

**cleengineering**

15 Creek Rd. Marion, MA 02738  
(508) 748-0937  
[www.cleengineering.com](http://www.cleengineering.com)

**ASSESSMENT OF THE  
HARBORMASTER DEPARTMENT  
CITY OF GLOUCESTER, MASSACHUSETTS**

**NOVEMBER 2015**

## TABLE OF CONTENTS

INTRODUCTION AND EXECUTIVE SUMMARY	1
PART 1: ORGANIZATION, STAFFING AND MANPOWER	9
PART 2: PATROLS	17
PART 3: SAFETY	17
PART 4: MOORINGS	18
PART 5: CUSTOMER RELATIONS	20
PART 6: FINANCIAL CONTROLS	20
PART 7: INSPECTION OF FACILITIES	22
PART 8: USE OF TECHNOLOGY/WEBSITE	23
PART 9: GOALS IDENTIFIED WITHIN DEPARTMENT BOTH LONG AND SHORT RANGE	24
Appendix A: Interview summary	
Appendix B: Article 10, Waterways Administration, of Gloucester's Code of Ordinances	
Appendix C: City of Gloucester Waterways, Policies Rules and Regulations Governing Waterways and Public Waterfront Facilities	
Appendix D: Daily Routine, Daily Boat Checks, Daily Launch Checks, and Inspection Form for Commercial Marinas	
Appendix E: April 6, 2015 Minutes of Waterways Board	

## INTRODUCTION AND EXECUTIVE SUMMARY

### INTRODUCTION

Pursuant to CLE Engineering Inc.'s accepted proposal for services related to the Harbormaster Department Management Review, existing practices and procedures within the Gloucester Harbormaster Department were evaluated through a series of interviews, ride along with an Assistant Harbormaster, evaluation of office procedures, review of Waterways Board Policies, Rules and Regulations, and City Ordinance Chapter 10.

Twenty nine interviews were conducted, including Gloucester Harbormaster, Clerk, several Assistant Harbormasters, Launch Operators, all Waterways board members, members of the waterfront community, the City's IT Department Head and Chief Financial Officer. Meetings were also held with other harbormasters including Marblehead, Salem, Newburyport, Marion, New Bedford and Hingham to compile information on practices relating to moorings, wait lists, enforcement, staffing, office hours, websites, community outreach, etc. See Appendix A for list of interviews. Based on the information garnered, an assessment of the Gloucester Harbormaster Department was developed including recommendations for improvements.

### SCOPE AND OBJECTIVES

The project team conducted a comprehensive organizational and management analysis of the Department's existing operations, service levels, infrastructure management, organizational structures, and staffing levels. The analysis was fact-based and focused on the following objectives provided by the Waterways Board and Harbormaster:

- ✓ *To identify any areas which hinder or prevent the Harbormaster Department from performing its assigned responsibilities, goals or objectives and to offer suggestions for the removal of such obstacles and to suggest ways in which the responsibilities, goals or objectives might better be met;*
- ✓ *To evaluate the adequacy of management practices being utilized in the Harbormaster Department with respect to fiscal controls and use of available personnel and equipment;*
- ✓ *To suggest specific ways and means by which the functions and services of the Harbormaster Department might be improved.*

Included in the scope of the management review was an assessment of the following Department job functions and current systems in order to identify opportunities for improvement in the operational, organizational and economic efficiencies of the Department, and to identify practicable opportunities for enhancing the quality of its services.

1. Organization, staffing and manpower
2. Patrols
3. Mooring management, assignment of moorings, mooring inspection process
4. Safety
5. Customer/Public relations
6. Adequacy of financial controls (receipts: record-keeping, reconciling, filing, chain of custody)
7. Inspections of facilities, public landings, commercial marinas, Harbormaster facility, and equipment;
8. Integration and Use of technology, e.g. mooring database, website content management, credit card
9. Website

### **THE HARBORMASTER DEPARTMENT FOLLOWS A NUMBER OF BEST PRACTICES**

This organizational and management analysis by its nature focuses on opportunities for improvement. However, there are a number of strengths in the Harbormaster Department. Examples of these noted strengths include the following:

- ✓ Department's response to emergencies on the water was consistently viewed as reliable and positive.
- ✓ Department has established a positive working relationship with the Gloucester Police Department, MA Environmental Police and the US Coast Guard.
- ✓ The Equipment Maintenance program within the Department employs a preventive maintenance approach that appears to be administered in accordance with the prescribed schedule.
- ✓ Department effectively pursues grant funding opportunities, i.e. Seaport Council, and supported Waterways Board efforts is securing BIG funding.
- ✓ Turnover in the Department (especially the Assistant Harbor Masters) is very low.
- ✓ Harbormaster is knowledgeable and experienced in statutes and regulations relative to the execution of his duties.
- ✓ There is an acknowledgment by most staff within the Department that the IT system in place is not adequate. With some noted exceptions; most within the Department are open and would welcome IT improvements and systems to improve efficiency and functionality.
- ✓ Policy makers recognize that changes are needed and will improve the services, operations and public interaction by the Department.

These strengths provide a sound basis for further enhancements.

### **IMPROVEMENT OPPORTUNITIES**

The assessment of the Harbormaster Department identified many recommendations for improvement that provide the basis for positive change in the coming months/years. These recommendations fall into several major improvement areas:

- ✓ Management and IT systems
- ✓ Organizational transition, staffing & training
- ✓ Mooring administration and policy enforcement
- ✓ Cash/Audit Controls
- ✓ Meeting minutes and follow-up/actionable items

Each of these improvement areas are discussed in detail in the following sections.

### **EXECUTIVE SUMMARY**

Following is a summary of recommendations contained within the report.

**CITY OF GLOUCESTER  
ASSESSMENT OF HARBORMASTER DEPARTMENT**

Recommendation	Responsible	Schedule
<b><i>PART 1: ORGANIZATION, STAFFING AND MANPOWER</i></b>		
1. Harbormaster's reporting line should be reviewed with the Mayor or designee and Chairman of the Waterways Board to improve clarity on requirements for Harbormaster to act on matters requested by Board as well as define "administrative matters vs. policy matters" per Chapter 10.		
2. Harbormaster evaluation/performance review should be scheduled between the Mayor's office and Chairman of the Waterways Board.		
3. Synopsis of biweekly City Department Head meetings should be more formally memorialized.		
4. The overall hiring process should be further clarified by the Board and Harbormaster to provide clear job descriptions, responsibilities, and reporting lines.		
5. Incorporate a more formal training program within the Department to include sessions on laws as well as understanding the Policies, Rules and Regulations as set forth by the Waterways Board.		
6. Consider a weekly topic to present through a written memo and every month possibly bringing in a guest speaker for a 30 minute "lunch and learn" for the Department.		
7. Three times a year a brief newsletter could be generated, folded into the Department's website and distributed to staff.		
8. Training of the Clerk position for the new mooring management / City provided IT system is required immediately and should be considered a priority.		
9. Training of staff should be in place before the next boating season commences to overview goals, policies and any regulatory changes as well as standard protocols and operating procedures within the Department.		
10. A standard daily report should be developed and supplied to the Harbormaster at the end of each person's shift with basic data noted.		
11. The job descriptions for all staff should be reviewed with the personnel department with an eye for tailoring them to be		

Recommendation	Responsible	Schedule
more current with modern day skills.		
12. Set procedures and check lists, which are auditable and accountable should be developed for the Harbormaster Clerk position		
13. Training for new IT platform, use of mail chimp, website postings, etc. is critical for furthering community and public outreach of all the opportunities the City of Gloucester waterfront affords residents and visitors alike.		
14. Deposits and cash need to have a maximum time in the office before they are deposited to the City treasury (possibly one week)		
15. Boat Ramp and any other fees collected funds should be more auditable. Assigned numbers pads should be used whereas the Assistant Harbormaster records on a two part form. They along with the payor initial and a record copy is the submitted to the Harbormasters clerk with any and all fees, which then tie together.		
16. A full meeting with the Harbor Master, Chairman of the Waterways Board and the City of Gloucester's IT implementation team should be scheduled and pursued as it is key to streamlining office function and tracking.		
17. Increased awareness and training on role and expectations as public servants in a public office.		
18. Efforts should be undertaken to revise published, set hours and provide coverage for those times with existing staff coming on or off shifts or a more workable long term solution would be to reduce the office hours by one (1) hour on a certain day to accommodate the routine errands and work on a set schedule.		

Recommendation	Responsible	Schedule
19. Standardized reporting should be undertaken whereas identified items at a minimum are brought each month to the Waterways Board in an outlined form with key pieces of data presented as deemed appropriate by the Waterways Board.		
<p>20. The Harbormaster Department should redesign and reorganize the way some services are delivered. This could entail certain steps, including the following:</p> <ul style="list-style-type: none"> <li>✓ <i>Evaluate opportunities to reduce costs (i.e. bulk mailings/moorings);</i></li> <li>✓ <i>Implement a workable, changeable and robust IT system to manage the Harbormaster's Department and administrative functions.</i></li> <li>✓ <i>Timely data to enable management of moorings, transient vessels, launch areas and departmental assets.</i></li> <li>✓ <i>Effectively utilize existing resources, and look for opportunities to the maximum extent possible to leverage resources to provide for improved services which goes to an increased use of technology both in the field and in the office.</i></li> </ul>		
21. Upgrade of IT Systems including mooring management		
22. Consider reorganization of Department including clerical and administrative functions under the direction of a newly-created full time deputy assistant harbormaster.		
<b>PART 2: PATROLS</b>		
1. Reaffirm daily tasks and accountability for each patrol shift.		
2. Make follow up actions, i.e. status of enforcement, available to all within Department.		
3. To the maximum extent practicable assign specific mooring fields or portions of to each of the Assistants to allow for continuity in mooring inventories.		

Recommendation	Responsible	Schedule
4. Department should consider approaching private facilities on the river to request use of restrooms by Assistants while on patrol to reduce trips back to harbor.		
<b>PART 3: SAFETY</b>		
1. The policy for issuing verbal warnings, tickets, etc. should be reviewed, updates agreed to by the Board and Harbormaster, and then implemented through training of all the Assistants.		
2. Public awareness regarding No Wake enforcement should be supported through blast emails and postings.		
3. In order to confirm a consistent approach to proper protocol and procedure for BUI, we recommend this be one of the training topics incorporated into the staff development training.		
4. The Department and Board should review and compare policy vs. practices related to towing.		
<b>PART 4: MOORINGS</b>		
1. A complete overhaul of the mooring management system, database and mapping is recommended.		
2. Wait List: <ul style="list-style-type: none"> <li>✓ A standard operating procedure for maintaining and progressing the wait list should be published within the Department.</li> <li>✓ Clarity is needed to better understand process for determining what constitutes a “suitable boat” related to assignment of moorings from the wait list</li> <li>✓ Include in wait lists the vessel size when reach number five on the wait list.</li> <li>✓ Incorporate wait list into new database in conjunction with City IT Dept</li> <li>✓ Consider further limiting number of wait lists an individual can</li> </ul>		

Recommendation	Responsible	Schedule
<p>be on</p> <p>✓ Consider increase in fees for each wait list</p>		
<p>3. A revised reporting form for patrol should be developed based on the new mooring management system so that daily reports are entered into system and flagged for follow up with dates and subsequent actions tracked within each electronic mooring record.</p>		
<p>4. Follow up on mooring surveys is identified as a task to be considered in reallocation of responsibilities for Department staff.</p>		
<b><i>PART 5: CUSTOMER RELATIONS – SEE PART 1</i></b>		
<b><i>PART 6: FINANCIAL CONTROLS</i></b>		
<p>1. Install a drop safe in the office to allow for deposit of cash.</p>		
<p>2. Request further consideration of the City CFO to allow Department to accept credit and debit cards.</p>		
<p>3. Transient moorings - Confirm that moorings used without a prior reservation are also logged in book so that fees collected can be tracked and reconciled.</p>		
<p>4. Launch ramp –Department to consider an assigned number pad system.</p>		
<p>5. Launch fees – Consider passenger log/count, receipts on the water similar to what is described above at the launch ramps.</p>		
<p>6. Amount of funds held overnight should be minimized.</p>		
<p>7. Require co-signatures of Clerk and Harbormaster on deposit / vouchers</p>		
<p>8. Cash Received - All cash should be recorded immediately upon receipt by use of: cash receipt register (dual copies) which are numerical and controlled by a unique, sequential transaction number, such as a predisposed receipt/control number.</p>		
<p>9. A simple two part vouched form should be printed and obtained, with the original provided to the payor and the City maintaining the voucher copy.</p>		

<b>Recommendation</b>	<b>Responsible</b>	<b>Schedule</b>
<b><i>PART 7: INSPECTION OF FACILITIES</i></b>		
1. Tracking of required maintenance for vessels and associated budgets should be included in monthly reports to the Board.		
2. Develop, execute and maintain records of internal inspection of facilities, public landings, commercial marinas, Harbormaster facility, and equipment.		
3. A training program should be developed by the Department and presented to the Waterways Board for public relations / enforcement.		
<b><i>Part 8: Use of Technology / Website</i></b>		
1. Develop and maintain email list building on existing MailChimp list.		
2. Purchase and issue one or two tablets to Assistants for their use in patrolling mooring inventories and enhance and streamline daily reporting (standardize reporting).		
3. Enhance social media exposure for the Harbormaster Department (YouTube, Facebook, Twitter, Instagram)		
4. Link from Chamber of Commerce to launch service and information for transient moorings		
5. Develop library of professional quality photos to accompany email blasts		
6. Emphasize no wake enforcement		
7. Develop an employee highlight section to enhance public's connection with Department staff		
8. Increase frequency of updates to website and set aside a portion of the site to highlight current items, reminders, etc.		

