tackle must be inspected annually. It is the responsibility of the mooring installer to photograph or have the connection eye of the mooring device photographed prior to June 1st of each calendar year. All ground tackle must be removed and arrangements made for inspection by the Harbormaster, Ass't. Harbormaster or designee. In the event that a diver is used to replace the tackle, they must certify the condition of the top section of the mooring device as being in good and proper condition.
- E. A full out-of-water inspection of the mooring and tackle shall take place every five years or if instructed by the Harbormaster.
- F. A winter stick buoy will be installed on the screw embedment anchor system prior to November 1st and removed prior to April 1st of each calendar year. Each winter stick shall be visible in a vertical position above the water at least 24" at all times. All winter sticks must be white with a 3" blue horizontal stripe. A 3" reflective horizontal band must be positioned 4" from the top of the winter stick. The winter stick must be marked with the towns assigned mooring number in 3" black numbers/letter.

Mooring Buoys

1. Mooring buoys shall be painted **WHITE** with a **BLUE BAND** and marked with owner's or boat **NAME** along with the Town of Yarmouth **PERMIT NUMBER**.
2. Where winter spars or buoys are used, they shall be clearly visible **ABOVE ANY TIDE LEVEL AT ALL TIMES** and approved by the Harbormaster.
3. The Harbormaster Office will inspect all moorings beginning in the Spring throughout the Summer **BEFORE** they are put in the water.



ARTICLE III Marina Regulations

214-8. Applicability; enforcement.

These rules and regulations shall be applicable to and enforced at all Town-owned and/or -operated marine facilities, including but not limited to marinas, wharves, bulkheads, slips and mooring areas except as may be noted hereinafter

214-9 Applications.

Applications for slips and berths shall be made to the Harbormaster, or his designees, at the Division of Natural Resources, 597 Forest Road, West Yarmouth, Massachusetts 02673, or to such a place as the Harbormaster may designate.

1. Bass Hole Marina: Single slips up to 18 feet will be rented on a first come, first served basis.
2. Colonial Acres Marina: Double slips up to 25 feet will be rented on a first come, first served basis..
3. Englewood Beach Marina: Single slips up to 25 feet will be rented on a first come, first served basis.
4. Packet Landing Marina: Single slips will be rented on a first come, first served basis. The south side of the south dock will be reserved for tenants whom commercially fish and meet the standards in 4.1.A. Boats up to 38 feet in overall length may be accommodated in the commercial slips area. The balance of the facilities will be available to non-commercial tenants with boats up to 30 feet in overall length. The outermost faces of the docks shall be used at the discretion of the Harbormaster or designee for transient dockage on an individual basis.

4.1 A commercial fisherman shall meet the following standards and shall provide copies as proof of qualifications:

Category 1.

- a. Hold a valid "Vessel Based" Commercial permit from the Commonwealth of Massachusetts and;
- b. The vessel shall be registered or documented as a "Commercial Fishing Vessel", and be endorsed for the activity of commercial fishing and;
- c. Shall be actively engaged in commercial fishing by means of trap, pot, net, harpoon or hook and;
- d. Shall provide for inspection prior to January 1st of each calendar year copies of state or federal catch reports if fish were sold and fishing log indicating a minimum of 30 fishing trips for the previous slip lease period of May 1st to November 15th. The log shall include date, areas fished and catch.

Category 2.

- a. Hold a valid "For Hire" vessel permit from the Commonwealth of Massachusetts and;
- b. The captain shall hold a valid Coast Guard License and;

- c. The vessel shall be registered or documented as a “Commercial Fishing Vessel” and be endorsed for the activity of fishing for hire and;
- d. Shall be actively engaged in taking persons fishing for hire and;
- e. Shall provide for inspection prior to January 1st of each calendar year copies of state or federal catch reports if fish were sold and fishing log indicating a minimum of 30 fishing trips for the previous slip lease period of May 1st to November 15th. The log shall include date, charter customer contact information (name, address, phone number) and catch.

Special consideration and waiver of requirements “D and E” for one year may be made for unforeseen circumstances to include but be not limited to documented injury, illness or loss of vessel if prior notification is made to the Harbormaster. Waivers shall only be granted on the recommendation of the Harbormaster and the Waterways/Shellfish Advisory Committee to the Board of Selectmen or a Designated Waiver Administrator.

