



**Town of Essex Police Department  
Harbor Division**



## **HARBOR REGULATIONS**

1. The following Harbor Rules and Regulations will become effective April 1, 2008. Upon this date, all other previously existing Harbor Rules and Regulations will be abolished.
2. The Harbormaster, under the provisions of Massachusetts General Laws, Chapter 102, Section 17 thru 28, shall control the mooring of all vessels in the waterways of Essex.
3. No person shall establish a mooring or moor a vessel in the waterways of Essex until a mooring permit has been issued by the Harbormaster.
4. Applications for a mooring permit shall be made in writing to the Harbormaster's office. The application shall require such information as the Harbormaster considers necessary.
5. Mooring permits will be effective April 1st in the year of issue and will be valid until March 31st of the following year. All mooring marker buoys must be in place and properly marked with the letter identifying the mooring area (see number 7), the mooring number, and the assignee's last name no later than June 1st. All markings on primary buoy must be minimum 2 inches. Moorings or mooring marker buoys placed after June 1st may be assigned to another location. All pick up buoys must also be marked accordingly and be legible.
6. No mooring permit will be issued if the Personal Property Boat Tax has not been paid. No mooring permit will be issued if any violations are outstanding.
7. Mooring areas are designated as follows:
  - A – Castle Neck River (back side of Crane Beach)
  - B - North Easterly of Dilly Island
  - C - Westerly of Corn Island.
  - D – Hog Island/Dean's Creek
  - E – Cross Island side Easterly to Black Rock

F – Between Corn and Cross Island Westerly

G - Westerly of Conomo Point

H – Clammer's Beach

I – Joe's Creek

J – Lufkin's Creek

K – Eben Creek

L – Billy Point

M – Dock's, Marina's Harbor area

8. All vessels in Essex waters are required to be properly registered according to the laws of the Commonwealth.
9. If after review of an application, the Harbormaster determines that no adequate mooring space is currently available, the application will be placed on a waiting list. When a space which can accommodate the vessel, becomes available, a mooring permit will be issued.
10. Pursuant to the Town of Essex Bylaw 4-4A. 6 the fee for a mooring permit is \$5.00 per foot per vessel per year with a minimum total fee of \$75.00. For the purposes of fee calculation, the vessel length will be rounded to the nearest whole foot. The fee for being maintained on the "waiting list" for a mooring permit is \$10.00 per year.
11. All persons wanting to remain on the "Mooring Waiting List" must annually complete an updated waiting list application available at the Essex Police Department, and pay an annual fee of Ten Dollar's (\$10.00) to be submitted with the completed application and received by the Essex Police Department Harbormaster no later than April 1st of each year. Failure of the applicant to reaffirm their application or failure to pay the annual fee shall cause the Harbormaster to remove the applicants name from the Mooring Waiting List. It is the sole responsibility of the applicant to ensure that these items are received in hand by the Harbormaster by the above date. Applicants will not receive any other notice by the Harbormaster.
12. When the Harbormaster determines that a mooring location is available for reassignment in Essex waters, he shall notify the person on the Mooring Waiting List with the oldest date of application, that a mooring is available for a given

size boat. If the person so notified wishes to accept or refuse the mooring assignment to place a boat of the proper size in the location designated by the Harbormaster, they must reply by mail or sign an accept/decline form provided by the Harbormaster within fifteen (15) days from the date of notification indicating whether the boat owner accepts or declines the assignment. An acceptance requires the boat owner show proof of ownership and registration or documentation. The vessel must be registered or documented in the person's name that is on the waiting list. For vessels which are registered or documented in two or more names, only one name can be used on the waiting list or on the assigned mooring . Failure to respond within 15 days may result in the person losing the assigned mooring assignment, as well as the person being removed from the waiting list.