## **PART 1: ORGANIZATION, STAFFING AND MANPOWER**

The analysis of the staffing and organization of the Department focused on the following:

1. Organizational structure, including the division of labor, manager/supervisor spans of control, and potential for consolidation of currently-separate functions;
2. Effectiveness of staffing levels including, but not limited to, staff assignments, workload, training, and cost-effectiveness of service levels and service delivery; and
3. Benchmarks and other objective indicators of program effectiveness.

The approach to identify opportunities for improvement in the organizational and staffing components of the Department included the following:

- a. Developed an understanding of the key issues impacting the Gloucester Harbormaster Department. Interviews were conducted with the Harbormaster, Assistant Harbormasters, Clerk, Waterways Board members and select City of Gloucester staff, and members of the waterfront committee. Interviews focused on goals and objectives, management systems, the use of technology, the levels of service provided by the Department, the resources available to provide those services, etc.
- b. Developed a descriptive profile of the Gloucester Harbormaster Department. Conducted interviews with staff to document the current organization of services, the structure and functions of the Department, workload, management systems, and an understanding of assets and infrastructure managed by the Department.
- c. Compared Harbormaster Department organization, staffing and practices to other Harbormaster Departments within the Commonwealth.
- d. Evaluated the staffing, organizational structure, and service levels in the Harbormaster Department. This included interviews with key staff to develop an understanding of the current service delivery model, evaluation of the adequacy of current service levels, work practices, work planning and scheduling systems, productivity and staffing levels, the plan of organization, and asset management.

### **Staffing Identified:**

Full time positions: Harbormaster and Clerk

Part time positions: Eight Assistant Harbormasters, Five Launch Operators

### **Organization and Reporting Lines:**

Optimizing organizational structure is imperative in ensuring cost-effective, efficient services, in order to provide better service to the public users of the Harbormaster Department and its resources. The established reporting lines are that all department staff report to the Harbormaster. There are varied levels of tenure within the Assistant positions; however, there are no internal reporting lines within this job classification. This is an area for improvement such that accountability is both reported, auditable and part of an overall public record.

Based on a review of Article 10, Waterways Administration, of Gloucester's Code of Ordinances (Appendix B), as well as City of Gloucester Waterways, Policies Rules and Regulations Governing Waterways and Public Waterfront Facilities (Appendix C), the Harbormaster reports to the Mayor on administrative matters and reports to the Waterways Board on policy matters. The current organizational structure of the Department is shown in Figure 1.

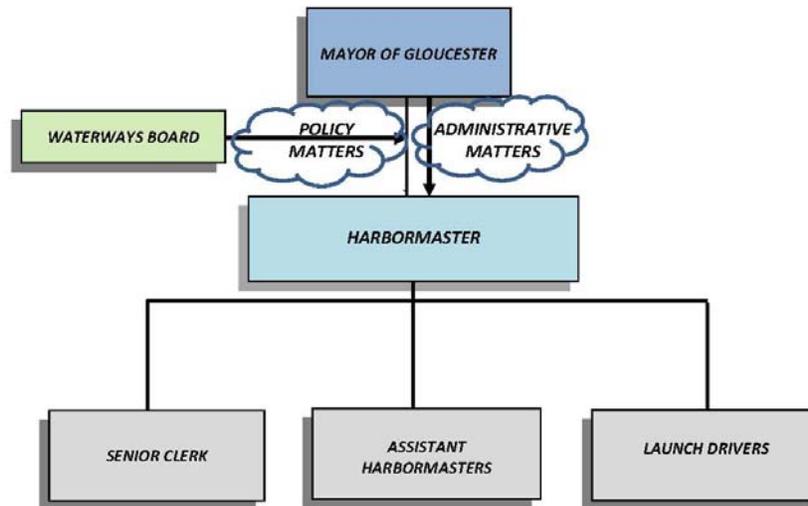


Figure 1: Current Organization/Reporting Lines for Harbormaster Department

**Waterways Board:**

Three Advisory Standing Committees of the Board that meet regularly and report to Board were identified:

1. Public Facilities Committee – identified in Chapter 10 of City Ordinance
2. Operations, Finance & Safety - identified in Chapter 10 of City Ordinance
3. Regulations Review (Ad Hoc)

**Recommendation:** The Harbormaster reporting line should be reviewed with the Mayor or designee and Chairman of the Waterways Board to improve clarity on requirements for Harbormaster to act on matters requested by Board as well as define “administrative matters vs. policy matters” per Chapter 10. It was reported that the Harbormaster has not had an evaluation for three years. An evaluation should be scheduled between the Mayor’s office and Chairman of the Waterways Board.

The Harbormaster meets with the City Department Heads on a bi-weekly basis which provides an opportunity to further collaborate on issues and action items within the City and Department. Synopsis of these meetings should be more formally memorialized; action items identified and provided within the Harbormaster report to the Waterways Board and current Mayor’s office reporting lines.

**Hiring process:** All hiring is performed by the Harbormaster; he reported very few changes in personnel and that there are currently no vacant positions. There were questions raised through the interviews about past protocol of having two Board members participate in interview process. The overall hiring process should be further clarified by the Board and Harbormaster to provide for clear job descriptions, responsibilities, and reporting lines.

**Training of employees:**

Currently, training of the Assistants and Launch Operators is by the Harbormaster with exception of two Assistant Harbormasters who have obtained Harbormaster certification through the Harbormaster Training Council (“HTC”, reference 501 CMR 16.00 and Chapter 422 of the Acts of 2008). The Harbormaster reported that several Assistants attend training events provided by the

HTC as well as DEP. In addition, the Gloucester Police Department provided training approximately 2 years ago on interactions with public. No training of the Clerk position was reported. It was stated that when clerical training was offered, it was not taken.

It was noted during interviews that Board members have identified occasions when the Department has not implemented the rules and regulations correctly. A recent example was related to the wait list, which necessitated a follow up letter be sent that cited the regulation limiting the number of mooring wait list areas an individual could request to five.

**Recommendation:** Incorporate a more formal training program within the Department to include sessions on laws as well as understanding the Policies, Rules and Regulations as set forth by the Waterways Board. Consider a weekly topic to present through a written memo and every month possibly bringing in a guest speaker for a 30 minute “lunch and learn” for the Department (possibly Coast Guard/Marine Fisheries/Environmental Police/Chamber of Commerce, etc.) Three times a year a brief newsletter could be generated, folded into the Department’s website and distributed to staff. Training of the Clerk position for the new mooring management / City provided IT system is required immediately and should be considered a priority. This particular topic is discussed further herein.

**Balance of Enforcement and Public Relations:**

The Department staff, in particular the Assistants, are required to balance their responsibilities for public safety and enforcement with public relations. For residents and visiting boaters, the Assistants and Launch Operators are ambassadors of the city. For those visiting the office, the Clerk and Harbormaster are representatives of the Department to the public. There was a significant disparity in encounters with Department staff reported through the interviews.

A need for greater consistency in interactions with the public both in the office and on the water was identified. Improvements are also needed for on the water enforcement for no wake, speeding, and mooring use.

**Recommendation:** Overall a training program should be developed by the Department and presented to the Waterways Board. Items that were identified as requiring additional training by all staff in the Harbormaster Department include:

1. Public relations and balancing water borne enforcement with need to be representatives of the City of Gloucester. Goals and items to be reviewed should be written and training offered to all staff.
2. Consistency with how staff treats all persons they encounter with uniform approach.
3. Review and standardize written communication and interaction regarding moorings.
4. Consistency of working knowledge of all staff on policies and regulations.

An overall policy “summit” should be considered before the next boating season commences for a day to overview goals, policies and any regulatory changes. A synopsis of this should be provided by the Harbormaster one month prior to the Board and Mayor’s office such that both policy and administrative voices can provide input to maximize the overall benefits of the “summit”. To close the loop, the Harbormaster should provide a report on goals, and items for implementation from this “summit” to track and monitor successful implementation. This meeting will assist in framing issues and

action items which then can be tracked and monitored.

**Daily Tasks and Routines, Tracking and Accountability:**

**Assistants and Launch Operators:**

The Harbormaster provided copies of "Daily Routine", "Daily Boat Checks", and "Daily Launch Checks" (Appendix D). The tracking and accountability of the mooring surveys does not appear to be at a requisite level for the effective management of the moorings and their respective regulations. In addition, in order to fulfill the duties that the Harbormaster Department is charged with performing, a new check list should be developed and implemented which sets requirements and goals. The regularity of a properly implemented check list with actual data will provide additional accountability and information for the Harbormaster monthly reports to the Board and will assist in furthering a program of consistency on the water of enforcement and reporting on no-wake, speeding and mooring violations.

Reporting for Assistant Harbormasters and Launch Operators:

A standard daily report should be developed and supplied to the Harbormaster at the end of each person's shift with some basic data noted. The daily reports should be available for all within the Department to view in order to increase awareness of current activities/issues:

- ✓ Mooring compliance checks (vessel checks/vacancy/proper labeling, etc.).
- ✓ Speeding warning/tickets issued.
- ✓ Any notable incidents.
- ✓ Any items to be addressed for follow-up for others within Department or other City action needed (debris in the water/obstruction noted etc.)
- ✓ Number of users for the launch (identified through the cash tracking)
- ✓ Number of transient moorings in use (identified by mooring numbers)

**Clerk Position:**

The current administrative and clerical position in the Department is structured to support the Harbormaster, Assistant Harbormaster and interact with the public. The following sections address issues and provide recommendations to create a stronger and more efficient administrative organization, with the underlying assumption being that these issues can be successfully addressed. The overall "back office" of the Harbormaster Department is/was reported by many to be antiquated and utilizing systems that are not what would be considered "best practices". It was conveyed that a new IT platform and system is to be developed and installed for the Harbormaster Department. **The successful roll out and implementation of this system is key to the effective operation of the Department.**

The majority of "paperwork" reviews in the office are related to mooring applications. The current system processes payment only when all items have been received by the applicant. The clerk's current system requires the City to send out notices to the applicant for missing or incorrect information with each application being kept in varying states of suspense and payment (usually checks but in some cases cash) being attached to the application. In order to properly account for funds received from the public at the time the application is received, the funds should be deposited on a routine basis (weekly at a minimum is appropriate). For applicants that have not provided all supporting documentation required, a notice should be sent to them with a demand for the information. It does not seem to make sense to send the payment back and forth, which possesses risk of loss. The overall mooring application process should be a system which in today's IT environment is a semi-automated process tracked via IT applications. It was evident that the current system in place maximizes clerical time. A change in means and methods of a process that is ripe for streamlining will allow for better reporting

verses managing outdated and labor intense, manual clerical tasks.

The hours of operation and access to the office were consistently raised as an issue. Our findings were that the majority of other harbormaster administrative offices were not open on the weekends and the hours of operation for Gloucester do not seem to be out of the norm. However, it was noted that the Gloucester harbormaster office is randomly closed and the public inconvenienced during times that the clerk goes to city hall, is on lunch breaks, or out of office on benefit time, without prior posting.

**Recommendations:**

The interviews identified several recurring findings related to the Department that should be considered as opportunities for improvement:

- ✓ To address the overall complacency on the administrative deficiencies within the Department, a push is needed for implementations and administrative changes relative to IT and reducing staff time within the Department on administrative items through more efficient management systems.
- ✓ Need for improvement in policy implementation as well as long term departmental and staff goals.
- ✓ Follow-up on agenda items brought to the attention of Harbormaster combined with an initiative to pushing issues and schedules that affect the Department.

**Specific recommendations for the Daily Tasks and Routines, Tracking and Accountability:**

- a. The job descriptions for all staff should be reviewed with the personnel department with an eye for tailoring them to be concise, descriptive, and in line with job skill needs.
- b. Set procedures and check lists, which are auditable and accountable should be developed for the Harbormaster Clerk.
- c. Training for new IT platform, use of mail chimp, website postings, etc. is critical for furthering community and public outreach of all the opportunities the City of Gloucester waterfront affords residents and visitors alike.
- d. Deposits and cash need to have a maximum time in the office before they are deposited to the City treasury (possibly one week).
- e. Boat Ramp and any other fees collected funds should be on a better system than tickets. Assigned number pads should be used whereas the Assistant Harbormaster records on a two part form. They along with the payor initial and a record copy is the submitted to the Clerk with any and all fees, which then tie together. The Clerk should prepare the deposit as mentioned weekly, and then have the Harbormaster sign off that the voucher matches the deposit, which matches the actual cash/checks. While the cash is in the office prior to the weekly deposit, a drop box safe should be considered that allows for Harbormaster and Clerk access. This is consistent with basic cash handling best practices/audit procedures.
- f. A full meeting with the Harbor Master, Chairman of the Waterways Board and the City of Gloucester's IT implementation team should be scheduled and pursued as it is key to streamlining office function and tracking. It was stated that a time line was being established and that due to the unique nature of the Harbormaster

office, some customization of software would be required. Input from staff and the Board should be a top priority along with the retiring of the Lotus 123 software currently being used for mooring tracking and processing.

