

HARBOR AND COASTAL WATER ORDINANCE

FOR THE

TOWN OF ADDISON, MAINE 04606

ENACTED: MARCH 11, 1997

AMENDED: MARCH 10, 1998

AMENDED: MAY 13, 1998

AMENDED: MARCH 12, 2002

AMENDED: MARCH 9, 2004

AMENDED: MARCH 8, 2005

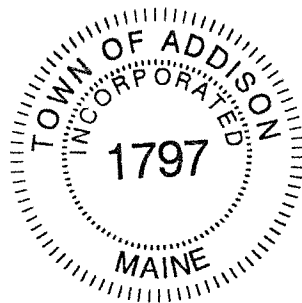
AMENDED: MARCH 21, 2017

AMENDED: JANUARY 12, 2018

AMENDED: MARCH 21, 2018

REVISED: MARCH 11, 2025

ATTEST: A TRUE COPY



Amy L. Lenfestey

**AMY L. LENFESTEY
TOWN CLERK
ADDISON, MAINE**

Bar Island

East & West River (Basin Crowley Island)

John White

Marsh Harbor

Merritt Cove

Narrows

Ports Harbor

Wass Cove

Wohoa Bay

Section 3: Harbor Master

The Board of Selectmen appoints one (1) Harbor Master annually. Title 38, M.R.S.A., describes certain duties and responsibilities of this office. The Harbor Master has the duty to Administer, enforce, or direct the enforcement of the provisions of this Ordinance with the authority granted by law and through the appointments as Harbor Master.

If it should become necessary to compensate the Harbor Master the Board of Selectmen shall make a request for same at the annual Addison town meeting.

In addition to the duties prescribed under Title 38, M.R.S.A., the Harbor Master shall be overseer of the Town's waterfront facilities such as moorings, floats, docks, ramps, and channels. He/she shall make recommendations to the Harbor Committee for maintenance and improvements to all town-owned waterfront facilities. He/she shall have full authority to enforce all harbor regulations affecting the waterfront to the fullest extent permitted by law.

Section 4: Town of Addison Harbor Committee

The Harbor Committee shall consist of five (5) members and two (2) alternates appointed by the Board of Selectmen.

Harbor Committee members shall be appointed annually. Harbor committee members shall be citizens of the Town of Addison and shall represent as many diverse interests in the harbor as possible. (i.e. commercial boat owner, abutting land and business owners, recreational boat owners.)

The duties of the Harbor Committee shall consist of harbor planning, operation and regulation except for the duties of the Harbor Master which are set forth in the Maine Revised Statutes and this Ordinance. They shall make recommendation to the Board of Selectmen and the Planning Board consistent with their duties. Such recommendation shall include but not necessarily be limited to fees and the operational budget for waterfront facilities controlled by the Town.

7. **Mooring:** Shall mean a semi-permanent, adequate means of securing a vessel to the bottom in an anchorage.
8. **Non-Resident:** Shall mean all persons without a residence in the Town of Addison.
9. **Resident:** Shall mean any person who has been domiciled in this municipality for at least six (6) months prior to the time his claim of such residence is made.
10. **Riparian Owner:** Shall mean an owner of a parcel of land located in the Town of Addison that borders upon the water as described in Article I, Section 2.
11. **Shore:** Shall mean that part of the land in immediate contact with a body of water, including the area between the high and low water lines.
12. **Shall and May:** As used in this document “shall” is mandatory. “May” is permissive.
13. **State:** Shall mean the State of Maine.
14. **Stray Vessel:** Shall mean (1) an abandoned vessel; (2) a vessel the owners of which is unknown; or (3) a vessel underway without a competent person in command.

Article III Harbor Facilities & Regulations for Use

Section 1: General Provisions

Liability. The operation of any vessel within the harbor area in excess of posted speed limits or, in absence of such limits, in a manner to create a wash that endangers persons or property, shall constitute a violation of this Ordinance.

Any person using the facilities within the limits of a harbor or maritime facility shall assume all risk of damage or loss to his/her property and the Town of Addison assumes no risk on account of fire, theft, Act of God, or damages of any kind to vessels within the harbor or maritime facility.

Usage. No person shall loiter, create a public nuisance, or partake of alcoholic beverages on a town float, pier, wharf, ramp, or landing. No person shall be allowed on these facilities after 10:00 p.m. or before 5:00 a.m. unless going to or from a vessel. In addition, there shall be no overnight camping or overnight parking. **Limited Overnight parking is allowed in designated areas with permission from the Harbor Master.**

Access. It shall be unlawful to obstruct by any means whatsoever the free use of a town float, pier, wharf, or land, or any common landing place for a period longer than is reasonably necessary for this purpose. The Harbor Master shall remove or cause to be removed any unattended vessel obstructing free use of said areas after due effort has been made to notify the owner of said vessel of the above violation. The vessel owner shall be responsible for all costs associated with said removal.