- 5. A slip wait list will be maintained by the Harbormaster or designee by an established and documented policy on a first come, first served basis, by marina, boat size and date applied. A \$25.00 fee shall be charged to enter the wait list and a \$10.00 fee for each subsequent year to maintain the applicants position on the list.
- 6. Applications for a slip in all marinas shall be signed, dated, paid for and filed with the Harbormaster prior to April 1st of each calendar year.
- 7. The slip holder (lessee) agrees to have his/her vessel covered by a full marine insurance package (hull coverage as well as indemnity and liability coverage) or minimum of \$300,000.00 (personal injury and liability policy) for Packet Landing, Colonial Acres and Englewood Marina slip holders agree to have his/her vessel coverage for personal injury and liability policy in the amount of \$100,000. The lessee agrees to release and discharge the Town of Yarmouth from any and all responsibility for injury (including death), loss, or damage to persons or property in connection with the Town Marina.
- 8. Whenever space has been allotted to a vessel by the Waterways Committee, or its designees, the owner of such vessel, or lessee of such space, shall not sublease, rent or permit the use of such space by any other vessel without the written approval of the Waterways Committee. If approval should be granted for the use of the allotted space by more than one vessel, a daily transient fee or seasonal surcharge shall be made for each additional vessel using the space. The surcharge shall be a percentage of the seasonal rent of such space as determined by the Waterways Committee.
- 9. Should a vessel owner make application in writing for dockage space and there should be no space available, it shall be the duty of the Waterways Committee to so advise the applicant, take the name of applicant and the vessel and hold the same on a waiting list.
- 10. Dinghy Tender and Small Boat Storage Permit
 - a. All dinghies/tenders or boats kept at any Town of Yarmouth way to water, marina facility, beach or any other town owned land shall have affixed to the hull a valid dinghy/tender permit. This permit will be at no cost to valid mooring permit holders and a fee equal to the annual mooring fee (\$) to non-mooring permit holders.
 - b. The owner of a dinghy/tender or boat kept at any Town of Yarmouth way to water, marina facility, beach or any other town owned land that does not have a valid dinghy/tender permit shall be subject to removal at the owners expense and a fine of \$50.00 per day.

214-11. Houseboats.

Houseboats, meaning a boat designed primarily for human habitation or which may be used as a home and which is not self-propelled, will not be permitted to moor or tie up at any Town-owned wharf, berthing area or mooring.

214-12. Compliance with health and sanitation regulations.

All boats and vessels using Town marine facilities shall observe all health and sanitary regulations of the Town, and the owners or operators of such boats or vessels shall not permit acts contrary to public health nor permit profanity, obscene language or indecent exposure, unnecessary noise, loud talking or playing of musical instruments between the hours of 11:00 p.m. and 8:00 a.m. No person upon such boats or vessels shall be permitted to throw or dump garbage, paper, refuse or debris into the water.

214-13. Vessel appearance.

No vessel or watercraft of any kind whatsoever which is of unsightly appearance or in badly deteriorated condition or which is likely to damage private or public property or which might become a menace to navigation shall be permitted to moor or tie up at any of the Town's marine facilities. The Wharfinger and the Waterways Committee with the Harbormaster jointly shall determine whether any such watercraft is of unsightly appearance or in a badly deteriorated condition and, if found so to be, shall take proper steps for removal of the same.

214-14. Signs.

Advertising signs will be permitted at any Town-owned and/or -operated marina facility only by tour, charter boats and so-called "head boats." Such signs shall not be over 18 inches by 36 inches in size and shall be displayed only on the boat itself.

214-15. Hours of operation.

No owner or operator of any person having control of any boat or vessel tied or moored in a Town-owned and/or -operated marine facility will permit the operation of any motor on such boat or vessel for the purpose of charging batteries between the hours of 8:00 p.m. and 8:30 a.m. of the next day. No operator shall cause excessive noise in the operation of his boat or in operating blowers or noisy machinery.

214-16. Repairs to craft.

Repairing (other than emergency repairs of a minor nature), overhauling or remodeling of any watercraft docked or moored at a Town-owned and/or operated marine facility will not be permitted.

214-17. Loading and unloading area.

No vessel or watercraft of any kind whatsoever, without permission of the Wharfinger, shall tie up or remain at a designated loading and unloading area while not actually in the act of loading or unloading passengers or cargo unless a person capable of operating the vessel or watercraft is aboard. Maximum use of the loading and unloading facilities is limited to one hour, except that the Wharfinger may grant an extension of this time upon request. Vessels or watercraft of any kind violating this rule shall be removed without notice to the

214-18. Liability for damage to Town-owned facilities.

