

Regulations as outlined in the Waterways Regulations.

- L. All transfers of Embedment Anchors must be approved by the Harbormaster.

**TABLE 1**

size (less than)	Installation Torque	Heavy chain	Light chain	Pennant	total scope
16' x 7'	400-500 ft.lbs.	3/8" - (10 ft)	5/16" - (10 ft)	1/2"	30'
20' x 8'	600-700 ft.lbs.	1/2" - (10 ft)	3/8" - (15 ft)	1/2"	40'
25' x 9'	800-1000 ft.lbs.	3/4" - (10ft)	1/2" - (15 ft)	5/8"	40'
30' x 10'	1200-1500 ft.lbs	1" - (10 ft)	5/8" - (15 ft)	3/4"	40'
35' x 13'	1600-2000 ft.lbs.	1" - (10 ft)	3/4" - (15 ft)	1"	40'

**Note:** Pennant can be sized to provide holding power = to 10 times installation torque.

**7. PRIVATE FACILITIES**

The Board of Selectmen shall have the authority to establish an annual service fee for vessels moored or berthed at a privately owned slip, dock or marina within the boundaries of the Town of Dennis. No vessel shall moor or berth at a privately owned slip, dock or marina within the boundaries of the Town of Dennis unless the applicable annual service fee has been paid for the current season. The provisions of Section 7 shall not apply to a vessel moored or berthed at privately owned slips, docks or marinas defined as transient by the Harbormaster.

**8. PARKING REGULATIONS SECTION 231-7**

A Dennis real estate tax payer, year-round resident, or slip lessee in the Town of Dennis may purchase a Blue Harbor sticker at the Town Office for each motor vehicle registered in his/her name, a spouse's name or a minor dependent's name, which shall be valid in each Sesuit Harbor parking lot, except the public access area. All vehicles parking in the West Side and East Side parking lots of Sesuit Harbor lots must have a harbor sticker on the front bumper of the vehicle or pay the daily parking fee. Harbor parking areas shall not be used for beach parking. Overnight living in house trailers, campers or other vehicles in any Marina parking area is prohibited. Overnight parking of vehicles is such areas while boating is permitted only with the prior permission of the Harbormaster.

**9. SPECIAL CONDITIONS SECTION 231-2**

Special conditions are to be determined by the Harbormaster.

**DENNIS BOARD OF SELECTMEN**

	6/12/2008
<b>Sheryl A. McMahon, Chairman</b>	<b>Date</b>
<b>Charles F. Crowell</b>	<b>Date</b>
	6/10/08
<b>Paul R. McCormick</b>	<b>Date</b>
<b>Wayne A. Bergeron</b>	<b>Date</b>
	6/10/08
<b>Heidi S. Schadt</b>	<b>Date</b>
	6/13/08
<b>Terry Glen, Harbormaster</b>	<b>Date</b>
	6/13/08
<b>Attested by Town Clerk</b>	<b>Date</b>

Updated: 04/09/08

**Town of Dennis  
WATERWAYS REGULATIONS**



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9. **Special Conditions**

These Waterways Regulations are adopted under the Commonwealth of Massachusetts General Law and the By-Laws of the Town of Dennis.

The Town of Dennis owns and operates a Marina at Sesuit Harbor and Bass River Park, which includes all Town-owned property and facilities including the parking areas provided for boating at Sesuit Harbor and the use of all harbor waters to the Fairway Buoy in Cape Cod Bay. Mooring spaces, specified by the Harbormaster, are available in Bass River and Sesuit Harbor.

The Board of Selectmen shall establish policy, appoint a Harbormaster and his assistants and annually adopt a fee schedule. The Town Administrator shall regulate waterways operations and procedures under this policy and establish detailed duties and practices after consultation with the Waterways Commission and the Harbormaster. The Harbormaster and assistants shall enforce Waterways Regulations and the policy for the Town of Dennis. The term "Harbormaster" used in these regulations shall include an Assistant Harbormaster, where designated by the Harbormaster.