13. If a person on the waiting list declines to accept the mooring location available for any reason, that person may retain their original position on the Mooring Waiting List for one year according to the date of the original application. After one year from the date of notification of an available mooring, if the selected waiting list applicant does not accept a mooring and does not place a mooring in the assigned area, that person will be removed from the waiting list.
14. Upon acceptance of a mooring assignment, all moorings and tackle must be approved by the Harbormaster prior to being set in the designated location. Mooring block and tackle must be made available to the Harbormasters office for inspection and placement in accordance with the directions of the Harbormaster within one (1) year of the date of assignment. Failure to adhere to the provisions of this section will result in forfeiture of the mooring location. The following may not be used for moorings: engine blocks, cement building blocks, or any material or object deemed unfit by the Harbormaster.
15. The sale of a boat or real estate shall not include the sale or transfer of the mooring location. The mooring permit holder must notify the Harbormaster in writing immediately upon the sale of their boat.
16. No person may loan, rent, donate, sell, or lease their assigned mooring to another person or to a group. The owner of a mooring or holder of a mooring permit shall notify the Harbormaster immediately if the assigned vessel will be absent from the mooring for an extended period of time greater than 30 days, or the mooring will not be placed in its assigned location or any other location for any reason. Upon the sale or other disposition of a permitted vessel, the permit holder will have one (1) year from the date of sale to replace it with another vessel pursuant to item #26, or the mooring location will be forfeited.

17. No mooring or device used for that purpose shall be placed in Essex waters without first obtaining permission from the Harbormaster and completing the required applications. Moorings in Essex waters without a permit will be removed by the Harbormaster at the owner's expense.
18. No boat shall be moored in Essex waters without an approved mooring permit and permit decal. The decal shall be placed on the boat's transom (starboard side) or as close as possible. If the design of the vessel prohibits the displaying of the sticker on that side, the Harbormaster may direct the owner to display the sticker in an alternative location that is easily visible from the stern. This does not apply to transient boats moored on transient moorings.
19. No vessel will be permitted to anchor in a mooring area or other area on a permanent basis so as to avoid obtaining a mooring. The Harbormaster in his sole discretion will determine remediation if necessary.
20. Mooring buoys shall be the Massachusetts regulation buoy: large white ball with blue horizontal stripe, or blue Styrofoam block with white top. It is mandatory that the buoy is clearly marked with the assigned letter indicating the designated mooring area, the mooring number, and the owners name in minimum 2 inch block letters.
21. Mooring buoys which do not display the designated area letter, the mooring number, or the owner's name, or which appear to be abandoned or not maintained will be disposed of by the Harbormaster, and the owner charged for the associated costs.
22. Effective April 1, 2007 any In Haul/Out Haul or similar devices used to retrieve a vessel from land shall be considered moorings and required to be marked accordingly (see 5 and 22), appropriately weighted, and identified as is required with other moorings in Essex waters. The current locations of these In/Out Haul devices may be assigned at the discretion of the Harbormaster. A vessel may be exempt provided that the owner produces documentation that he/she owns the land on which the vessel kept and the In/Out Haul is completely affixed on the owned land. It is the sole responsibility of the vessel owner to provide proof of ownership of their land.
23. A mooring permit authorizes an owner of a specific vessel to moor this vessel in a specified area as designated by the Harbormaster. The Harbormaster has the sole authority to allow the placement of a mooring.



24. Vessel owners must immediately notify the Harbormaster if there is a change of vessel or vessel size. Vessel owners will be permitted to replace one vessel of equivalent size, as judged by the Harbormaster and maintain their mooring location. Vessel owners changing to a larger or smaller vessel may either be assigned another mooring space, if available, or placed on a waiting list for a mooring in the area of preference or location that may better accommodate the vessel.
25. Mooring permit holders shall notify the Harbormaster when they no longer have use for the permit. Use of a mooring other than by the holder of a permit is expressly prohibited and may result in the person who was assigned the mooring, to have his/her mooring privileges revoked.
26. 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 exceed 30 days. The request must be made in writing to the Harbormaster on a Harbormaster request form, notarized, and returned to the Harbormaster for approval.
27. The transfer of a mooring will only be permitted from one spouse to another spouse. The Harbormaster will only grant this transfer request one time only. The permitted spouse or the surviving spouse must make their intent known in writing to the Harbormaster prior to the next season permit. Transfers to other family member, or any other person is expressly prohibited. The vessel must be registered or documented in the name of the person whom the mooring is assignment to.
28. No person will be assigned more than one mooring and no household members combined will be assigned more than two moorings in Essex waters. Household members will be defined as a person having the same legal, permanent address. All means and methods will be used by the Harbormaster to determine a person's legal address. The Harbormaster may, at his option, make a one time exemption to rule 27 as described for spouses for the purposes of this transition in the year 2008 only.
29. No vessel shall remain on the Town Landing dock for longer than 15 minutes unless authorized by the Harbormaster.
30. It is the sole responsibility of the permitted mooring owner to inspect and appropriately maintain all mooring block and tackle annually.
31. Violations of the Essex Harbor Regulations may result in loss of mooring permit, fines or both.