All persons injuring or damaging Town-owned and/or operated marine facilities and properties, or all persons liable therefor, shall immediately reimburse the Town in an amount equal to the cost of repairing such damage as determined by the Waterways Committee.

214-19. Use of vessel as business prohibited.

No vessel or watercraft of any kind whatsoever, moored or docked at any Town-owned and/or operated marine facility, shall be used as a place from which business or professional services are conducted. This shall not apply to tour, charter or so-called "head boats." Tour, charter or head boat shall be defined for the purpose of these regulations as a watercraft holding itself out to the public for rent or charter for a specified fee per person or a charter price, regardless of the number of persons, with a captain on board at all times during such charter. Such boat shall be available to the public in general upon payment of the specified fee, must so equip itself to be suitable for the purpose for which chartered and must be primarily used for charter or rent. The number of tour, charter or head boats permitted at any one Town-owned and/or -operated marine facility shall be determined by the Waterways Committee.

214-20. Laundering.

No laundry shall be hung on the outside of any boat docked or moored at a Town-owned and/or operated marine facility.

214-21. Rafting.

At certain times, rafting will be permitted between other boats and to other boats. All precautions to prevent damage will be the responsibility of the occupants involved. It will be within the powers of the Wharfinger to determine when and where rafting will take place at a marine facility owned and/or operated by the Town. A transient fee may be charged.

214-22. Private water connections.

All private water connections to dock facilities shall have automatic shutoffs at each connection.

214-23. Violations and penalties.

Violations of the foregoing rules and regulations, disorder, depredations or indecorous conduct by any person using or upon the premises of Town-owned and/or operated marine facilities shall be cause for immediate removal from the Town-owned and/or operated marine facility of the boat, vessel or person in violation, and the boat or vessel owner or person shall be subject to the penalties in Chapter 102 of the General Laws of Massachusetts.

214-24. Amendments.

These rules and regulations shall be strictly enforced by the Waterways Committee, the Harbormaster or their designees. Such changes and/or amendments as may be required in these rules and regulations may be made from time to time by the Waterways Committee with the approval of the Board of Selectmen.

PERSONAL WATERCRAFT RENTAL SERVICES REGULATIONS

1. Personal Watercraft shall mean a vessel propelled by a water jet pump or other machinery as its primary source of motor propulsion which is designed to be operated by persons sitting, standing or kneeling on the vessel rather than being operated in the conventional manner by a person sitting or standing inside the vessel, as defined in 323 CMR 4.02, Definitions.
2. Personal Watercraft are considered a Class "A" motorboat requiring them to obey all local, state and federal laws, regulations and rules of operation.
3. Personal Watercraft rental companies must have a chase vessel on the water to assist customers at all times.
4. All rented Personal Watercraft must be marked in a manner, to be determined by the Harbormaster, identifying the watercraft as a rental and identifying the company leasing the watercraft. The chase vessel must be marked in the same manner.
5. All rental services must provide the Harbormaster with company information of: owners and employees names, addresses, phone numbers, emergency phone numbers, areas of operation and launching, and a copy of registrations for all vessels.
6. Solicitation of customers at any Town of Yarmouth public boat ramps, town way or beach is prohibited.
7. Personal Watercraft rental company employees must provide a copy and explain in detail: 323 CMR 4.00, The Operation of Personal Watercraft; MGL Chapter 90B.9A and 9B; and Town of Yarmouth General Harbor Regulations: A, D and E.

PACKET LANDING COMMERCIAL LOADING/OFF-LOADING PERMITS REGULATIONS

1. Commercial Loading/Off-Loading at Packet Landing shall be by permit only. Permit requests may be denied by the Harbormaster if the Harbormaster, in his/her sole discretion, determines that a particular vessel, or proposed use of the landing, would be unduly disruptive to the efficient operation of the landing. In addition, an individual or company may be denied a permit based upon a past history of problems at off-loading facilities.
2. Loading/Off-Loading permits shall be valid from June 1st through May 31st at the fee of \$500.00 per vessel.
3. Loading/Off-Loading permits are issued to the vessel being permitted. Owner/Captain identification and vessel documentation or registration must accompany the Loading/Off-Loading application.
4. The Loading/Off-Loading permit sticker will be affixed to the vessel in plain sight on the starboard side of the wheelhouse or console.

