Proposed Changes to the Chilmark Waterways Rules and Regulations

* **Section II. Definitions**

E. (re-write) “Mooring Year” is the period for which a mooring is assigned. The period runs from April 1st to November 1st. When referring to slips, the period runs from January 1st to December 31st.

G. (Change Age) (who must be over 12)

L. (Change Age) must be over the age of 12

Q. (Add) “Dinghy” means a small boat of less than 10 feet length overall used as a means of transportation to and from a moored vessel.

* **Section III. General Waterways Rules and Regulations**

B. (Re-write) No vessel shall operate at a speed greater than headway speed, or six miles per hour, or which could cause a wash or wake within 500 feet of mooring areas, harbors or swimming areas whether public or private. Vessel operators must adhere to speed restrictions and no wake areas posted by the Harbor Master.

P. (Re-write) The floating dock at Harriph’s Creek is principally for loading and unloading from moored boats. No dinghy shall be tied to the designated loading/unloading zone marked on the face of the dock. Any dinghy propelled by machinery (gas or electric) must have a valid state registration displayed on the hull to be kept at the dock. Violators may be fined in accordance with the Fee and Fine schedule. All users must also follow any and all rules posted on the dock.

* **Section IV. General Mooring Regulations**

1. (Re-write) No mooring shall be placed in Chilmark Waters unless permitted

by the Harbor Master and in compliance with these regulations. Before placing a permitted mooring in the water each year, all tackle must be in compliance with subpart P of this section, and section V of these regulations. All moorings must be inspected annually by the Harbormaster.

1. (Add to end of existing) A dinghy permit decal will be issued to each mooring permit holder with the same identification number as their mooring. This sticker shall be placed inside the hull of the dinghy on the transom (aft) so it can be easily seen from the dock. Failure to display the decal will result in a fine and removal of the dinghy from the dock.

D. (Add to end of existing) Any mooring permit holder who is on a Slip Waiting List for Menemsha Basin who ascends to the top of the list will forfeit their mooring permit to the next person on the waiting list in order to receive slip. Any person who has a slip and a mooring as of 2020 which are both being used in accordance with these regulations may retain both spaces.

G. (Re-write) No private mooring may be rented, sold or transferred.

H. (Re-write) Mooring must be used to be retained. Any mooring permit holder who does not occupy his/her mooring with the boat assigned to such mooring for more than 30 days in one mooring year will forfeit their mooring permit to the next person on the waiting list unless he/she has requested and received written permission for a one year grace period.

I. (Add to end of existing) In the event that more than one renter will occupy the same commercial mooring during one mooring year, information for both renters must be provided on the list of renters of moorings and slips.

* **Section VI. Description and Special Rules for Docks in Menemsha Basin**

C. (Re-write) Commercial Fishing Bulkhead

4. Boats tied to the dock for longer than 72 hours shall provide the Harbor Master with valid commercial fishing permits when requested and leave the dock regularly during periods of permissible fishing in order to continue using the dock.

* **Section VII. General Regulations for Menemsha Basin**

C. (Re-write) If a slip holder sells his/her boat, he/she must receive written permission from the Harbor Master for a one year grace period. If a new boat is not purchased and being used in his/her slip by the following boating season, the slip will be allocated to the next person on the waiting list.

E. (Re-write) No one shall live aboard any boat in Menemsha Basin with the exception of paying transient customers. Commercial Captains and their crews may spend the night aboard their boats for no more than 24 hours when they are temporarily affixed to the Commercial Bulkhead after offloading catch. Special circumstances may be considered for vessels in need of repair or beset by weather conditions.

H. (Re-write) Only one slip may be leased to any household. Slip Contracts will be issued in the name of a single individual. The slip may not be transferred, except to a surviving spouse.

O. (Eliminate)

P. (Re-write) Overnight parking in the Menemsha Beach parking area requires permission from the Harbor Master and Chief of Police.

Y. (Re-write) No town employee shall operate or board any boat to assist in docking even if requested to do so. Lines shall be handled by town employees from the dock or from moored/docked vessels when propulsion machinery is secured.