- g. Increased awareness and training on role and expectations of service as public servants in a public office.
- h. The Clerk's office is not presentable and should show outwards signs of organization and presentation.
- i. Efforts should be undertaken to revise published, set hours and provide coverage for those times with existing staff coming on or off shifts or a more workable long term solution would be to reduce the office hours by one (1) hour on a certain day to accommodate the routine errands and work on a set schedule. For vacation and sick/personal leave, consideration should be given to hiring a part time intern/admin for summer months to handle outward communications (newsletter/emails/organization, etc.)
- j. Consider reorganization of clerical and administrative functions under the job description of a newly-created full time deputy assistant harbormaster.

There are several factors unique to the situation in the Harbormaster Department that mitigate in favor of reorganization (per City Charter Section 7-2) to allow for a consolidation of administrative functions under a unified organizational structure. However, even in the absence of these factors, there are compelling reasons for the Department to consider this reorganization, and these are based upon commonly- accepted principles of organizational design that relate to the efficient use of resources, and the facilitation of communication and coordination. For this reason, it is recommended that consideration be given to the reorganization of the Department, consolidating administrative and clerical duties as part of the newly-created position of Deputy Assistant Harbormaster.

The Deputy Assistant Harbormaster position would be responsible for the administration within the Department including the mooring applications, wait lists, commercial slips, launch fees, transient moorings, etc. The Deputy Assistant Harbormaster would allocate duties to specific Assistant Harbormasters and will be better suited to implement policy and directives from the Harbormaster as a key qualification for the position is a thorough understanding of rules, regulations and operations within the Department. This allocation of duties should also include a designation of a back-up employee, or employees, for each function. Given the importance, and the time-critical nature of the mooring functions and ultimate database/IT systems; it is recommended that all employees be cross-trained in this important function.

Harbormaster Departments that have moved to this model described efficiencies and a more cohesive department by moving away from the pure "clerical model". The disconnect between the administrative function and the operational component of the Department should be remedied with stronger links between the "field" and "office". A reorganization will allow for melding a staff that reports to the Harbormaster on both policy and administrative items. As IT comes on line and becomes integrated, we would envision the position to evolve into allowing the Harbormaster to provide improved interactions with the Waterways Board and Mayor's office on all issues confronting the Department.

Generally, the overall amount of paperwork being generated by approximately 1,200+/- moorings, the commercial marina, launch, and ramp would be better served with an individual who can multi-task and multi-function within the department on a year round

basis. Work on mooring applications is generally an off season task/operation and although there is an abundance of time expended on mooring applications and processing, this task alone has opportunities for significant streamlining with improved, automated software and document storage. As discussed throughout this report; the roll out and implementation of new software to shed the outdated roll of clerical duties currently undertaken has both operational and financial prospects for the Department which should be embraced as opportunities to be implemented to better serve the public at large.

### **Department Reporting to Board**

In reviewing the monthly reports that the Harbormaster currently provides to the Waterways Board, items are presented in a “narrative” nature. It was difficult to track items. It was noted that after a discussion; the Board may send the item back to the Harbormaster for follow-up and or additional information, and that a status update on these open items is not consistently provided to the Board.

**Recommendations:** Standardized reporting should be undertaken whereas the following items at a minimum are brought each month to the Waterways Board in an outlined form with key pieces of data presented as deemed appropriate by the Waterways Board.

- a. General Overview of the Department.
  - i. Number of man hours expended
  - ii. Staffing
  - iii. Staff Development
- b. Launch Operations – users for month; number of seasonal passes
- c. Boat Ramp
- d. Activities/Construction within the Harbor/River
- e. Citations issued (type/compare to same time last year).
- f. Notable incidents
- g. Department Assets/Infrastructure/IT developments
- h. Finances: Present budget and tracking
- i. Moorings
- j. Community Outreach

The Board should agree on a format and request same from Harbormaster such that the Harbormaster Report clearly and readily identifies items that require Board Action such that these items are presented in the meeting’s agenda. Thus the Harbormaster report should be submitted to allow for these items to make their way into the agenda. Items where no action is taken or if the direction of the Board is for additional information is required that item would fall into an “Old Business” business section of the Waterways Board’s agenda for the next subsequent meeting. Items that are motioned and or passed, should be designated as action items and should be on the next agenda (or as many subsequent until the item is deemed completed by the Waterways Board) as needed to allow for follow-up and implementation updates.

### **Management Systems**

Generally, at the current time, little information is available through automated and summarized means. The Harbormaster Department faces a number of challenges in using its resources more efficiently and effectively, and more importantly, in redirecting resources to move away from paper and antiquated systems currently utilized for internal tracking and IT. The Department is limited in its ability to address these challenges as a result of management systems and, in some cases, the lack of functional expertise in critical areas, which are addressed in this report. An

effective response of the Department to these challenges requires that it transform how it conducts business by installing accountability systems for the Harbormaster, Assistant Harbormasters and the current clerical component, and by reengineering work processes.

**Recommendations:** The Harbormaster Department should redesign and reorganize the way some services are delivered. This could entail certain steps, including the following:

- ✓ *Consider selective use of contracting out services to evaluate opportunities to reduce costs while maintaining adequate levels of service (i.e. bulk mailings/moorings);*
- ✓ *Full and actual implementation of a workable, changeable and robust IT system to manage the Harbormaster Department and administrative functions.*
- ✓ *Ensuring that ALL within the Department have access to timely data to enable them to manage moorings, transient vessels, launch areas and departmental assets for which they have been given responsibility.*
- ✓ *The Harbormaster Department should take steps to ensure that it is maximizing and effectively utilizing existing resources, and look for opportunities to leverage resources to provide for improved services. An increased use of technology both in the field and in the office will provide accountability on activities and reporting capabilities that can be disseminated to policy and administrative leads to aid in guiding the Department and enhancing knowledge of the operations within the Department.*

### **Information Technology**

Overall it has been a moving target to recommend and provide some level of guidance for the IT needs of the Harbormaster Department. To bring things to their simplest level; the overall use of technology to assist and make the department run more efficiently is grossly deficient. Mooring records are maintained on a LOTUS 123 data base with back end office paperwork in various states of process, all managed with hand-written notes and hand written ledgers. Information in its current form requires queries and is cumbersome to obtain. The lack of controls within the clerk's office that can be reviewed and audited thru a comprehensive IT system is a major issue within the Harbormaster Department. It was evident by interviewing and talking thru duties with the current clerk that there is a reluctance to acknowledge the shortcomings of the existing systems. Implementation and rollout of new systems and processes will be challenging and will require considerable training to utilize the IT system by Department staff.

The need for upgrade IT systems has been previously identified by the Waterways Board and discussions, meetings and emails have been circulated between the City of Gloucester's IT department and the Harbormaster. The IT issues must be resolved in order for the Department to function at full efficiency and effectiveness. Many months have transpired and three "target" dates for an IT roll out have all been pushed. As of November 15, 2015 no IT improvements or software upgrades have been provided to the Harbormaster Department. This is significant as many of the findings and ultimate solutions are interrelated to the successful roll out of new systems. The Waterways Board should consider possible "off the shelf" solutions if significant progress and roll out of a new system is not prioritized and a firm schedule provided for roll out.

## **PART 2: PATROLS**

See "Daily Routine" for details on tasks during Assistants' shifts.

The following staffing is identified as typical by the Harbormaster. Adjustments are made to schedule based on staff availability and level of activities on the water.

Staffing on Weekdays:

First Assistant Harbormaster (1pm to 8pm)

Second Assistant Harbormaster (4pm to 9pm)

Staffing on Saturday, Sunday and Holidays

Morning Shift (8am to 2pm) Two Assistants

Afternoon Shift (1pm to 9pm) Three Assistants

There are multiple objectives for the Assistants while on the water: safety violations as well as mooring usage. The Assistants were generally unaware of follow up actions as a result of their submitted daily reports.

### **Recommendations:**

- ✓ Reaffirm daily tasks and accountability for each patrol shift.
- ✓ Make follow up actions, i.e. status of enforcement, available to all within Department.
- ✓ To the maximum extent practicable assign specific mooring fields or portions of to each of the Assistants to allow for continuity in mooring inventories.
- ✓ The lack of restroom facilities is an issue identified with the river patrol. Department should consider approaching private facilities on the river to request usage by Assistants while on patrol to reduce trips back to harbor.
- ✓ Refer to Part 1: Balance of Enforcement and Public Relations for additional recommendations relative to Patrol

## **PART 3: SAFETY**

**No Wake Enforcement:** Consistency of enforcement was identified as an issue. There are numerous challenges associated with patrolling the Annisquam River in particular as it is reported that vessels share information on location of patrol vessels. Waterways Board Member has met with the whale watch vessels to request compliance with the No Wake zone. The Board stated that there does not appear to be a clear directive to all Department staff from the Harbormaster for enforcement against vessels operating at greater than headway speed within No Wake Areas. Harbormaster stated that he has directed all staff to issue tickets.

**Recommendations:** An increased presence of the Department on the water will inform the public that there is consistent enforcement of the no wake rule. The policy for issuing verbal warnings, tickets, etc. should be reviewed, updates agreed to by the Board and Harbormaster, and then implemented through training of all the Assistants. Public awareness regarding No Wake enforcement can be supported through blast emails and postings.

**Boating Under the Influence (BUI):** The Massachusetts Harbormaster Association Website states that Massachusetts has one of the strongest Boating Under the Influence (BUI) laws in the nation. Massachusetts law prohibits anyone from operating any vessel while under the influence of alcohol or any controlled substance. It was reported that there is reasonable support from the Gloucester police department to address suspected BUI offenders. In order to confirm a consistent approach to proper protocol and procedure, we recommend this be one of the training topics incorporated into the staff development training as noted herein.

**Towing:** There is a need for the Department and Board to review and compare policy vs. practice.

#### **PART 4: MOORINGS**

##### **Management System/Database and Charts:**

It was widely reported through the interviews and Board member's surveys of the mooring fields that there are a significant number of moorings that are not in use and have not been reassigned by the Department. The underutilization of the mooring fields is a major issue within the Department and is due in part to the lack of accurate records for moorings. The mooring management system, assignment of moorings, field inventory of moorings is identified as flawed in reporting, compliance, implementation, and records/data base tracking within the Department.

There have been many attempts to improve maps of existing moorings, and database of vessels associated with each mooring; however, the primary database is based in Lotus and is only accessible by the Clerk. The mooring maps are on a single computer in the office; however, this is not consistently accessible and there are no printed mooring maps for reference by the Department staff or public. The Excel files created for mooring inventories provide information for a given year, but do not allow for tracking history by mooring location or understanding of associated scope/swing radius.

The Harbormaster and Waterways Board recognize the mooring deficiencies and a complete overhaul of the mooring management system is recommended. In addition, the mooring locations should be included as fields within the database so that they can be exported along with other key attributes/fields to a GIS based system that allows for viewing of key information and printing of mooring maps. We further recommend that all scopes/swing radiuses be included as attributes/fields for each mooring. The development of the database fields included for each mooring and ability to export to GIS based systems is critical to the improvement of mooring management, evaluation of requests to upsize or downsize vessels, inventory of existing moorings and identification of any abandoned locations.

Preliminary list of key attributes/fields:

- ✓ Mooring Field
- ✓ Mooring Number
- ✓ Mooring Location Coordinates
- ✓ Mooring Type
- ✓ Type/Length of Chain
- ✓ Last Inspection / By Whom
- ✓ Vessel Size/Type
- ✓ Name / Address of Permit Holder
- ✓ Annual fee / date of payment
- ✓ Mooring inventory check (dates and confirmation of compliance)
- ✓ Violations (mooring not installed, improper or no label, no vessel, no sticker, etc.)
- ✓ Tracking of correspondence (additional information requests for moorings, fee assessments, etc.)

According to the City Ordinance, Chapter 10: "Public chart. The harbormaster shall maintain a chart which clearly indicates the location, permittee, LOA of each moored vessel, and number of moorings in the city's waterways. A copy of this chart shall be publicly posted in the Harbormaster office and in the city clerk's office." The current charts reside on a localized office computer utilizing MapTech and it does not appear that all of the required information is readily

accessible to the public. Recommendations for the new mooring database and mapping, if fully implemented, will address this issue.

Due in part to the segmented databases for moorings, it is not clear where moorings have been abandoned and/or not reassigned. Following development of the GIS based mooring maps, a concentrated effort is required to field verify all moorings listed. An accurate map of the mooring fields will allow for consideration of additional moorings and/or regrid. Lobster Cove was identified as a mooring field that may have potential for re-gridding to improve usage of watersheet.

#### **Mooring Waitlist:**

The Department website states "*Demand for moorings in the waters around Gloucester is so high, it is necessary for the Harbormaster office to maintain a list of boat owners who are waiting on mooring rental. As moorings become available, they are allocated to the applicant with a suitable boat who has been waiting longest. Separate wait lists are maintained for each location, and applicants can apply for more than one location at a time.*" Clarity is needed to better understand the Department's process for determining what constitutes a "suitable boat".