All persons who use waterways under the jurisdiction of the Town of Dennis or any facility in or related to said waterways shall comply with these regulations, with applicable Town By-Laws, and with applicable laws of the Commonwealth of Massachusetts.

The Town assumes no responsibility in the event of fire, theft, or the damage of any nature to any boat or property connected therewith, nor for personal injury to any person, arising out of the use of waterways under the jurisdiction of the Town of Dennis or any facility in or related to said waterways. If the Harbormaster, Assistant Harbormaster, or agents of the Harbormaster, have to move or transport any vessel for any reason deemed necessary, the Harbormaster, his agent, or the Town of Dennis shall not be held responsible for any damage that may occur from that move.

to other applicants in the same order by which completed applications were received. The surviving spouse of a decedent to whom a slip or mooring space was assigned at the time of death or on October 31st of the preceding year shall have all rights respecting the use and assignment of the slip or mooring space that the decedent would have had. No assignment can be held or transferred to a Corporation, LLC, or Trust. The application must remain in the name originally granted or in the surviving spouse's name.

**C. Identification Decals**

**Moored Vessels**

Decals shall be affixed on the port side bow, one space after the current registration sticker, or on the port side bow or cabin or window of a documented vessel.

**Vessels in Slips**

The decal shall be positioned in such a location so as to be easily seen from the walkway when the vessel in its normal position in its slip. This might include the transom, cabin window or port side bow.

- D. The fee for new assignments for slips or mooring spaces after March 1st shall be due and payable within seven (7) days from notification of assignment. If the fee is not paid when due, the assignment shall be then cancelled, the application fee forfeited to the Town and the slip space or mooring space in question shall then be assigned to the next person on the waiting list.

- E. For any slip vacancy exceeding 24 hours, the Harbormaster shall be advised in order to permit temporary use of the space for transients. Any transient fees will accrue to the Town.

- F. Any vessel owner to whom a slip/mooring space is assigned must have his vessel in his slip/mooring space not later than June 15th of each calendar year. If the owner does not have his vessel in his slip/mooring space by June 15th of each calendar year, and if no written notification is received and approved by the Harbormaster by that date, the vessel owner shall forfeit his slip/mooring space.

- G. In the interest of safety and orderly operation of the Marina, the Harbormaster may, upon written notice to the slip occupants, reassign slips.

- H. Neither slips nor mooring spaces are transferable. No vessel owner to whom a slip or mooring space is assigned shall sublet such slip or mooring space. No vessel owner to whom a slip or mooring space is assigned shall allow any other vessel owner to use his slip or mooring space without permission of the Harbormaster.

- I. The slip or mooring space lessee shall submit to the Town of Dennis Harbormaster's Department a Certificate of Insurance for his or her vessel. The insurance shall be the minimum of \$300,000 liability. The Town of Dennis Harbormaster's Department shall receive the Certificate prior to the vessel being placed in the slip/mooring space. Failure to produce such Certificate shall result in the surrender of slip/mooring space. Transients for thirty (30) days or more, in one (1) calendar year, must produce such Certificate of Insurance. **Exemption:** Vessels not requiring State Registration or Federal Documentation are not required to produce a Certificate of Insurance.

- J. Unassigned slip/mooring Spaces will be assigned to the next person on the wait list with a suitably sized vessel appropriate to the slip or mooring space size as determined by the Harbormaster.

**6. MOORINGS AND SPECIFICATIONS SECTION 231-2**

Mooring spaces, specified by the Harbormaster, are available in Bass River and Sesuit Harbor. The outer basin at Sesuit Harbor shall be used for small sailboats. Sailboats moored in the inner basin at Sesuit Harbor shall have auxiliary motor power.

All mooring spaces and screw embedment anchors shall be inspected and approved by the Harbormaster or his designee as per the time frame as determined by the Harbormaster. All mooring spaces that are removed annually shall be inspected by the Harbormaster before being returned to the

authorized to make arrests in the Town of Dennis.

