



# TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

Tel: 508-349-7004, Extension: 110 or 124 Fax: 508-349-5505

## PAMET HARBOR RULES AND REGULATIONS

### Definitions

For the purpose of these rules and regulations, the following definitions shall apply;

- A. Mooring shall mean the actual block, weight, or physical structure to which lines or chains are affixed and rests on the sea floor.
- B. Moor shall mean the act of tying off or affixing a vessel to a fixed point, including but not limited to, a block, pier, float, or any other object capable of securing vessel from moving.
- C. 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 a person sitting, standing, or kneeling on the vessel rather than being operated in the conventional manner by a person sitting or standing inside the vessel (323 CMR 4.02)
- D. Shallow water area shall mean the tidal area north of the channel.
- E. Deep water area shall mean the basin area south of the channel.
- F. Space shall refer to the designated area to which a vessel moors, i.e., the mooring space.

### Rules

1. Violations of any of these rules or regulations will be subject to a maximum fine of \$50.00 for each offense, with the possibility of loss of mooring privileges, unless covered under other laws or regulations.
2. Absolutely no wake in the anchorage or mooring area. Speed not to exceed 5 mph, or the minimum speed required for steerage, whichever is less, from the entrance jetties, throughout the inner harbor, and up the Pamet River and its branches.
3. No swimming, SCUBA diving, snorkeling, or windsurfing in any of the Pamet's navigable waters and channels, unless prior approval of the harbormaster is granted.
4. Personal watercraft may only use the marked channels of the Pamet from the launching ramp through the jetties as a means to exit or enter the harbor.
5. Launching or recovering of any craft over any fence or guardrail in the harbor area without permission from the harbormaster is prohibited.
6. Boats must not be moored, or at anchor, in any channel or passage so as to interfere with the operation of the launching ramp area.

7. No one will be permitted to place or maintain a mooring within Pamet Harbor except in accordance with, and fully subject to, these rules & regulations. All moorings must be placed under the supervision of the harbormaster. Moorings placed without the harbormaster's prior approval are subject to being moved on his order. Failure to do so will result in forfeiture of the mooring space. Any charges incurred by the harbormaster in moving the mooring shall be enforced by the Town against the mooring owner, as per MGL Ch. 91 Sec. 10A, Ch. 102 Sec. 21,24,& 28.

8. All boat owners will be limited to one mooring space, and that mooring space may only be used by the mooring owner or by persons approved in advance by both the owner and the harbormaster. The subleasing of any mooring, or space, will not be allowed.

9. All permits to moor or launch a boat or float in the Pamet Harbor will be for a specific boat or float, and only that boat or float, and only for the time period specified on the permit. All permits must be paid for in advance. Each boat and dingy must display its permit in a clear and visible manner.

9a. Pamet Harbor shall have two distinct seasons; a boating season, and an off season. The boating season commences on April 1st and ends on November 14th. All floats are to be placed in the Harbor by June 10<sup>th</sup>. By November 15th, all floats are to be removed from the basin and tackle marked with a buoy with the owner's name on it. Accordingly, all buoys in the shallow area are to be removed and replaced with a six inch net buoy with an assigned number. The removal of the floats and buoys are the responsibility of the mooring holder. Persons located in the basin area and wishing to upgrade will be placed on the top of the waiting list. Any float space which becomes available will be occupied in accordance with rule 13.

10. No mooring can be placed, or occupied, until the harbormaster has verified that the proper fee has been paid and a copy of the current boat registration is on file with the harbormaster. No boat shall be placed on any mooring unless the current registration sticker issued by the harbormaster is properly displayed.

11. Mooring owners shall be fully and exclusively responsible for maintaining their moorings, floats, and associated equipment and gear in good, safe, and serviceable condition.

12. The transfer of boats between moorings will not be permitted, except on specific approval of the harbormaster. In emergencies, however, the Town, (harbormaster, police, fire department), may move, or cause to be moved, any boat from its mooring to any other mooring place for the purpose of safety, specifically in the interest of the boat owner(s).

13. There shall be composed a Pamet Harbor mooring waiting list. The order of the list is determined by date of placement on the list, except for those previously placed on the basin waiting list by lottery conducted in 2002. These lottery participants shall have seniority over all others waiting for basin moorings, regardless of the dates they were placed on the list. A person need not hold a shallow water mooring to qualify for a basin mooring, but must be on the list and meet other requirements as stated below. All individuals who wish to remain on the waiting list must submit the required \$10.00 fee by June 30th of each year. Failure to respond shall result in

the removal of the subject's name from the waiting list. This fee will be an annual fee required to remain on the list. There will be a late fee period from July 1<sup>st</sup> – July 31<sup>st</sup> during which time failure to pay the required fee will result in a late fee of \$25.00. Failure to pay the waiting list fee by August 1<sup>st</sup> will result in removal from the list.