Wait list procedures require that when a waiting persons' name reaches the number five position they are required to declare a vessel size that they plan to put on the mooring when they are offered one. Currently the Department does not maintain this vessel information in the database. If this information were maintained, it would streamline the process of offering moorings to the wait list individual which was reported by many to be extremely inefficient due to the time required to repeatedly notify the lowest numbered individuals on the wait list who then "pass" on the offered mooring.

Consideration to limit the number of moorings per individual or household was raised during the interviews as a means to advance the mooring waitlist. A motion to limit the number of moorings per individual was made during the April 6, 2015 Waterways Board meeting (Appendix E); however, there was no second to the motion, therefore it was not moved forward.

#### **Recommendations:**

- ✓ A standard operating procedure for maintaining and progressing the wait list should be published within the Department.
- ✓ Department training of staff is needed on state requirements and current regulations pertaining to administration of wait list
- ✓ Incorporate wait list into new database in conjunction with City IT Dept
- ✓ Consider further limiting number of wait lists an individual can be on
- ✓ Increase fee for each wait list

#### **Inspections for Moorings:**

Inclusion of inspection history as a data field for each mooring will allow for better tracking on noncompliance. Of the listed 1,200+/- moorings in Gloucester, over 50% of the moorings are reported as "self-inspected". Issues of reliability and liability for City relating to mooring inspections and damage caused by mooring failures were raised in several interviews. Inspector requirements should be reviewed by the Board and Harbormaster.

#### **Changes to Vessels/Relocations:**

Currently the Harbormaster presents all requests for up or down sizing to Public Facilities subcommittee and includes his recommendation. Public Facilities reviews the information and votes on requests. This process is hindered by a lack of clear mooring maps with associated

swing radiuses as presented above. Relocation requests were reported as fairly rare and are also reviewed by the Public Facilities subcommittee.

**Mooring Inventory During Patrols:**

Mooring inventory is identified as part of the Daily Routine for Assistants and includes inspection of moorings to verify registered vessel is in place, mooring ball is properly labeled, and sticker is current and matches mooring. The procedure, reporting and follow up for inspection of moorings and reporting of violations, requires revision. Assistants reported turning in daily reports of mooring surveys, but the follow up seems cumbersome and inconsistent within the office. It was not clear if the frequency of mooring inventories was actually daily and/or performed in a systematic approach to cycle through all moorings. A revised reporting form for patrol should be developed based on the new mooring management system so that daily reports are entered into system and flagged for follow up with dates and subsequent actions tracked within each electronic mooring record.

**Enforcement for Moorings**

Moorings requiring enforcement are not logged in software; they are logged in survey sheets produced by Assistants on patrol. The current process for follow up is reported as the Harbormaster makes a phone call to inform the permit holder of a violation. He then rechecks the mooring a week later. If a mooring violation has not been corrected, then the \$50 assessment letter is sent to the permit holder.

The Harbormaster recalled approximately 70-80 assessments last year (2014); he stated that he encourages compliance as primary goal. Harbormaster identified management and follow up on mooring surveys as time consuming and staff resources were not consistently available. This task is identified as a task to be considered in reallocation of responsibilities for Department staff.

**PART 5: CUSTOMER RELATIONS** - See Part 1 for recommendations.

**PART 6: FINANCIAL CONTROLS**

The Department handles a significant amount of cash on a daily basis. Sources of cash include Dun Fudgin ramp fees, transient moorings, launch operations, mooring and commercial slip fees. Current practices include storing cash in file drawers in the Assistant's and Clerk's offices. It is recommended that a drop safe be installed in the office to allow for deposit of cash at the end of each shift with the required receipts/summary report. Harbormaster and Clerk can then account for cash for deposit with the City treasury on a scheduled basis.

The City CFO stated that payment with credit cards in the Harbormaster office or on the water is not an available option. Consideration should be given to presenting alternatives to the City CFO to reduce overall cash management duties and risk of loss by ultimately accepting credit and debit cards for Harbormaster services offered to the public. Given the current requirement to receive cash within the Department however; auditable tracking of all incoming cash is required.

- ✓ Transient moorings – the current reservation book tracks usage of the transient moorings and fees collected; confirm that moorings used without a prior reservation are also logged in book so that fees collected can be tracked and reconciled.
- ✓ Launch ramp – the current ticket system has the capability to track starting and ending numbers of each shift, which enables opportunity for reconciliation of fees collected and tickets used, yet during this review, control of the ticket numbers

was loose. Properly used the tickets can work as an inexpensive method to control and reconcile cash. As reviewed, there was little control on issuing and tracking sequential tickets. Alternatively, the Department should consider an assigned numbers pads system whereas the Assistant Harbormaster records on a two part form. They along with the payor initial and a record copy is the submitted document to the Clerk with any and all fees, which then tie together and allow for reconciliation and control. This would allow for one, continuous, numerical, control batch accounting.

- ✓ Launch fees – typical launch operations in other ports do not provide receipts and it is a cash transaction. Consider passenger log, receipts on the water similar to what is described above at the launch ramps. Post a sign at launch ramp notifying public that a receipt should be provided for every ticket and to contact the Harbormaster Department if this does not occur.

Deposits and cash need to have a maximum time in the office before they are deposited to the City treasury. It was reported that a new Centralized Reporting System will include computer based form(s) to allow for deposits.

The Clerk should prepare the deposit, as mentioned and then have the Harbormaster sign off that the voucher matches the deposit, which matches the actual cash/checks. While the cash is in the office prior to the weekly deposit, a drop box safe should be considered that allows for Harbormaster and Clerk access. This is consistent with basic cash handling best practices/audit procedures. A sample, simple cash handling procedure is outlined below;

The term “cash” includes currency, coin, checks, money order, or other form of legal tender. All employees’ assigned cash handling responsibilities must be instructed regarding the cash regulations and guidelines that the department must follow.

Strong internal controls are necessary to prevent mishandling of funds and safeguard assets. They protect both the Harbormaster Office and the employees handling cash. The standard internal control categories that authorized individuals should be aware of are: Safeguarding Cash, Cash Receipts, Reconciliation, and Segregation of Duties.

The Harbormaster Department cash policy should require that the funds held overnight be minimized. It should require that all public moneys received be deposited “on the business day next following the day of receipt, if the total amount of such moneys received exceeds one thousand dollars. If the total amount of the public moneys so received does not exceed one thousand dollars, the person shall deposit the moneys on the business day next following the day of receipt, but in no event should the moneys held exceed three business days next following the day of receipt, for making such deposits, and the funds are safeguarded (drop/lock box) until such time as the moneys are deposited.

Access to cash should be restricted at all times. It should be kept in a locked, secure storage facility (drop safe) to which only designated individuals have access. The degree of security provided by the storage facility should be commensurate with the amounts being stored.

Combinations or keys to safes and other storage facilities should be restricted to the custodian of the cash and designated back up. Combinations or locks should be changed as necessary.

Appropriate precautions commensurate with the amounts being transported should be taken when transporting cash from the department to the Gloucester City Treasurers office. Under no circumstances should cash be sent through the mail and care should be taken to not mark any bags or packages containing cash or carried by an employee in an obvious container or after dark.

Cash Received: All cash should be recorded immediately upon receipt by use of: cash receipt register (dual copies) which are numerical and controlled by a unique, sequential transaction number, such as a predisposed receipt/control number.

Checks should be made payable to the City of Gloucester (department name optional) and restrictively endorsed (departmental name required) immediately upon receipt. At the time of review checks were attached to mooring documents (for moorings pending issues) without proper endorsement.

Adequate segregation of duties reduces the likelihood that errors (intentional and unintentional) will remain undetected by providing for separate processing by different individuals at various stages of a transaction and for independent reviews of the work performed. The basic premise underlying segregation of duties is that no one employee or group of employees should be in a position both to perpetrate and conceal errors or irregularities in the normal course of their duties.

In general, the principal incompatible duties to be segregated are: authorization, custody of assets, and recording or reporting transactions. In addition, a control over the processing of a transaction generally should not be performed by the same individual responsible for recording or reporting the transaction.

Cash controls for the Harbor Masters office are needed for the following;

1. Boat Launch Fees Received
2. Transient Mooring Fees Received
3. Launch Fees Received
4. Mooring Fees Received

A simple two part vouched form should be printed and obtained at this point to provide increased control relative to cash. All cash received is to be vouched in on these forms, with the original provided to the payor and the City maintaining the voucher copy. With numerical sequencing and proper audit of this sequencing, the risk of loss will be diminished.

#### **PART 7: INSPECTION OF FACILITIES**

Vessel checks are included in the daily tasks for Assistants and Launch Operators. Tracking of required maintenance for vessels and associated budgets should be included in monthly reports.

An internal inspection of facilities, public landings, commercial marinas, Harbormaster facility, and equipment was identified as an operation requiring improved accountability that should be included in the standard monthly Harbormaster reports. For each facility, the inspection criteria and required frequency of inspections should be formalized and logs created to track the records of inspections and identified maintenance items for inclusion in the Department's budget and reporting to the Waterways Board. Within these reports efforts should be undertaken to identify maintenance issues along with possible capital improvement or more significant repairs and or enhancements. This improved self-reporting will also help focus the need for professional assistance (consultants). The Harbormaster provided a copy of the City Marina Maintenance Plan (Appendix D) which includes items for inspection at St. Peter's and Harbor Cove Commercial Marinas; however, it was reported that routine inspections were not performed.

## **PART 8: USE OF TECHNOLOGY/WEBSITE**

The complete overhaul of the mooring management system and bill pay in conjunction with the City IT Department planned enhancements will improve use of technology in the Department. The refinement and further development of mooring maps in concert with database and GIS technology will also improve the public's access to information once it is bridged into the Harbormaster Department's website.

Consideration should be given to issuing tablets (likely a beta test with one or two to demonstrate use/effectiveness) to Assistants for their use in patrolling mooring inventories and enhance and streamline daily reporting (standardize reporting) and allow for still and video pictures/evidence on particular areas of concerns or notes.

### **Public Outreach and Marketing:**

There are many opportunities to utilize available technologies for public outreach and the Harbormaster's office should work to improve and develop systems, which would improve a transfer of information, i.e. reminders for storm preparedness, and promote Gloucester as a destination for boaters. In interviewing one of the Assistant Harbormasters he has spent time developing a small Mail Chimp database which has a few hundred names and email addresses. These efforts should be formalized into a plan which would capture information from mooring applications (email and text numbers) and administrative staff should have this information available for delivery of upcoming events in and around the Gloucester waterfront. Additionally information could be quickly disseminate about predicted storm events and associated preparedness. The Assistant Harbormasters should also work to obtain emails from all visiting boaters for inclusion into a master email database. Additionally considerations should be given to linking to the Chamber of Commerce and other boating websites which would complement the Harbormaster's site in providing further information. A field on the Gloucester Harbormaster Department's website should be added to allow individuals to subscribe to emails from the Department.

Additional consideration should be given to setting up social media account for the Harbormaster Department (YouTube, Facebook, Twitter, Instagram), public communication, marketing, etc. along with a direct interface with Chamber of Commerce events.

A significant amount of information for the harbor including moorings, launch services, rules and regulations, etc. is available on the website; however, the website was consistently identified as needing improvements both in content and navigability.

The topic of the Department's website resulted in consistent negative feedback during the interviews. In addition to a complete overhaul of the site, several specific recommendations were developed for improvements:

- ✓ Mooring Information
- ✓ Link from Chamber of Commerce to launch service and information for transient moorings
- ✓ Develop library of professional quality photos to accompany email blasts
- ✓ Emphasize no wake enforcement
- ✓ Develop an employee highlight section to enhance public's connection with Department staff
- ✓ Increase frequency of updates to website and set aside a portion of the site to highlight current items, reminders, etc.

**PART 9: GOALS IDENTIFIED WITHIN DEPARTMENT BOTH LONG AND SHORT RANGE**

There are many recommendations contained within this report. The Executive Summary presents these in tabular form.