Any infraction of the above rules shall be termed "Poor Seamanship" and violations or citations will be designated as such. Violation of the above rules and regulations shall be fined pursuant to the non-criminal disposition fine structure of the Town.

**JET-SKI/ PERSONAL WATERCRAFT BY-LAW SECTION 231-1**

No person shall operate a jet-ski or personal watercraft on Swan Pond River, Swan Pond, Quivet Creek and Sesuit Creek or any fresh water pond within the Town of Dennis. Any persons violating this by-law shall be fined pursuant to the non-criminal disposition fine structure of the Town.

**2. GENERAL REGULATION SECTION 231-1**

- A. A vessel must be registered, identified, marked, equipped, operated and maintained as required by-law.

- B. No vessel may tie up at any mooring space or Town owned facilities or enter a Town slip other than that assigned, except with the permission of the Harbormaster. Slips will be available for transients on a daily basis.

**C. Water Skiing**

Permitted only in Bass River Salt Box area and Follins Pond and other unrestricted Speed areas.

**D. Speeds**

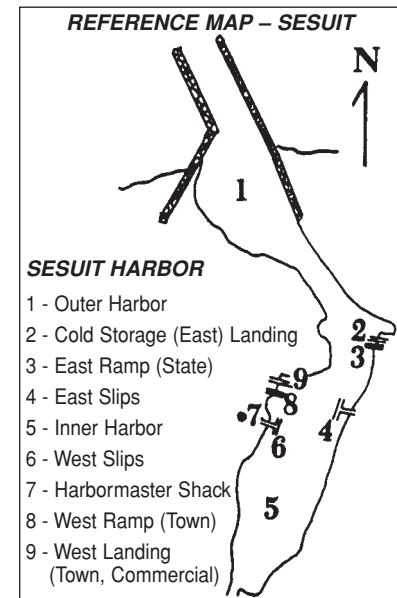
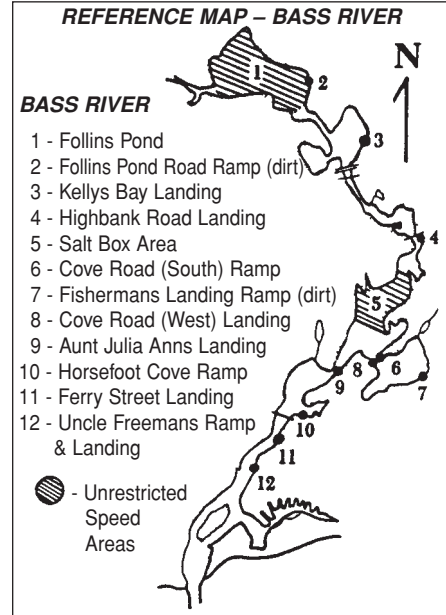
Speed limit will be steerage speed only, not to exceed 6 MPH, except in designated water ski and unrestricted areas.

**E. Jet Skis or Personal Watercraft**

Jet Skis shall not be permitted within 100 yards of public beaches, or within designated swim areas. They shall not cross harbor, river or estuary openings at more than steerage speed, and must maintain a minimum distance of 100 feet from other vessels underway. They must cross only at the stern of other vessels.

**F. Pollution**

No oil, petroleum products, untreated sewage, rubbish, debris, garbage, or dead fish shall be disposed of into Dennis waters. No cleaning of fish is permitted on Town facilities other than at desig-



nated cleaning stations.

#### G. **Negligent Operation**

No person shall operate any motorboat or any other vessel (including wind surfers, kite surfers, kayakers and canoes) in a reckless or negligent manner so as to endanger the life, safety or property of any person.

#### H. **Conduct**

All persons shall conduct themselves at all times on any waterways of the Town of Dennis, or at any facility in or related to the waterways in the Town of Dennis, in a peaceful and orderly manner. Any conduct that is determined to be verbally threatening or physical can result in that person or persons forfeiting their slip or mooring space in the Town of Dennis.

#### I. **Vessels for hire**

All vessels for hire using Town of Dennis facilities shall maintain, on the vessel all the documentation pertinent to that operation and outfit the boat per the Code of Federal Regulations applicable to that size vessel. All licensed Captains must maintain a copy of their license with the Harbormaster.

