

## **Town of Cheshire**

### **HARBORMASTER RULES AND REGULATIONS on docks:**

Procedure for Application Applications are available through the Harbormaster office. Harbormaster shall act on applications for such permits within a period of fifteen days from receipt. Such permits shall not be transferable to another person, except to a person within the immediate family of the permitted upon approval of the harbormaster.

#### **Appeal Process:**

Any person aggrieved by a refusal to permit such temporary raft and dock, or by any condition or restriction imposed relative to such dock, may appeal to the MA DEP Division of Waterways within thirty days after receiving notice of such refusal or of the imposition of such condition or restriction. MA DEP shall review the circumstances resulting in such appeal and shall render a ruling either confirming the action of a Harbormaster, setting such action aside, or amending such action and imposing its own conditions and restrictions as deemed necessary.

#### **Enforcement:**

The Harbormaster has the authority to establish additional rules and regulations governing bottom anchored lake docks and floating rafts, and shall be the enforcing authority of the rules and regulations.

MA DEP remains the enforcement authority under the provisions of MGL Ch. 91, the MA DEP Waterways Licensing Program, and 310 CMR 9.00. The Harbormaster has the authority to establish additional rules and regulations governing docks, and shall be the enforcing authority of these rules and regulations.

#### **Penalties:**

Floats or rafts held by anchors or bottom moorings installed without permission from a Harbormaster and/or MA DEP shall be considered a public nuisance and may be removed by the Harbormaster at the expense of the owner in the event he fails to remove same after notice in writing from the Harbormaster.

**Restrictions:**

- All docks must be approved by the Harbormaster
- No docks may be permanently affixed and must be removed for the duration of the winter months
- No Moorings are allowed
- No use of creosote products shall be used on any materials for dock purposes
- No dock associated with a residential property may berth more than four motor propelled watercraft of 10 hp or greater.
- No shoreline property will be allowed more than 1 dock per 100 feet of shoreline.
- No dock shall extend more than 50 feet from shoreline.
- No floating docks are allowed the use of metal barrels for pontoons
- No dock shall exceed the minimum size necessary to achieve the intended water-related purpose. All provisions of MGL Ch. 91, the MA DEP Waterways Licensing Program, and 310 CMR 9.00 must be met.
- All docks must be equipped with reflectors or other acceptable reflectorized markings on all sides of the dock visible from the water.
- All docks must be a minimum of 25 feet from an adjoining property line. Docks proposed to be closer than 25 feet will require an administrative sign off by the Harbormaster.
- Docks constructed on property zoned residential may not be used for a commercial enterprise.
- All docks shall be kept in good repair and free from defects which might cause a hazard to persons or watercraft.

**Penalties**

Violation of these rules and regulations can result in a fine of \$100.00.