**CITY OF GLOUCESTER  
ASSESSMENT OF HARBORMASTER DEPARTMENT**

**List of Appendices**

Appendix A: Interview summary

Appendix B: Article 10, Waterways Administration, of Gloucester's Code of Ordinances

Appendix C: City of Gloucester Waterways, Policies Rules and Regulations Governing Waterways and Public Waterfront Facilities

Appendix D: Daily Routine, Daily Boat Checks, Daily Launch Checks, and Inspection Form for Commercial Marinas

Appendix E: April 6, 2015 Minutes of Waterways Board

**CITY OF GLOUCESTER  
ASSESSMENT OF HARBORMASTER DEPARTMENT**

**Appendix A: Summary of Interviews**

<b>Date of Interview</b>	<b>Interviewee</b>	<b>City/Town</b>	<b>Position</b>
6/16/2015	Cate Banks	Gloucester	former Waterways Board member
	Tony Gross	Gloucester	Chair, Waterways Board
	Ralph Pino	Gloucester	Vice Chair, Waterways Board
6/16/2015	Webb Russell	Marblehead	Harbormaster
6/16/2015	Paul Hogg	Newburyport	Harbormaster
6/17/2015	Capt. Bill McHugh	Salem	Harbormaster
7/14/2015	Ken Corson	Hingham	Harbormaster
	David Condron	New Bedford	Harbormaster
	Michael Cormier and Isaac Perry	Marion	Harbormaster
6/17/2015	Jim Caulkett	Gloucester	Harbormaster
6/23/2015	Roger Lesch	Gloucester	Launch Operator
6/17/2015	Robert Delaney	Gloucester	Launch Operator
6/17/2015	Shirley Edmonds	Gloucester	Clerk
5/19/2015	Jack Alexander	Gloucester	Beacon Marine Basin
5/19/2015	Joe Boreland	Gloucester	Former Eastern Yacht Club
5/19/2015	Mark Lacey	Gloucester	Waterways Board member
5/7/2015	James Pope	Gloucester	IT Director
5/7/2015	Patty Page	Gloucester	Waterways Board member
5/7/2015	Chad Johnson	Gloucester	Assistant Harbormaster
5/7/2015	John Dunn	Gloucester	CFO/Treasurer/Collector
5/7/2015	James Marshall	Gloucester	Assistant Harbormaster
5/7/2015	David McCauley	Gloucester	Waterways Board member
5/7/2015	Phil Cusumano	Gloucester	former Waterways Board member
5/8/2015	Vito Calomo	Gloucester	Waterways Board member
5/8/2015	James Bordinaro	Gloucester	Waterways Board member
5/8/2015	Bob Gillis	Gloucester	Waterways Board member
5/8/2015	Karen Tibbitts	Gloucester	Waterways Board member
7/2/2015	Art Munroe	Gloucester	Assistant Harbormaster

CITY OF GLOUCESTER  
ASSESSMENT OF HARBORMASTER DEPARTMENT

Appendix B: Article 10, Waterways Administration, of Gloucester's Code of Ordinances

City of Gloucester Ordinances

Chapter 10 - WATERWAYS ADMINISTRATION

FOOTNOTE(S):

--- (1) ---

**Cross reference**— Marshlands, ch. 12; shellfish, seaworms and eels, ch. 20.

**Editor's note**—Ord. No. 17-1993, adopted Dec. 14, 1993, amended former ch. 10, arts. I—III, relative to the harbor and related waters, in its entirety to read as herein set out. The substantive provisions of former ch. 10 derived from Code 1970. Sections 4-3, 10½-17—10½-25, 10½-27, 10½-29, 12-8, 12-18—12-21, 16-14, 16-16; and ordinances of Dec. 6, 1977; Jan. 10, 1978; Nov. 4, 1979; Feb. 3, 1983; Oct. 28, 1986; Aug. 4, 1987; Dec. 22, 1987; July 19, 1988; and April 4, 1989.

**State Law reference**— Waterways, M.G.L. c. 91; provisions relating to Gloucester harbor, M.G.L. c. 102, §§ 3, 4; harbors and harbormasters, M.G.L. c. 102, § 17 et seq.

ARTICLE I. - MANAGEMENT

Sec. 10-1. - Waterways board.

The purposes of the waterways board is to provide a broad-based citizen management organization that guides the use and development of the city's waterways and public waterfront facilities. The waterways board shall be the city body which establishes policies and regulations for the city's waterways. It is intended that the board adopt clear, concise and fair policies and regulations that promote improved access to the water for all citizens, including commercial fishermen, business owners and recreational boaters. In cooperation with the harbormaster and other city staff, the board is intended to ensure that our waterways are well planned and maintained, utilized to the maximum extent possible, safe, and reflect positively upon the city.

(Ord. No. 17-1993, 12-14-1993)

Sec. 10-2. - Composition and term.

- (a) Composition. The city waterways board shall consist of nine citizens of the city appointed by the mayor and confirmed by the city council. The appointees shall include three persons who are directly involved with the fishing industry, two persons who are recreational boaters, two persons who are directly involved with economic development of the city, and two persons at large who need not be involved with any marine-related activity.
- (b) Term. The term of all members shall be three years except that the initial terms shall be staggered so that the terms of no more than three members shall terminate in any one year. If a member resigns or is removed for any reason before his term expires, the mayor shall appoint a replacement within one month of the vacancy. Said appointment must be confirmed by the city council. Members of the waterways board and its standing committees shall be volunteers who are not compensated.

(Ord. No. 17-1993, 12-14-1993; Ord. of 9-27-2011)

Sec. 10-3. - Authority and responsibilities.

The city waterways board is hereby empowered, and authorized to:

- (1) Promote implementation of the city harbor plan, dated 1992, and, in cooperation with the appropriate city bodies, amend said plan from time-to-time as circumstances warrant;
- (2) Establish policies, rules and regulations for the use of the city's waterways and waterfront facilities, including but not limited to, mooring areas, public launch ramps, public landings, and city-owned commercial marinas;
- (3) Recommend to the city council fee schedules for moorings, launch ramps, slips at city-owned commercial marinas, and other waterfront public facilities and a schedule of fines for violations of waterways rules and regulations;
- (4) Oversee the operation and maintenance of all public launch ramps and related facilities, the city-owned commercial marinas, and public landings, floats or access ramps;
- (5) Review and oversee the work programs, budget, staffing, training, effectiveness, management techniques and policies of the harbormaster's office and related city staff;
- (6) Work cooperatively with the harbormaster's office and related city staff on harbor management issues, enforcement of waterways rules and regulations and waterways development projects;
- (7) Review all waterfront development projects or zoning changes and report its findings and recommendations to the mayor, city council or other relevant board. The waterways board may require drawings, plans or other supporting documentation from project proponents for its review;
- (8) Act as the policy liaison between the city and the Army Corps of Engineers, U.S. Coast Guard, the state department of environmental protection, the state office of coastal zone management and other government agencies concerned with waterways;
- (9) Work with the harbormaster's office and related city staff to plan, design and undertake new projects such as dredging, mooring fields and access facilities;
- (10) Plan and encourage the development of signage and facilities for transient boaters and promote the city as a well-equipped and hospitable port-of-call;
- (11) Work cooperatively with the harbormaster's office, police and fire departments, environmental police and other public safety agencies to ensure that the city's waterways policies, rules and regulations and operating practices will protect the rights and property of waterways users and waterfront land owners, while maximizing public safety;
- (12) Delegate any of its responsibilities to a standing committee, the harbormaster or other staff person assigned by the mayor;
- (13) Investigate new sources of revenue for waterways management and development.

(Ord. No. 17-1993, 12-14-1993; Ord. of 3-22-2011(02))

Sec. 10-4. - Standing committees.

- (a) Designation. There shall be two advisory standing committees of the waterways board, appointed by the chairman; a public facilities committee; and an operations and finance committee/safety committee. The committees shall review, research, investigate and make recommendations on matters referred to them by majority vote of the full board. The committees shall send their reports and recommendations only to the full board which shall review them and take appropriate action. The harbormaster shall be an ex-officio member of each committee. Every member of the board except the chairman shall be on at least one standing committee, and each committee shall elect its own chairman. The chairman of the board shall be an alternate member of all committees.
- (b) Public facilities committee.

- (1) This committee may be referred any matter dealing with:
    - a. Moorings;
    - b. Public launch ramps, including Dun Fudgin;
    - c. Public landings;
    - d. City-owned commercial marinas, including St. Peter's Square and Harbor Cove;
    - e. Signage;
    - f. Public access, including but not limited to, walkways to the water, access ramps and floats and dinghy floats, sewage pump-out facilities, waste oil recycling facilities;
    - g. Harbormaster floats and offices; and
    - h. Any other matter deemed appropriate by the board.
  - (2) This committee shall consist of three members of the board, an advocate of public landings appointed by the mayor; the director of public works or his designee; and a member of the tourism commission as needed.
- (c) Operations and finance/safety committee.
- (1) This committee may be referred any matter dealing with:
    - a. Harbor planning, design, engineering or construction;
    - b. Budgets;
    - c. Intergovernmental relations;
    - d. The harbormaster's office, including but not limited to:
      1. Staffing;
      2. Training;
      3. Vessels and equipment;
      4. Work and education programs;
    - e. Fees and fines.
  - (2) In matters of safety, the committee may be referred any matter dealing with:
    - a. Enforcement of boating laws and regulations;
    - b. Other enforcement activities including the need and nature of police patrols during various times of the year and during special waterfront events;
    - c. Fire prevention and suppression needs;
    - d. Hazardous materials;
    - e. Emergency medical services;
    - f. Hazards to navigation;
    - g. Rules and regulations regarding use of the city's waterways;
    - h. City ordinances dealing with the waterways or waterfront; and
    - i. Any other matter deemed appropriate by the board.
  - (3) This committee shall consist of three members of the board; a member of the fisheries commission; and a member of the city council.

For matters of safety, the three board members shall be advised as needed by the chief of police or his designee, the city fire chief or his designee, and by a representative of Coast Guard Station Gloucester.

(Ord. No. 17-1993, 12-14-1993; Ord. of 3-22-2011(02); Ord. of 9-27-2011)

Sec. 10-5. - Relationship to the harbormaster and city staff.

- (a) The waterways board shall work cooperatively with the harbormaster and other assigned city staff to implement the city harbor plan, as amended, and pursue the policies and goals of the board. In addition, the harbormaster and the board shall work together closely to ensure that the harbormaster's office is efficient, effective, and fair to all waterway users through review of work programs, plans operating procedures and budgets.
- (b) The waterways board shall work cooperatively with the harbormaster and other assigned city staff including police officers, such that the following duties are performed by the designated official or employee:
  - (1) Harbormaster.
    - a. Operate, maintain, manage equipment and vessels assigned (harbormaster boat).
    - b. Assign and oversee moorings.
    - c. Coordinate with and report to waterways board: meetings, staff, grants, etc.
    - d. Operate and manage public launch ramps, landings, city-owned commercial marinas and other public waterways facilities around the city.
    - e. Gather information and make recommendations relative to the harbor: commissioner's line, chapter 91, permits, CZM regulations and other waterways issues.
    - f. Promote the city as a hospitable port of call: provide information to visitors, provide water transport as directed by the mayor.
    - g. Manage and maintain a harbormaster's office.
    - h. Report to the mayor on administrative matters; report to board on policy matters.
  - (2) Police department.
    - a. Enforce all commonwealth laws while patrolling the city waterways.
    - b. Operate, maintain and manage equipment and vessels assigned (police boat/fire boat).
    - c. Investigate, prosecute criminal activity on waterways and waterfront in cooperation with other members of the city police department and other law enforcement agencies, U.S. Coast Guard, etc.
    - d. Make arrests on water.
    - e. Report to the chief of police.
    - f. Assist the fire department, U.S. Coast Guard with fire prevention and suppression, law enforcement, hazardous materials investigations and emergency medical services.
    - g. Check on lobster violations under the city ordinance and state laws. Enforce M.G.L. c. 130, §§ 31, 17, 18, 18a, 39, 41, 41a, 43, 44, marine fisheries laws:
      - 1. Destruction of weir-fish trap;
      - 2. Lobster and crab licenses;
      - 3. Markings on buoys—exhibition of license;

- 4. Display of license numbers and buoy colors;
  - 5. Hours of tending traps;
  - 6. Taking of female lobsters with eggs;
  - 7. Possession of short lobsters.
- h. Check properties on islands not accessible from land.
- (3) Joint duties.
- a. Enforce waterways laws, ordinances and rules and regulations: M.G.L. c. 40, § 21D, fines and ticketing, section 1-15 and M.G.L. c. 90B, §§ 1—19, motorboats and other vessels and other enforcement per M.G.L. c. 102, §§ 17—28, shipping and seaman, harbor and harbormasters. Police: plus all other applicable city and state laws.
  - b. Patrol city waterways. Police: enforce all state laws.
  - c. Respond to emergencies within scope, training and resources.
  - d. Operate, maintain and manage equipment and vessels assigned (police boat/fire boat: police; harbormaster boat: harbormaster).
  - e. Coordinate with other agencies and assist within scope, training and resources.
  - f. Observe water quality, assist appropriate agencies.
  - g. Assist in keeping navigation channels clear, keep harbor free of debris. Harbormaster: primary responsibility.
  - h. Patrol major events to promote and protect public safety: Fiesta, 4th of July, schooner races, etc. Police: other occasions as directed by chief of police.
  - i. Issue citations on water.
  - j. Enforce the BWI, make arrests and bring complaints to court.

(Ord. No. 17-1993, 12-14-1993; Ord. No. 21-1995, § I, 3-7-1995; Ord. of 3-22-2011(02))

**Cross reference**— Police duties and joint duties concerning harbor management, § 17-1.

Secs. 10-6—10-19. - Reserved.

## ARTICLE II. - ENFORCEMENT

Sec. 10-20. - Harbormaster appointment; qualifications and authority.

- (a) Appointment. In accordance with M.G.L. c 102, § 19, the harbormaster shall be appointed for a term of three years by the mayor after joint interviews and consultation with the waterways board, and confirmed by the city council. The mayor shall fix the compensation of the harbormaster after an annual performance review conducted by the board and the mayor or his designee. The harbormaster shall report to the mayor on administrative matters and to the waterways board on policy matters.
- (b) Qualifications.
  - (1) The harbormaster shall possess the following skills, knowledge or experience:
    - a. Small boat handling in heavy weather;

- b. Navigation;
- c. Rules of the road;
- d. Waterways laws, rules and regulations and their enforcement;
- e. Budget preparation; and
- f. Staff management.