#### J. **Violation of Regulations**

Violation of any Regulation may, in addition to any penalties provided by law, be just cause for the cancellation of the lease for a slip or the assignment of a mooring space and the removal of such violator and any vessel owned by such violator at the expense of the violator. Nothing in this section is intended to prevent the Harbormaster from pursuing any rights or remedies available under law.

K. Boat owners shall not take aboard or discharge passengers (including, without limitation, boaters, water skiers, divers or fishermen) at any public bathing area.

### **3. SESUIT HARBOR AND BASS RIVER REGULATIONS SECTION 231-5**

#### A. **Swimming in the Harbor**

Swimming, diving (skin or scuba) and water skiing are prohibited in the Harbor unless specifically authorized in advance by the Harbormaster. Swimming is authorized in the area adjacent to the Dennis Yacht Club. The Yacht club will install and maintain a swim buoy area. Swimming between, or diving off the jetties is prohibited. There will be no scuba diving or snorkeling between the jetties or within the Harbor without the Harbormaster's written authorization. This would include diving for boat maintenance.

B. The use of walkways and floats is restricted to lessees, their guests, or authorized personnel. The boarding of any vessel without permission is trespassing. Walkways, floats and ramps shall not be obstructed.

#### C. **Fueling**

Fueling is prohibited when tied to a Town slip. Fueling is permitted at the West Side Town Landing Float. Smoking is prohibited in any area where re-fueling is permitted.

#### D. **All Small Vessels**

Tenders, skiffs, dinghies and other small vessels shall be aboard vessels or placed where the Harbormaster directs. All such small vessels shall carry identification number, marks, names or other such activities as authorized by the Town.

E. No part of the marinas, ashore or afloat nor any vessel therein, shall be used for conducting or solicitation of business of any kind except for normal operation of commercial fishing, charter fishing, aquaculture, sightseeing, or head vessels.

F. Sailboats not under auxiliary power are prohibited from using the inner Harbor basin.

G. The retaining of live fish, lobster, and shellfish in pens, holding tanks, or cars is restricted to slip holders only, sharing is not allowed at Town owned facilities. Partnerships, co-ops or guests are not allowed to use

the facilities to retain pens, holding tanks, or cars.

H. Fishing from Sesuit Municipal Docks and slips is prohibited with the exception of the east side boat ramp (except when boats are being launched, retrieved or on an inbound tack to the float) and the so-called west side commercial pier.

I. Fixed fishing gear with buoys will not be allowed to hinder navigation inside Sesuit Harbor including the head of the jetties, or within any other marked channel.

J. No swimming or fishing from Town of Dennis docks, slips or landings associated with Bass River Park. There shall be no swimming, jumping or diving off any other Town of Dennis landings including bridges that span Bass or Swan River.

K. There shall be no power washing of any boat or vessel in any Town landing, parking lot, or facility.

### **4. APPLICATIONS SECTION 231-5**

A. Applications for Town slips and mooring spaces must be filed with the Harbormaster Department. All sections on the application must be filled in correctly with the appropriate information. The length of the vessel is the "overall length" which includes pulpit, swim platforms, outboard bracket, and trimmed up outboards. These dimensions will be used as the basis of the slip fee. This data will be checked, and any erroneous data will be billed to the slip lessee for the actual length. Failure to pay the difference will result in forfeiture of the slip or mooring space.

B. Renewal applications are to be submitted or postmarked by March 1st. They must be accompanied by the established fee in full and a copy of the vessel registration in the same name as the applicant. Current slip and mooring space assignments are based upon current boat size. Any changes requiring a larger slip or mooring space must be approved by the Harbormaster. A request for this type of change must be submitted to the Harbormaster in a separate letter, over and above the normal application. Approval for this type of a change will be dependent upon availability.

C. New applications must be accompanied by a non-refundable application fee. Ownership of boat is not required at the time of application.