When a deep water spot opens up, (or one side of a float), the owner will then have the opportunity to choose from the first ten (10) people on the waiting list, and must do so within two (2) weeks from notification by the harbormaster. The person chosen must accept / decline within one (1) week. If the current float owner does not want any of the top ten (10) people, the float owner will then forfeit his / her mooring space and be required to leave the Harbor within seven (7) days. The person chosen from the waiting list, who accepts the deep water spot as outlined, will be required to provide proof of property damage and liability insurance to the float owner and harbormaster.

When a person from the shallow water moves to the deep water, the next person on the waiting list without any mooring will move to the new vacant mooring in the shallow water mooring field. If that person refuses the spot, he / she may remain on the waiting list, and the next person on the waiting list will be offered the vacant mooring.

The only exception to the waiting list policy will be if an owner gives his / her side of the float or mooring to an immediate family member which includes spouse, son, daughter, father, mother, brother or sister. A signed and notarized letter from the current owner authorizing the transfer will be required, and must be delivered to the harbormaster in order to take effect. No other exceptions will be permitted.

When a space becomes available in the tidal mooring area, the following procedure will take place; Prior to referring to the waiting list, the harbor master will inquire of those currently moored in the tidal area if they have any interest in moving into the newly vacated space. For example, if a space becomes available in the tidal area, those currently in the tidal area will have first preference of that tidal mooring before someone from the waiting list is issued a spot. The desire of a mooring holder to upgrade will be indicated on the mooring renewal form at the beginning of the season.

14. During the boating season, the mooring holder must use the mooring for a minimum of thirty (30) days. The time frame for this use requirement shall be between May 1 and November 1. For the purpose of complying with the thirty day use requirement, only the boat registered to the mooring, or float, will qualify.

14a. In the event a mooring holder fails to use his / her mooring for thirty (30) days during the season, or forfeits it as outlined in paragraph 13 above, the mooring owner: (a) may sell the mooring tackle to the next person assigned the same mooring space, or (b) must remove the mooring tackle within seven (7) days of being told to do so by the harbormaster. If the mooring tackle is not removed as directed, it shall be deemed to be abandoned and shall be removed by the harbormaster and such expense to be endured by the owner.

15. As stated in MGL Ch. 91 Sec. 10a, and Ch. 102 Sec.24, any vessel, unauthorized mooring or

object constituting a hazard to navigation, and any vessel or object improperly secured, swamped, sunk, washed ashore or found in a restricted area, may be removed or relocated by or at the direction of the harbormaster. The expense of such removal or relocation, and any liability incurred thereof, shall be the responsibility of the owner.

16. No pulpits or bow extensions are permitted on boats moored in the harbor. All exposed, elevated, or hazardous engine propellers and skegs will be covered so as to prevent damage to other boats. Engine propellers and skegs as used in this paragraph include those on outboard motors and I/O drives. The adequacy of covers used may be determined by the Harbor Master.

17. Use of harbor facilities will be at the owner's risk, including any sharing of float and mooring tackle. See paragraph 13 for additional insurance requirements.

18. No vessel, mooring or other object may be abandoned, sunk, or placed where it may constitute a hazard to navigation or other boats in the harbor.

19. A mooring plan of the Pamet harbor basin shall be maintained by the harbormaster. The harbormaster shall allow for the mooring of up to sixty-two boats in the Basin, a tidal basin measuring approximately 500' x 200' and bordered on the south by the inlet to Eagles Neck Creek, on the north by the channel of the Pamet inlet, on the east by the state boat ramp and the Pamet Yacht Club, and on the west by tidal marshlands of the Conservation Trust. The sixty-two boats shall be held by thirty-one mooring anchors, each one anchoring a rafting of two boats side by side. No two boats shall be moored on the same mooring, unless on a float, and no more than two boats shall be moored on one float. All floats and moorings shall be individually and positively identified (a) for floats; by displaying the owner's name and float number on the top of the surface of the float near the end, (b) for moorings; by attaching a tag engraved with the owner's name to the top of the mooring.

In the basin, each mooring must be situated a minimum of 55' from a neighboring mooring, and no moored boat shall exceed 28' in overall length (including bow and stern extensions - pulpits, swim decks, etc.) and no rafting float shall exceed a size of 24' x 4'6".

The only type of mooring anchor allowed shall be a concrete block. No mushroom or helical type screw shall be allowed, nor any automotive parts as radiators, engine blocks, or cement filled tires. Acceptable concrete blocks must not exceed 24" in height, but must have a minimum weight of 900 pounds for basin moorings, and 600 pounds for shallow water moorings.