(2) Desirable skills or knowledge include:

- a. Water safety and life-saving;
- b. Marine fire prevention and suppression;
- c. Emergency medical care at the EMT level;
- d. Waterfront construction techniques;
- e. Waterways permitting process;
- f. Waterfront facilities management;
- g. Water pollution control techniques; and
- h. Grant writing.

(c) Authority. The harbormaster shall have all authority set forth in:

- (1) The Massachusetts General Laws, including, but not limited to, chs. 90B, 91 and 102;
- (2) The Code of Massachusetts Regulations;
- (3) Applicable federal laws and regulations; and
- (4) This Code of Ordinances.

(Ord. No. 17-1993, 12-14-1993; Ord. of 11-12-2002(01), § I)

#### Sec. 10-21. - Fines.

The harbormaster and assistant harbormasters shall have the authority to enforce any section of this chapter by way of the ticketing procedures set forth in M.G.L. c. 40, § 21D and section 1-15. Each day of violation shall constitute a separate offense.

(Ord. No. 17-1993, 12-14-1993)

#### Sec. 10-22. - Responsibilities.

The harbormaster shall be responsible for the following tasks unless otherwise assigned by the mayor:

- (1) Enforce all laws, ordinances and rules and regulations within the authority set forth in this chapter;
- (2) Patrol all waterways within the city's jurisdiction during the entire year with more intense patrolling from May 1 to November 1, and provide a continuous radio watch during patrol hours;
- (3) Respond to all emergencies on the city's waterways, and provide all reasonable assistance within the scope, training and resources provided;
- (4) Operate, maintain and manage vessels and related equipment used for harbor patrols;
- (5) Assign and oversee all moorings in the city's waterways;

- (6) Cooperate with, and report to, the waterways board and its committees by:
  - a. Attending all board meetings;
  - b. Providing staff, technical support and advice;
  - c. Preparing reports and other documents, including budget proposals and grant applications;
  - d. Representing the commission; and
  - e. Enforcing the board's policies, rules and regulations;
- (7) Cooperate with other boards, commissions and other departments, including, but not limited to, the fisheries, conservation, and tourist commissions, and the community development and public works departments;
- (8) Assist the city fire department, U.S. Coast Guard and other relevant agencies with fire prevention and suppression, law enforcement, hazardous materials, investigations and management, and emergency medical services by providing technical and staff assistance, sharing information, joint training, and the loaning of vessels and equipment for operations or investigations;
- (9) Operate and manage the maintenance of all public launch ramps, public landings, city-owned commercial marinas and other public waterways facilities owned by the city;
- (10) Observe the water quality of all waterways, take immediate steps to stop or contain pollution on an emergency basis, notify appropriate government agencies, and enforce all relevant city ordinances;
- (11) Monitor and clear navigation channels and prevent encroachments beyond the harbor commissioner's line;
- (12) Promote the city as a hospitable port-of-call for transient boaters by advertising the city's facilities, welcoming visiting boaters, and providing them with directions, technical assistance and advice as they operate on the city's waterways;
- (13) Conduct educational programs that teach all boaters safe boating practices, rules of the road, hazardous areas of local waters, and the value of the city's waterways.

(Ord. No. 17-1993, 12-14-1993; Ord. of 3-22-2011(02))

Sec. 10-23. - Relocation of vessels.

- (a) Harbormaster's authority. The harbormaster may station and regulate all vessels in the city waterways and may remove any vessel to new location, or cause it to be so removed, if in his judgment any one of the following circumstances exists:
  - (1) If the vessel is improperly or illegally moored as described in section 10-51 herein;
  - (2) If a vessel occupying a berth at a wharf or pier is not removed within a reasonable period after notice from the owner of said wharf or pier to the master or owner of said vessel, and wharf or pier owner makes a complaint to the harbormaster; and
  - (3) If a vessel not discharging cargo or receiving cargo or services stands in the way of another vessel waiting to carry out any of these activities and the master or owner of the latter vessel complains to the harbormaster.
- (b) Removal at expense of owner. The harbormaster may, at the expense of the master or owner thereof, cause the removal of any vessel which is not moved when directed by him. Upon the neglect or refusal of any such master or owner to pay on demand the expense of such removal, the harbormaster may recover the same from the master or owner in contract for use of the city. If the

master or owner of the vessel cannot be found or located within the jurisdiction of the harbormaster, the harbormaster may proceed in rem directly against the vessel.

(Ord. No. 17-1993, 12-14-1993)

Sec. 10-24. - Harbormaster's office.

- (a) General. There shall be a division within the city named the harbormaster's office. It shall be managed by the harbormaster and assist in the carrying out of his duties as well as those of the waterways board. The harbormaster's office shall have an annual operating budget and shall prepare an annual report. The harbormaster shall ensure that all staff members are adequately trained for their jobs, especially those that include boat operation.
- (b) Permanent staff. The harbormaster's office shall have a small, permanent staff to assist in the operation and maintenance of records, boats, equipment, and public facilities.
- (c) Seasonal staff. The harbormaster's permanent staff may be augmented by seasonal personnel who may be used for such tasks as safety patrols, launch ramp operation, mooring fee collection, and maintenance and repairs.
- (d) Assistant harbormasters. In accordance with M.G.L. c. 102, § 19, the mayor, upon the recommendation of the harbormaster, may appoint permanent or seasonal staff as assistant harbormasters. Such assistants shall be subject to the direction and control of the harbormaster and shall have all authority given to, and be subject to all the duties required of harbormasters, assistant harbormasters shall receive no stipends.

(Ord. No. 17-1993, 12-14-1993)

Sec. 10-25. - Budgeting.

- (a) The annual budget of the harbormaster's office shall include all operating expenses of the waterways board such as legal advertising. The budget shall be developed by the harbormaster in consultation with the operations and finance committee of the waterways board and shall be approved by the full board before it is transmitted to the mayor. The board shall assist the harbormaster at budget reviews by the mayor and city council. The budget shall not exceed the projected revenues of the waterways enterprise fund.
- (b) The harbormaster, in consultation with the public facilities committee of the waterways board, shall prepare and submit project descriptions, justifications and budgets to the capital improvements advisory board for any applicable waterways project to be funded by the waterways enterprise fund. The waterways board shall assist the harbormaster during project reviews.

(Ord. No. 17-1993, 12-14-1993)

Secs. 10-26—10-39. - Reserved.

### ARTICLE III. - WATERWAYS FUNDING

Sec. 10-40. - Waterways enterprise fund.

- (a) Created. In accordance with M.G.L. chs. 44-53E1/2, there shall be a waterways enterprise fund. Said fund shall be used to support the operations of the waterways board and all waterways management

and enforcement activities, including the purchase of equipment, the planning, design and construction of public waterways facilities, such as mooring fields, ramps, piers and pump-out facilities. The fund shall have two distinct accounts each of which shall receive a portion of the receipts listed in subsection (d) of this section.

- (b) Management account. Funds from this account shall be used for management and enforcement operating expenses as well as for equipment and repairs which do not have to be included in the city's capital improvements program. The funds from this account shall be managed by the mayor in cooperation with the waterways board and harbormaster.
- (c) Improvements account. Funds from this account shall be used for purchase of vessels, large equipment and the planning, design, construction or major repair of any public waterways facility. As required, expenditures from this account shall be included in the city's capital improvements program. This account shall be managed by the mayor in cooperation with the waterways board and harbormaster.
- (d) Receipts. The waterways enterprise fund shall receive the following receipts:
  - (1) Mooring fees, both annual and transient;
  - (2) Dockage and slip fees from city-owned commercial marinas, launch ramp fees;
  - (3) All boat excise taxes;
  - (4) Fines; and
  - (5) Any other income derived from public waterways facilities including dedicated grants or gifts.

(Ord. No. 17-1993, 12-14-1993; Ord. of 3-22-2011(02))

Secs. 10-41—10-49. - Reserved.

#### ARTICLE IV. - MOORINGS, PUBLIC LANDINGS AND CITY-OWNED COMMERCIAL MARINAS

#### FOOTNOTE(S):

--- (2) ---

**Editor's note**—An ordinance adopted March 22, 2011, changed the title of Art. IV from "Moorings, Public Landings and Public Marinas" to "Moorings, Public Landings and City-Owned Commercial Marinas."

Sec. 10-50. - Definitions.

In construing the provisions of this article, the following words shall have the meanings given below unless a contrary intention clearly applies:

City waterways means all tidal waters within the boundaries of the city, its harbors, bays and coves, and the whole of the Annisquam River and its outlets, coves and bays.

Harbormaster means the city official duly appointed in conformance with section 10-20.

Mooring means a relatively permanent arrangement of an anchor, chain and floating buoy to which a vessel may be tied for extended periods.

Permittee means a person to whom a permit has been granted for landing or mooring.

Public landing means any area including uplands, ramps, floats, wharfs, piers, parking areas and water that has been set aside by the city for the landing of vessels to discharge or take on passengers or

supplies, or for the launching of vessels, and for public access and recreation as set forth in M.G.L. c. 88, § 14.

Public waters means all waters beyond the mean low-water mark.

Recreational boater: means an individual who owns and/or operates a recreational vessel.

Recreational vessel means a vessel used for personal, noncommercial enjoyment, recreation or sport.

Vessel includes ships, boats, steamers, barges, or any other type of watercraft powered or under sail or tow, as well as such floating structures as buoys and rafts.

Vessel length, for the purposes of determining the amount of the mooring fee, means the length overall (LOA) of a vessel exclusive of bowsprits, main boom, and boomkins. For the purposes of mooring assignments, the term "vessel length" includes bowsprits, main boom and boomkins.

(Ord. No. 17-1993, 12-14-1993)

Sec. 10-51. - Regulation of moorings.

- (a) Regulations. The waterways board shall make regulations regarding the application process, size, type, construction and placement of all moorings within the city waterways. All moorings shall be placed under the direction of the harbormaster and are subject to inspection by the harbormaster prior to their initial placement and at intervals of three years.
- (b) Permits. No person shall establish a mooring within the city waterways without first obtaining a permit from the harbormaster to do so. Mooring permits shall be renewable each calendar year.
- (c) Applications. Applications for new permits shall be submitted on forms provided by the harbormaster. Applicants shall be placed on waiting lists by location preferred, in order of their receipt. The harbormaster shall keep the waiting lists updated by requiring applicants who wish to maintain their position on the waiting list to file an annual renewal prior to the last business day of December of each year. The harbormaster shall publicly post the waiting lists at the harbormaster's office and shall file a copy of same with the city clerk's office on April 30 of each year. The fee for such renewals shall be \$10.00. Failure to timely file the annual renewal shall result in the applicant's removal from the waiting list, provided however that an applicant may, prior to the last business day of February of the following year, request reinstatement to his/her previous position on the waiting lists by filing with the harbormaster a request for reinstatement together with a late fee of \$50.00 for a total of \$60.00.
- (d) Types of moorings. The harbormaster may issue permits for three types of moorings:
  - (1) Personal moorings for sole use by the single vessel of an individual and his or her immediate family;
  - (2) Municipal moorings which may be approved by the waterways board for public purposes; and
  - (3) Transient moorings which may be used by waterfront businesses or yacht clubs for transient vessels.
- (e) Fees. The fee for each type of mooring shall be established by the city council. Fees for personal moorings shall be charged by the length of vessel at the rate of \$6.00 per foot for city residents and taxpayers and at the rate of \$8.00 per foot for nonresidents. The fee for transient moorings shall be \$200.00 each. A daily fee of \$25.00 shall be charged every vessel that utilizes a municipal mooring, used for transient boats, operated by the harbormaster. Fees for 10A float permits shall be in the amount of \$50.00 per season. Fees for the use of the Gloucester Launch shall be \$5.00 per person per one-way trip, with children 12 years of age or younger free.
- (f) When application due; permit renewal. A completed renewal application by each mooring permit holder, including the renewal fee and proof of ownership, shall be returned to the harbormaster's

office on or before the last business day in February of each year. After that time the mooring holder may renew the permit by filing a completed application, including the regular fee per foot, plus a late fee of \$50.00, prior to the last business day of May of that same year. Failure to do so will result in the mooring permit being revoked.