D. The Harbormaster Department shall maintain a chronological waiting list for slips in Sesuit Harbor and Bass River Park, and mooring spaces in Sesuit Harbor or Bass River. Applications on a waiting list on October 1st of each year shall be renewed upon receipt of an annual maintenance fee as established by the Board of Selectmen.

E. Applicants shall have the right to substitute the name of their spouse without prejudice to such application providing the boat registration has been changed to the same name.

F. The Harbormaster may refuse to accept the application of any person who has been found previously to have violated any Waterways Regulation.

G. Any person that is awarded a slip or mooring space from the Town of Dennis whose vessel has been found to have been used to transport, store, or sell controlled substances or stolen property shall forfeit that slip or mooring space.

H. No more than two applications for a slip or mooring space will be accepted per household. A household may have both a slip and mooring space application or assignment.

### **5. ASSIGNMENTS SECTION 231-5**

A. No mooring space or slip will be assigned until the excise tax, if applicable, is paid. No vessels may be placed in a slip or on a mooring space until all payments are received, and the vessel owner's application is approved by the Harbormaster.

B. Each year the Harbormaster shall approve applications, duly made, for Town slips and mooring spaces in this order: first, to those applicants to whom a slip or mooring space was assigned on October 31st of the preceding year, and who have paid the required fee; and then second,

### **1. BY-LAWS**

The Following By-Laws applicable to waterways, adopted by vote of Town Meeting, are set forth in these regulations for the information of the public.

#### **NON-CRIMINAL DISPOSITION SECTION 231-1**

Whoever violates any provision of the Town of Dennis By-Laws, the violation of which is subject to a specific penalty, may be penalized by a non-criminal disposition as provided in Massachusetts General Laws Chapter 40, Section 21D. The non-criminal method of disposition may also be used for violations of any rule or regulation of any municipal officer, board, commission or department which is subject to a specific penalty.

Police officers and selectmen of the Town of Dennis shall in all cases be enforcing persons for purposes of this provision. In addition, the Building Inspector and his designees, the Natural Resource Officer and his designees, the Shellfish Constable and his designees, the Health Agent and his designees, the Licensing Agent and Sealer of Weights and Measures and his designees, and such other officials as the Board of Selectmen may from time to time designate enforcing persons for the purposes of this provision, each with respect to violation of By-Laws, rules or regulations within their respective jurisdictions. If more than one person has jurisdiction in a particular case, each such official may be an enforcing person with respect thereto.

For the purposes of this section, each violation of a By-Law, rule or regulation shall be fined pursuant to the non-criminal disposition fine structure of the Town. Each day that such violation continues shall constitute a separate offense.

#### **WATERWAYS RULES AND REGULATION SECTION 231-7**

The Board of Selectmen may, after a duly called public hearing, adopt rules and regulations for the public safety, protection and health of persons using the waterways, mooring spaces, mooring space areas, docks, marinas or other related facilities under the jurisdiction of the Town of Dennis, and such rules and regulations shall be fined pursuant to the non-criminal disposition fine structure of the Town promulgated by the Board of Selectmen under this authority and the Home Rules Procedure Act.

#### **WATERWAYS SPEED LIMIT BY-LAW SECTION 231-1**

1. Any vessel propelled by power in Bass River, Follins Pond, or tributaries thereof shall travel at steerage speed not to exceed 6 MPH, whichever is less except in the following areas:
  - a. Follins Pond northerly from upper narrows.
  - b. Bass River from buoy 30 to buoy 33.
2. Any vessel propelled by power in Sesuit Harbor, Swan River and connected waterways shall not exceed a speed of 6 miles per hour.
3. Whoever violates any term of this section shall be fined pursuant to the non-criminal disposition fine structure of the Town.

The use of outboard motors on Scargo Lake and Swan Pond is limited to motors of not more than seven and one-half (7 1/2) horsepower and on Fresh Pond in South Dennis, to motors of not more than five (5) horsepower.