Section 2: Harbor Mooring Fees:

1. Fees All fees are annual and due by December 31st. Each mooring will require an application on file at the Addison Town Office to identify the owner, type and location of each mooring. The fee for a resident mooring will be \$50.00 and the fee for a non-resident mooring will be \$125.00. Rental moorings and moorings for floats must have approval from the Army Corps of Engineers. Once approved, the rental mooring fee will be \$150.00

2. Late Fees Mooring fees unpaid by January 1st of the following year will be considered overdue. Overdue fees shall be equal to the mooring fee, thus doubling for that calendar year. Mooring fees in default for more than 2 and a half years, will be reviewed the by the Harbor Master. A reasonable effort will be made to notify the mooring owner, and they will be given these options: pay all overdue fees, sell the mooring by the end of August and pay all overdue fees, remove the mooring from Addison waters, or surrender the mooring to the Town of Addison. If the mooring owner chooses to surrender or remove the mooring, they will not be allowed another mooring permit until past fees are paid in full.

Article IV Regulations Concerning Anchoring, Mooring and Security of Vessels

Section 1: Classification of mooring privileges (As in accordance with Title 38, Maine Revised Statutes Annotated (M.S.R.A.))

1. Shorefront owner request for location immediately adjacent to frontage.
2. Resident commercial vessel owners.
3. Resident pleasure vessel owners.
4. Resident vessel owners with multiple locations.
5. Non-resident commercial vessel owners.
6. Non-resident pleasure vessel owners.

All other mooring privileges shall be assigned on a first-come, first-served basis from the waiting list maintained by the Harbor Master. If, however, the Harbor Master receive more applications for mooring privileges than there are mooring spaces, the Harbor Master shall assign spaces as they become available from said waiting list in the order in which such names were placed on the waiting list in accordance with Title 38, M.R.S.A.

Locating:

No person shall place or move a mooring or anchorage within the harbor without obtaining permission of the Harbor Master who shall designate the location in which said mooring shall be placed with terms and conditions of such use.

APPLICATION FOR BOAT MOORING PERMIT, ADDISON, MAINE

DATE/TIME RECEIVED _____ PERMIT# _____

NAME: _____ TELEPHONE: _____

ADDRESS: _____

WINTER ADDRESS: _____ TEL# _____

Legal residency (City, State) _____

1. Existing Mooring Location _____

2. New Mooring Location _____

3. Old Mooring Relocation from _____ part of the harbor
(Fill out only 1, 2, or 3 above whichever is applicable)

Date Present Mooring Put Down _____ Location: _____

Last Inspected _____ By Whom _____

USE: Commercial Fishing _____ Pleasure _____ Other _____ Summer _____ Year Round _____
(Circle One) (description)

BOAT REG/DOC# _____ NAME OF BOAT _____ MAKE _____

Description of Boat: Color _____ Trim _____ Length _____

Type of Vessel (Circle) Lobster _____ Dragger _____ Day Cruiser _____ Sail _____ Other _____

TYPE OF MOORING: Granite _____ Block _____ Weight _____ #Mushroom Weight _____ #

Size of Bottom Chain _____ Length of Bottom Chain _____ Size of Bridle _____

Length of Bridle _____ Identification: Color of Marker Buoy _____

This permit is non-transferable and is for the use of the above named boat only, except on a temporary basis at discretion of the Harbor Master. Holder of permit is responsible to set mooring and make adjustments as required for the safety of all adjacent boats. Permit numbers must be affixed to mooring float in at least three (3) inch numbers of a contrasting color.

I will comply with the Harbor and Coastal Water Ordinance for the Town of Addison and understand all the requirements.

Signed _____ Date _____

REQUEST APPROVED: _____ Date _____

Section 2:

Minimum New Mooring Requirements:

Size of Boat	<u>Up to 16'</u>	<u>17'-25'</u>	<u>26'-30'</u>	<u>31'-36'</u>	<u>over 36'</u>
Weight of Block	300#	500#	1500#	3000#	3500# - 4000#
Size of Chain:					
-Top (optional)	3/8"	1/2"	1/2"	1/2"	1/2"
-Bottom	1/2"	1/2"	1"	1"	1"
Size of Nylon Bridle	1/2"	1/2"	3/4"	1"	1"
Length of Mooring	3:1 ratio or Harbor Master discretion				

The Harbor Committee approves a 3:1 ratio for permanent moorings in most of the approved designated mooring areas. It is the Harbor Master discretion of the following specifications:

Note:

The minimum recommendation of mooring equipment as follows is only a guide to assist you in designing your mooring if you have questions concerning adequate equipment consult with your area harbor master.

Granite block or mushroom anchor (of ample size/weight)

Heavy chain bottom 1.5 times maximum depth

Light chain or nylon 1.0 times maximum depth (if floatation buoy is used)

Bridle 2.5 times chock to waterline if coming off a floatation buoy

Bridle or rider coming off bottom chain must be heavy nylon and of sufficient length to provide proper ratio as listed above.

Anyone with a boat 45' in size and over must see Harbor Master for instructions.

All existing moorings and temporary anchors and all mooring to be set in the future shall be of sufficient size to hold the vessel for which they are to be used. All moorings and their locations shall be approved by the Harbor Master. Boat and/or mooring owners will be liable for any damage caused by faulty, inadequate, or improperly placed moorings.

All mooring buoys will be marked with a permanent name tag and/or number assigned to the owner by the Harbor Master.