- (g) New mooring areas. The waterways board may, after a public hearing, designate new mooring areas. Moorings in those areas may be installed, maintained and operated by the harbormaster's office or by private businesses under license from the waterways board. The selection process for private operators shall include requests for proposals by the waterways board, submission of proposals and bids in conformance with M.G.L. c. 30B, and review of proposals and bids consistent with that law.
- (h) Public chart. The harbormaster shall maintain a chart which clearly indicates the location, permittee, LOA of each moored vessel, and number of moorings in the city's waterways. A copy of this chart shall be publicly posted in the harbormaster's office and in the city clerk's office.
- (i) Suspension and revocation. A mooring permit may be suspended or revoked by the harbormaster whenever, in his opinion, the vessel and/or mooring unduly threatens the safety of the mooring area or the reasonable use of that area by other vessels. Placing a mooring at a location other than that specified on the mooring permits will be grounds for revocation. Any person aggrieved by the action of the harbormaster in denying, revoking, suspending or imposing restrictions on a mooring permit may appeal the harbormaster's decision to the state division of waterways, provided the person files application for such appeal within 30 days after receiving notice of the harbormaster's decision. Failure to fully pay vessel excise taxes for the previous fiscal year shall be grounds for suspension or revocation.
- (j) Violations. Whenever the harbormaster considers a mooring to be in violation of harbor regulations or to be a hazard to navigation, he may, after due notification of the owner, in person or by registered mail to the address of record, order the removal of the mooring, together with any vessel attached to it, to a new location. Such action may be taken without notification to or reply from an owner only, if in the determination of the harbormaster, the owner cannot be contacted within 72 hours or if emergency conditions required immediate action. Any expenses incurred in the removal or relocation of such mooring or any damages resulting shall be the responsibility of the owner. Floats, rafts and moorings held by anchors or bottom moorings, if installed in the public waters of the city without permission from the harbormaster, 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.

(Ord. No. 17-1993, 12-14-1993; Ord. of 4-16-2002(01), § I; Ord. of 8-10-2004(06), § I; Ord. of 3-22-2011(02); Ord. of 11-27-2012(01); Ord. of 5-28-2013(110); Ord. No. 2014-093, 3-11-2014)

#### Sec. 10-52. - Use of public landings.

- (a) General use. All public landings, along with the ramps and floats attached thereto, shall be used primarily for the landing of people from vessels, the docking of vessels while people are alighting or boarding, and by persons tying their vessel thereto while making purchases ashore. Public landings shall also provide public access for passive recreational activities. Where public landings have no floats, vessels may be pulled up on shore for the purposes set forth in this subsection. Parking areas at public landings shall be for the exclusive use of landing users unless otherwise designated by the waterways board.
- (b) Tie-up period. No owner nor anyone else in charge of or operating a vessel of any description, shall use the head of any float moored or attached to any public landing for any greater period of time than ordinarily and reasonable required to load or unload the passengers or occupants of any such vessel, together with whatever merchandise might accompany or be in the possession of the persons or passengers alighting therefrom. In no case shall any vessel be tied to the head of a public landing float for more than 30 minutes except by permission of the harbormaster. However, dinghies,

tenders and other auxiliary vessels less than 12 feet in length, used by mooring holders or transient boaters, may be tied up at the sides of undedicated floats at public landings for up to four hours while the owners thereof are purchasing goods and services. No such auxiliary vessel shall block the head of a float or interfere with permitted activities. The harbormaster may permit the seasonal tie-up of dinghies, tenders or other auxiliary vessels less than 12 feet in length at portions of any public landing so designated by the waterways board, provided that the fee set forth in subsection (g) of this section has been paid. Such permitted vessel shall be marked by an official sticker on their transoms.

- (c) Conducting business or soliciting. It shall be unlawful for any person to conduct any business, including vending on or from a public landing. The sale of tickets or the solicitation of passengers in any other manner for boat or fishing trips from any public landing is prohibited. However, any person operating a harbor sail, ferry, excursion vessel, vessel livery or party fishing vessel but maintaining a wharf headquarters or principal place of business elsewhere, may use a public landing as a port-of-call and may discharge or take-on passengers. The vessels engaged in such ventures shall not lie at any float at a public landing longer than shall be ordinarily and reasonable necessary for their occupants, passengers or customers to board or alight therefrom, and shall not block or otherwise interfere with other permitted activities.
- (d) Other prohibited activities. No person shall clean fish, or leave ropes, lobster pots, barrels, rocks, bricks, boards or any other material on any public landing, or launching ramps, floats or piers thereof, for longer than is reasonable necessary in the act of loading or unloading the same onto or from vessels, unless authorized by the harbormaster. No person shall load or unload lobster pots, bait, or other gear on or from any public landing, or floats, wharfs or piers thereof, except those designated by the waterways board. No vessels, vehicles or trailers may be stored on any public landing.
- (e) Encroachment. No person shall encroach upon a public landing in any way.
- (f) Restrictions on hours. Stone Pier and Long Wharf shall be closed to prohibit all activities between the hours of 10:00 p.m. and 4:00 a.m. Any use of this area between the prohibited hours shall constitute trespassing, a violation of section 14-6. Any person who violates said ordinance shall be subject to arrest under section 14-6 and/or fined pursuant to section 1-14. The city will use reasonable and practicable means to inform the public of such curfew. Further, this section is not intended to conflict with or supersede the authority of the conservation commission or any rules enacted by them under their M.G.L. c. 40, § 8C, powers.
- (g) Fees. The annual fee for the seasonal tie-up of dinghies, tenders or other auxiliary vessels, less than 12 feet in length, at designated areas of public landings shall be \$50.00.

(Ord. No. 17-1993, 12-14-1993; Ord. No. 16-1996, § J, 5-28-1996; Ord. No. 6-1999, § I, 6-22-1999)

Sec. 10-53. - Use of public ramp at Dun Fudgin.

- (a) The fees for launching vessels at the Dun Fudgin public access ramp shall be as follows:
  - (1) Daily fee for all users except commercial boat haulers, per vessel launched: \$50.00.
  - (2) Season pass for any vessel up to and including 18 feet in length, per season: \$35.00.
  - (3) Season pass for any vessel more than 18 feet in length, per season: \$35.00.
  - (4) Daily fee for commercial boat haulers, per vessel launched: \$25.00.
  - (5) Season pass for commercial boat haulers, per season: \$350.00.
- (b) Failure to pay fee as posted shall result in the issuance of a violation as specified in section 10-21 and section 1-15.

(Ord. No. 31-1997, § I, 3-4-1997; Ord. of 4-16-2002(02), § I; Ord. of 6-10-2003(03), § I)

Sec. 10-54. - Use of city-owned commercial marinas—Reserved.

Secs. 10-55—10-79. - Reserved.

#### ARTICLE V. - OTHER WATERWAY REGULATIONS

Sec. 10-80. - Federal and state jurisdiction.

Nothing contained in this chapter shall be construed to conflict with the jurisdiction of the federal government with respect to enforcement of the navigation, shipping, anchorage, and associated laws of the United States, or any lawful regulation or law of the commonwealth and its agencies.

(Ord. No. 17-1993, 12-14-1993)

Sec. 10-81. - Scuba and skin diving.

- (a) Diver's flag. Scuba or skin divers within the city waterways shall display a diver's flag consisting of a white diagonal stripe on a red field not less than 12 inches by 15 inches in size. The flag shall be displayed upright on a float or similar device at a height sufficient to be seen by passing vessels. The diver shall trail this flag while submerged, unless the harbormaster grants permission to do otherwise, and shall surface within 25 feet of the flag.
- (b) Distance from buoys. The diver shall maintain a distance of at least 25 feet and stay clear when vessels are hauling traps in the immediate area.
- (c) Prohibition. The harbormaster may prohibit scuba or skin diving in areas within the city waterways where such diving cannot, in the harbormaster's opinion, be carried out safely without undue inconvenience to vessel operations.
- (d) Beach regulations. Scuba or skin divers must comply with beach regulations promulgated by the director of public works.

(Ord. No. 17-1993, 12-14-1993)

Sec. 10-82. - Lobstering.

No lobstering by any method shall be allowed in designated mooring areas, or within the confines of harbor channels or travel lanes in and out of the city.

(Ord. No. 17-1993, 12-14-1993)

Sec. 10-83. - Fishing vessels unloading fish.

Fishing vessels unloading fish, by use of open containers, such as mesh or canvas baskets, at piers in the city, shall place a net of sufficient size and mesh between the vessel and the pier or wharf to prevent fish from falling into the harbor waters and polluting same.

(Ord. No. 17-1993, 12-14-1993)

Sec. 10-84. - Demolishing a pier, wharf or building along the waterfront.

Anyone demolishing a pier, wharf or buildings adjacent to or extending into the city's waterways shall install a boom around the pier, wharf or buildings for the purpose of containing debris, before commencing demolition. If said boom extends into navigable waters it shall display warning flags during daylight hours and warning lights during periods of darkness.

(Ord. No. 17-1993, 12-14-1993)

Sec. 10-85. - Littering and pollution.

- (a) General prohibition. No person shall throw or deposit, intentionally or otherwise, in the city's waterways any litter, rubbish, filth, human waste, petroleum products, plastics, fuel or lubricating oil, fish oil or other greasy substance, dead animals or fish, fish waste, or any other foul or offensive substance. The term "litter" shall include, but not be limited to: bottles, glass, cans, wood, trash, tires, scrap metal, junk, paper, garbage, tuna heads, trees, brush and grass clippings.
- (b) Discharge of oils. No land-based concern or vessel shall discharge, intentionally or otherwise, in the city's waterways oil in any of its forms: animal; vegetable; or mineral.
- (c) Pumping engine rooms and bilges. No owner, operator or crew member of a vessel located in the city's waterways shall pump overboard engine room bilge water or engine compartment bilge water containing petroleum products or throw overboard any crankcase or lubricating oil or petroleum products except in extreme emergencies such as to prevent a vessel from sinking.

(Ord. No. 17-1993, 12-14-1993)

Sec. 10-86. - Vessel operation.

- (a) Speed limit. No vessel shall exceed five miles per hour or cause a disturbing wake within the confines of mooring or anchorage areas and other areas posted by the harbormaster.
- (b) Swimming areas. No person shall operate a vessel including jet skis, within 150 feet of any beach or swimming area without the permission of the harbormaster.
- (c) Beaches. No vessel or watercraft shall be launched, landed or operated on life-guarded public beaches.
- (d) Water skiers, aquaplanes, etc. No person shall operate a vessel towing water skiers, aquaplanes or similar devices within 300 feet of any beach or swimming area.
- (e) Operation near scuba or skin divers. No person shall operate a power vessel in excess of three miles per hour when within 100 feet of a diver or his flag or marker. No person shall operate a power vessel within 50 feet of a diver or his flag or marker unless said vessel is being operated by a person identified with, working with, or rendering assistance to such scuba or skin diver.

(Ord. No. 17-1993, 12-14-1993; Ord. of 4-12-2005, § I)

**CITY OF GLOUCESTER  
ASSESSMENT OF HARBORMASTER DEPARTMENT**

**Appendix C: City of Gloucester Waterways, Policies Rules and Regulations Governing Waterways  
and Public Waterfront Facilities**

**CITY OF GLOUCESTER**

**WATERWAYS BOARD**

**Policies, Rules and Regulations  
Governing Gloucester's  
Waterways and Public Waterfront Facilities**

**As of December 2, 2014**

**The policies, rules and regulations set forth herein have been adopted under the authority granted by Sections 10-3(b) and 10-51(a), Gloucester Code of Ordinances. They have been developed since the Board was appointed in 1994.**

**The outline on the next page represents the framework for the future policies, rules and regulations which the Waterways Board will consider as circumstances allow.**

# Outline (Table of Contents)

## Waterways Policies, Rules and Regulations Outline & Format Approved by the Waterways Board on 9/14/94

	<b>Page</b>	
<b>Article I</b>	<b>Introduction to the Gloucester Waterways Board</b>	<b>4</b>
<b>Article II</b>	<b>Waterways Board Rules of Procedure</b>	<b>7</b>
<b>Article III</b>	<b>General Policies</b>	<b>9</b>
	Section 1. Public Waterfront Facilities	
	Section 2. Harbor Commission Line	
	Section 3. Public Waterways of the City	
	Section 4. Boat Excise Taxes	
<b>Article IV</b>	<b>Mooring Regulations</b> (Adopted March 8, 1995, last revision 2013)	<b>10</b>
	Section 1. General Policies	
	Section 2. Mooring Permits	
	Section 3. Waiting Lists	<b>12</b>
	Section 4. Identification of Moorings & Permitted Vessels	<b>13</b>
	Section 5. Mooring Installation & Maintenance standards	<b>14</b>
	Section 6. Personal Moorings	<b>16</b>
	Section 7. Transient Moorings	<b>17</b>
	Section 8. Municipal Moorings	<b>18</b>
	Section 9. Use of Moorings	<b>18</b>
	Section 10. Designated Mooring Areas	<b>19</b>
	Section 11. Designated Anchorage Areas	<b>20</b>
<b>Article V</b>	<b>Public Landings with Launch Ramps</b>	<b>23</b>
	Section 1. Definitions	
	Section 2. General Use	
	Section 3. Prohibited Activities	
	Section 4. Management Policies	<b>25</b>
<b>Article VI</b>	<b>Public Landings</b>	<b>26</b>
	Section 1. Management Policies	
	Section 2. General Use	
	Section 3. Prohibited Activities	<b>27</b>
	Section 4. Seasonal Tie-ups of Dinghies and Auxiliary Vessels	<b>27</b>
<b>Article VII</b>	<b>City Owned Commercial Marinas</b>	<b>29</b>
	Section 1. Definitions	
	Section 2. Management policies	
	Section 3. General Use and Requirements	
	Section 4. Lease agreement and Collection of Rent	<b>30</b>
	Section 5. Waiting List	<b>31</b>
	Section 6. Prohibited Activities	

## **Waterways Policies, Rules and Regulations (cont.)**

	<b>Page</b>
<b>Article VIII</b>	
<b>Public Waterways Traffic &amp; Safety</b>	<b>32</b>
Section 1.    General Regulations: Prohibition of Lobstering In Certain Areas	
<b>Article IX</b>	
<b>Policies Regarding the Waterways Fund</b>	<b>33</b>
Sections 1-20.  Reserved for Waterways Enterprise Fund	
Section 21.    Special Accounts	
<b>Article X</b>	
<b>Policies Regarding the Harbormaster's Office</b>	<b>34</b>
Section 1.    Salvaged Vessels and Property	
Section 2.    (Reserved)	
Section 3.    Vessel Towing and Assistance Policy	
<b>Article XI</b>	
<b>Policies Regarding Waterfront Land Use &amp; Development</b>	<b>36</b>
<b>Blank</b>	

## **Article I Introduction to the Gloucester Waterways Board**

The following three (3) pages are excerpted verbatim from Article 10, Waterways Administration, of Gloucester's Code of Ordinances, adopted December 14, 1993. The section numbers on these three (3) pages are from that document.