Whoever operates upon the waters within the boundaries of the Town of Dennis, a vessel propelled by an internal combustion engine recklessly or negligently, so that the lives or safety of the public might be endangered, shall be fined pursuant to the non-criminal disposition fine structure of the Town. No motorboat shall be operated unless the motor has an underwater exhaust or is equipped with a muffler. No motorboat shall be used to tow persons or water skis or aquaplanes unless such motorboat shall be occupied by two persons, one of whom shall give his full attention to the operation of the motorboat and the other of whom shall give his full attention to the person or persons being towed. Any vessel passing within 150 feet of the shoreline, designated swim area, channel markers, swim buoys, or mooring space areas shall only proceed at steerage speed. Any vessel passing within 150 feet of the shoreline on any inland waterway except in a location where the shore is undeveloped and unimproved and where no dwelling exists shall not exceed a speed of six miles per hour. The above rules and regulations are to be enforced by the Dennis Harbormaster or assistants or any police officer

water for the next boating season.

Mooring spaces shall be moved by the person to whom assigned upon order of the Harbormaster, for reasons such as repair, dredging or navigational hazard.

Mooring space buoys shall be white with a blue horizontal band and marked with the Town of Dennis permit number and name of the permit holder which shall be so marked and maintained as to be visible at all times.

Where winter spars or buoys are permitted by the Harbormaster, they shall be clearly marked as stated above.

All prams or dinghies used for moored boats must be removed from Town Landings by November 15th of each year. Any damage caused by a pram or dingy is the responsibility of the mooring space holder. All prams or dinghies must be labeled with their mooring space number and last name. All prams or dinghies are required to obtain a pram sticker available at the Town Hall offices.

#### **FAIR WEATHER - MOORING SPECIFICATIONS MINIMUM REQUIREMENTS**

vessel	wt. mush	heavy chain	light chain	pennant	total scope
under 16	75	3/8" - (10')	5/16" - (10')	1/2 "	30'
16 -20	100	1/2" - (10')	3/8" - (15')	1/2"	40'
20 -26	L x B	3/4" - (10')	1/2" - (15")	5/8"	40'
26 - 32	L x B	1" - (10")	5/8" -(15')	3/4"	40'

32 & over see HM

**Note A.** Calculation to determine weight of mushroom, length over all of the vessel multiplied by the vessel beam at its widest point equals the weight of the anchor. Always round up the closest mushroom weight.

**Note B.** Manufacturers of mushroom and similar design anchor systems state that the anchor must be buried vertically. If buried vertically, the anchor has maximum holding power in all directions.

#### **MINIMUM SCREW EMBEDMENT ANCHOR SPECIFICATIONS SECTION 231-2**

- A. The shaft must be a minimum of 1 1/4" thick and at least 5.5 feet in length.
- B. The shaft and screw embedment anchor must be of galvanized or other non-corrosive metal.
- C. The shaft must be designed to allow the bottom chain to swivel around the shaft and not wrap or foul.
- D. The installation of the screw embedment anchor must be done by a certified mooring space contractor approved by the manufacturer or his representative. It shall be the responsibility of the installer to assure that the proper size and length screw embedment anchor is used according to subsoil within a given mooring space area and for the vessel to be moored. Refer to Table 1.
- E. The installer shall record the position of the screw embedment anchor mooring space by a DGPS fix and record all the mooring space specifications including the length of the shaft, depth of mean high water, torque reading at installation, and all sized of and lengths of ground tackle. All information shall be filed with the Harbormaster's Department within 48 hours of installation.
- F. All screw embedment anchors shall be installed as close to flush with the bottom surface as possible with no more than 6" protruding above the bottom surface. The top screw must be as least 3 times the diameter of the largest screw below the bottom of the mooring space area.
- G. Two (2) pennants shall be required – one to meet minimum requirement, the other to be oversized.
- H. All connecting bolts must be distressed and/or double nutted.
- I. All ground tackle must be inspected prior to installation.
- J. The minimum torque as outlined in Table 1 must be held for the last 3 feet of the installation.
- K. Embedment anchor must meet other applicable Mooring space