- 5.a.) A Packet Landing Loading/Off-Loading Permit may be obtained for a Yarmouth vessel for which there is a valid mooring or slip (Packet Landing, Colonial Acres, Englewood Marinas)
 - 5.b.) A Packet Landing Loading/Off-Loading Permit may be obtained by a Yarmouth resident, or an individual who owns a residential property in Yarmouth, who maintains Yarmouth as his/her home port for the vessel and who holds one or more valid commercial fishing permits.
 - 5.c.) Transient slip lessees who contract a slip for 30 consecutive days or more will receive a temporary transient Loading/Off-Loading Permit sticker included in the monthly rate. Permit stickers will still be required for Loading/Off-Loading and must be affixed to the starboard side of the wheelhouse or console.
6. Loading/Off-Loading shall be by permitted vessels only for the purpose of loading of fuel by authorized tank truck (diesel only), fishing gear, ice, bait, fish, shellfish and charter passengers.
7. The Loading/Off-Loading of vessels is permitted at bulkhead only.
8. A Loading/Off-Loading Permit is non-transferable.

ARTICLE I Hazards to Navigation .

141-1. Removal of hazardous object; liability for costs.

No vessel, mooring or other object shall be abandoned, sunk or otherwise placed where it may constitute a danger to navigation. Any vessel mooring or other object so placed and any vessel improperly secured, swamped, sunk, washed ashore or found in any restricted area may be removed or relocated by direction of the Harbormaster or an Assistant Harbormaster if corrective action is not taken after 72 hours' notice to the owner or, if the owner is not known, after notice has been posted for the same period at the Town Hall or on or near such vessel, mooring or object. The expense of such removal or relocation and any liability incurred therefor shall be the responsibility of the owner.

141-2. Earlier actions by Harbormaster unaffected.

Nothing in the above shall be deemed to restrict earlier action by the Harbormaster or an Assistant Harbormaster with or without notice to the owner if, in his judgment, such action is necessary to protect life or property.

141-3. Penalty.

Any violation of this article shall be punished by a fine of not more than \$300.00 for each offense.

ARTICLE II Speed Limits

141-4. Speed limit for motorboats.

In any pond within the confines of the Town of Yarmouth, no motorboat shall operate at a speed in excess of six miles per hour.

141-5. Speed and waterskiing rules.

In any of the following tidal waters, bays or estuaries of the Town of Yarmouth, the following speed laws and waterskiing laws shall be observed:

- A. No person shall engage in waterskiing in Lewis Bay, Yarmouth, Massachusetts, north of a line running from Englewood Beach point to the radio tower.
- B. All power craft shall not exceed six miles per hour north of this line.
- C. All water-skiers south of this line and the rest of Lewis Bay shall keep at least 150 feet from all craft, including moored boats, barges and the like.
- D. No person shall engage in waterskiing in Mill Creek or Mill Pond, and all power craft shall not exceed six miles per hour in said Mill Creek or Mill Pond.
- E. No person shall engage in waterskiing in Parker's River, and all power craft shall not exceed six miles per hour in said Parker's River from Route 28 to the waters of Nantucket Sound.

141-6. Authority of Selectmen.

The Board of Selectmen will have the authority, after a public hearing is held, to set rules and regulations, including speed limits, on all waterways of the Town, subject to approval by the Division of Marine and Recreational Vehicles. Violation of any of these rules will result in a fine of not more than \$300.00.

141-7. Penalty.

All violations of this article shall be subject to the provisions of Chapter 275, § 14C, of the General Laws.

ARTICLE III Freshwater Ponds

141-8. Restrictions on freshwater ponds.

No person shall operate power-driven craft on all freshwater ponds in the Town of Yarmouth, except that craft powered by electric motors up to six horsepower will be allowed on all freshwater ponds, with the exception of Fire, Police, Natural Resource and Department of Public Works.

141-9. Penalty.

Any violation of this article shall be punished by a fine of not more than \$300.00 for each offense.

ARTICLE IV Entering Water from Vehicle Bridges

141-10. Prohibited acts.

No person shall jump or dive into the waters of Bass River from the Route 28 Bass River Bridge, the Highbank Bridge or the Penn Central Bridge.

141-11. Penalty.

Any person violating the provisions of this article shall be punished by fine not to exceed \$300.00 for each offense.