In the basin, the length of anchoring chain must be twenty (20) feet, +/- one (1) foot, with the exact length being determined by a consultation of the respective boater and the harbormaster as to the specific basin location of the mooring. The chain used shall be five-eighths (5/8) inch. [Note:#19 Amended January 29, 2013 & February 26, 2013] No pennant from the buoy to the boat shall exceed three (3) feet, except with the specific permission of the harbormaster. Winter spar buoys shall float upright at all times and have a length deemed reasonable to locate the mooring without fouling the prop of a vessel underway in the basin. If the harbormaster determines that a mooring is insufficient for securing the boat, or is improperly rigged, the harbormaster shall notify the owner to correct the situation. Failure to do so within a time limit fixed by the

harbormaster will result in the forfeiture and removal of the mooring as outlined in Massachusetts General Laws, Chapter 102.

The initial assignment of mooring space was originally based upon the sixty-two boaters moored in the basin as of October 15, 1995. Subsequent to that date, there is no association of the mooring right with property ownership. When a property (boat, float, cement anchor, chain, etc.) is transferred, there shall be no promise made of the right to a mooring space going with it.

Instead, the vacated space shall be assigned in accordance with the waiting list policy and these rules and regulations.

Any dispute on the assignment of mooring space by the harbormaster may be appealed in the following order: 1) directly to the Truro Town Administrator, 2) to the Truro Board of Selectmen, and 3) to the State Division of Waterways.

20. All moorings and tackle are to be inspected for wear every two (2) years by an individual chosen from the list of approved divers, or the harbormaster, as set forth by the Pamet Harbor Commission or the harbormaster. Documentation for such inspection shall be recorded with the harbormaster. Owners name to be marked on the mooring block.

21. In the shallow water mooring field, all mooring balls are to be 12", white with a blue stripe, and marked with the mooring number in 3" or larger black letters.

22. In the shallow water mooring field, all mooring lines shall consist of the following; a maximum of three (3) feet of 3/8" or 2" chain (depending on the size of the vessel), and a maximum of twelve (12) feet of 5/8" or 3/4" line.

23. The discarding of dead fish within the harbor, or beach area is discouraged.

24. No vessel shall be allowed to tie up at the town float in a manner as to hinder access without prior approval of the harbormaster.

25. Unless prior arrangements have been made with the harbormaster, all mooring fees must be paid by June 30th. A \$100.00 late fee will be added to all mooring fees paid after June 30th .

26. The following plan was designed to allow an individual to use a float on a short term basis when it is unoccupied by the float owner. An individual wishing to use a float must follow the rules listed below and **MUST HAVE PERMISSION FROM THE HARBORMASTER PRIOR** to using the float. Said individual must:

- A. Receive permission of float owner and harbormaster;
- B. Pay the required fee to the Town of Truro for use of the float; (an individual upgrading in the same mooring field will not be subject to the additional charge.)
- C. Sign a "Hold Harmless Agreement" releasing the Town and the float owner from any responsibility for any damage to vessels or property while float is being used;
- D. Notify the harbormaster of the dates he wishes to use the float;
- E. Sign a condition of use form;
- F. Vacate the float immediately upon request of the harbormaster and/or the float owner;

G. Be responsible for maintaining a secure mooring and lines at all times and be responsible for damage or injury caused by his/her vessel.

Use of floats may be limited to thirty days continuous use.

All float owners and renters must still comply with the Pamet Harbor Rules and Regulations, including the thirty day rule, unless waived by the harbormaster. They will provide the harbormaster with the dates the float is expected to be used.

Float owners are required to give at least three days' notice to individual who must vacate the float.

The rules regarding subleasing of floats or moorings will be strictly enforced. Any violations of the above rules may be considered as grounds for removal from the mooring field and/or wait list.

The Town will install four moorings to be rented on a daily/weekly basis. During periods in which these moorings are unoccupied, the Transient Use Program may be implemented.

27. The Town will have two dinghies available for public use. The boats are used at the users own risk. These boats must be returned to their mooring location and not left on the mooring or float of said user.

28. (a) A Waterways User Permit shall apply to all vessels on moorings, slips, docks, rack storage, launching ramps, piers or floats. Waterways User Permits are calendar year permits and expire on 31 December. For vessels attached to a current mooring permit, the Waterways User Permit will be included within the mooring permit with no additional decal issued. For all other vessels the Waterways User Permit can be obtained at the Office of the Harbormaster. The Waterways User Permit decal shall be affixed to the portside of the vessel adjacent to the registration decal.

(b) The following are exempt from the Waterways User Fee.


1.) State agencies, County Dredge vessels, municipalities and the U.S. Coast Guard.

\*NOTE\* Waterways User Permit Fee is in addition to the mooring permit fee.

These regulations were amended by the Board of Selectmen at duly held public hearings on January 29, 2013; February 26, 2013; March 17, 2015; and February 13, 2018.


Copies of the Rules and Regulations may be obtained at the Truro Town Hall, 24 Town Hall Road, P.O. Box 2030, Truro, MA 02666.

  
Paul Wisotzky, Chair

Maureen Burges , Vic Chair  


Robert Weinstein, Clerk

  
Jan Worthington

  
Jay Coburn

Board of Selectmen  
Town of Truro