### **(Section 10-1) Waterways Board**

The purpose of the Waterways Board is to provide a broad-based citizen management organization that guides the use and development of Gloucester's waterways and public waterfront facilities. The Waterways Board shall be the City body which establishes policies and regulations for Gloucester's waterways. It is intended that the Board adopt clear, concise and fair policies and regulations that promote improved access to the water for all citizens, including commercial fisherman, business owners and recreational boaters. In cooperation with the Harbormaster and other City staff, the Board is intended to ensure that our waterways are well planned and maintained, utilized to the maximum extent possible, safe, and reflect positively upon the City of Gloucester.

### **(Section 10-2) Composition & Term**

**(a) Composition** - The Gloucester Waterways Board shall consist of nine (9) citizens of Gloucester, appointed by the Mayor and confirmed by the City Council. The appointees shall include three (3) persons who are directly involved with the Fishing Industry, two (2) persons who are recreational boaters, two (2) persons who are directly involved with economic development of the city and two (2) persons at large, who need not be involved with any marine related activity. The Board shall observe Robert's Rule of Order, shall annually select a Chairman from its membership and establish its rules of procedure. The Board shall have nonvoting advisory members, as set forth in Section 10-4 herein.

**(b) Term** - The term of all members shall be three (3) years except that the initial terms shall be staggered so that the terms of no more than three (3) members shall terminate in any one year. If a member resigns or is removed for any reason before his or her term expires, the Mayor shall appoint a replacement within one (1) month of the vacancy. Said appointment must be confirmed by the City Council. Members of the Waterways Board and its standing committees shall be volunteers who are not compensated.

### **(Section 10-3) Authority and Responsibilities**

The Gloucester Waterways Board is hereby empowered , and authorized to:

- (a) Promote implementation of the City of Gloucester Harbor Plan, dated 1992, and, in cooperation with the appropriate City bodies, amend said plan from time-to-time as circumstances warrant;
- (b) Establish policies, rules and regulations for the use of Gloucester's waterways and waterfront facilities, including but not limited to, mooring areas, public launch ramps, public landings, and city owned commercial marinas;
- (c) Recommend to the City Council fee schedules for moorings, launch ramps, slips at city owned commercial marinas, and other waterfront public facilities and a schedule of fines for violations of waterways rules and regulations;
- (d) Oversee the operation and maintenance of all public launch ramps and related facilities, the city owned commercial marinas and public landings, floats, or access ramps;
- (e) Review and oversee the work programs, budget, staffing, training, effectiveness, management techniques and policies of the Harbormaster's Office and related city staff;
- (f) Work cooperatively with the Harbormaster's Office and related city staff on harbor management issues, enforcement of waterways rules & regulations and waterways development projects.
- (g) Review all waterfront development projects or zoning changes and report its findings and recommendations to the Mayor, City Council or other relevant board. The Waterways Board may require drawings, plans or other supporting documentation from project proponents for its review.
- (h) Act as the policy liaison between the City of Gloucester and the Army Corps of Engineers, U.S. Coast Guard, the State Department of Environmental Protection, the Massachusetts Office of Coastal Zone Management and other government agencies concerned with waterways.

## **Article I Introduction to the Gloucester Waterways Board (con't)**

- (i) Work with the Harbormaster's Office and related city staff to plan, design and undertake new projects such as dredging, mooring fields and access facilities.
- (j) Plan and encourage the development of signage and facilities for transient boaters and promote Gloucester as a well-equipped and hospitable port-of-call.
- (k) Work cooperatively with the Harbormaster's Office, Police and Fire Departments, Massachusetts Environmental Police and other public safety agencies to ensure that Gloucester's waterways policies rules and regulations and operating practices will protect the rights and property of waterways users and waterfront land owners, while maximizing public safety.
- (l) Delegate any of its responsibilities to a Standing Committee, the Harbormaster or other staff personnel assigned by the Mayor.
- (m) Investigate new sources of revenue for waterways management and development.

### **(Section 10-4) Standing Committees**

**(a) Designation** - There shall be two (2) advisory standing committees of the Waterways Board, appointed by the Chairman: a Public Facilities Committee; and an Operations & Finance Committee/Safety committee. The committees shall review, research, investigate and make recommendations on matters referred to them by majority vote of the full Board. The committees shall send their reports and recommendations only to the full Board which shall review them and take appropriate action. The Harbormaster shall be an ex-officio member of each committee. Every member of the Board except the Chairman shall be on at least one Standing Committee and each committee shall elect its own Chairman. A Co-Chair may also be elected. The Chairman of the board shall be an alternate member of all committees.

**(b) Public Facilities Committee** - This committee may be referred any matter dealing with: moorings; public launch ramps; including Dun Fudgin; public landings; city owned commercial marinas; including St. Peter's Marina and Harbor Cove; signage; public access, including but not limited to, walkways to the water, access ramps and floats and dinghy floats; sewage pump-out facilities; waste oil recycling facilities; Harbormaster floats and offices; and any other matter deemed appropriate by the Board. This Committee shall consist of: three (3) members of the Board; an advocate of public landings appointed by the Mayor; the Director of Public Works, or his designee; and a member of the Tourist Commission.

**(c) Operations and Finance Committee/Safety** - This committee may be referred any matter dealing with: harbor planning, design, engineering or construction; budgets; intergovernmental relations; the Harbormaster's Office, including but not limited to, staffing; training; vessels and equipment; work and educational programs; fees and fines. In matters of safety, the committee may be referred any matter dealing with enforcement of boating laws and regulations; other law enforcement activities including the need and nature of police patrols during various times of the year and during special waterfront events; fire prevention and suppression needs; hazardous materials; emergency medical services; hazards to navigation; rules and regulations regarding use of the City's waterways; City Ordinances dealing with the waterways or waterfront; and any other matter deemed appropriate by the Board. This committee shall consist of three (3) members of the Board; a member of the Fisheries Commission; and a member of the City Council for matters concerning operations and finance. For matters of Safety, the three (3) board members shall be advised by the Police and Fire Chiefs or their designees; and by a representative of Coast Guard Station Gloucester.

### **(Section 10-5) Relationship to the Harbormaster and City Staff**

The Waterways Board shall work cooperatively with the Harbormaster and other assigned City Staff to implement the City of Gloucester Harbor Plan, as amended, and pursue the policy and goals of the Board. In addition, the Harbormaster and the Board shall work together closely to ensure that the Harbormaster's Office is efficient, effective, and fair to all waterway users through review of work programs, plans, operating procedures and budgets.

## **Article I Introduction to the Gloucester Waterways Board (con't)**

### **(Section 10-40) Waterways Enterprise Fund**

**(a) Creation** - In accordance with M.G. L. Chapter 40, Sections 5.(72) and 39(k), there shall be a Waterways Enterprise Fund. Said Fund shall be used to support the operations of the Waterways Board, and all waterways management and enforcement activities, including the purchase of equipment, the planning, design and construction of public waterways facilities, such as mooring fields, ramps, piers and pump out facilities. The Fund shall have two (2) distinct accounts each of which shall receive a portion of the receipts listed in Section 10-40(d) herein.

**(b) Waterways Management Account** - Funds from this account shall be used for management and enforcement operating expenses as well as for equipment and repairs which do not have to be included in the City's Capital Improvements Program. The funds from this account shall be managed by the Mayor in cooperation with the Waterways Board and Harbormaster.

**(c) Waterways Improvements Account** - Funds from this account shall be used for purchases of vessels, large equipment and the planning, design, construction or major repair of any public waterway facility. As required, expenditures from this account shall be included in the City's Capital Improvements Program. This account shall be managed by the Mayor in cooperation with the Waterways Board and Harbormaster.

**(d) Receipts** - The Waterways Enterprise Fund shall receive the following receipts: mooring fees, both annual and transient; dockage and slip fees from public marinas; launch ramp fees; all boat excise taxes; fines; and any other income derived from public waterways facilities including dedicated grants or gifts.

## **Article II Waterways Board Rules of Procedure**

### **Section 1. Agenda and Notice of Meetings**

Notice of meetings shall be in writing and contain the items of business (agenda). The Harbormaster's Office and Chairman shall prepare and send notice to members five days in advance. All meetings shall be posted with the City Clerk.

### **Section 2. Quorum**

A quorum shall consist of at least five (5) members of the Board for the transaction of business.

### **Section 3. Conduct of Meetings**

As set forth in the Code of Ordinances, the latest edition of Robert's Rules of Order shall be used as the procedural authority for the conduct of meetings. In cases of procedural uncertainty, all such questions shall be resolved by the Chairman in a manner that most affords all members of the public a fair opportunity to be heard. All decisions of the Chairman are subject to a majority vote of the Board.

### **Section 4. Voting**

Voting shall be conducted only on items included on the agenda of the meeting, except as allowed for reconsideration of a previous vote or by unanimous consent of those present. A motion shall be passed only by the affirmative vote of a majority of Board members present and voting, except as otherwise provided in these rules.

### **Section 5. Lateness Rule**

No agenda item shall be taken up after 11:00 PM. The lateness rule may be waived for just cause by consent of the majority of Board members present.

### **Section 6. Motions**

Every motion shall be reduced to writing by the Clerk, or other person designated by the Chairman.

### **Section 7. Order and Decorum**

The Chairman shall preserve decorum and decide all questions of order and procedure, subject to appeal to the Board. When a member is about to speak, he shall respectfully address the Chairman, confine himself to the question under debate, and avoid personalities. No member speaking shall be interrupted by another, but by a call to order or to correct a mistake.

### **Section 8. Public Participation**

Persons wishing to address the Board on an item which appears on the agenda shall wait until the Board considers such item. The Chairman may recognize a member of the public to speak to a particular question of the item under consideration. When a person is recognized by the Chair, he shall address the Board, shall state his name and address in an audible tone for the record, and shall limit his remarks to the question under discussion. All remarks and questions shall be addressed to the Board as a whole and not to any individual member thereof. No member of the public shall interrupt the person having the floor.

### **Section 9. Minutes**

The votes for and against the passage of a motion shall be taken and entered upon the record of the proceedings of the Board by the Clerk. Minutes of all regular and special meetings of the Board shall be kept by the Clerk and shall take effect upon acceptance by the Board. An amendment by the Board of the minutes of a previous meeting shall not affect a previous vote of the Board.

### **Section 10. Suspension of Rules**

These Rules of Procedure may be suspended from time-to-time by a majority vote of the Board.

## **Article II Waterways Board Rules of Procedure (con't)**

### **Section 11. Amendment**

These Rules of Procedure may be amended from time-to-time by a majority vote of the Board

### **Section 12, Public Hearings**

Substantial amendments to these Policies, Rules and Regulations shall require that the Board hold a public hearing prior to a vote to adopt.

### **Section 13. Public Hearing Procedure**

**(Wherever this Section refers to Chairman, it means Hearing Officer, or person conducting the Hearing)**

- Chairman call the Public Hearing to order.
- Chairman reads the Public Hearing Notice.
- Chairman explains the ground rules of the Hearing, and why the Hearing is being held.
- Proponents may make a 20 minute presentation
- Opponents may make a 20 minute presentation
- Comments shall be limited to 5 minutes for each person
- Each side may have a single 10 minute rebuttal
- No one may speak until recognized by the Chairman
- No personal attacks will be tolerated
- No decision will be made tonight

Chairman asks for an explanation or presentation by proponents of the matter under consideration. (20 minutes)

Chairman and Board members may ask questions of the proponents. (No opinions)

Chairman asks for any formal presentation or explanation by organized opponents of the matter. (20 minutes)

Chairman and Board members may ask questions of the opponents. (No opinions)

Chairman asks for comments by the public, either pro or con. (5 minutes each)

Chairman asks for a rebuttal by one of the proponents. (10 minutes)

Chairman asks for a rebuttal by one of the opponents. (10 minutes)

Chairman asks for a staff report, if any.

Chairman lists any communications regarding the matter (letters, FAX, etc.)

Chairman closes the Public Hearing or continues it to a future date if additional information is needed or there is not time to hear everyone.

Chairman states that an official written decision will be prepared after consideration of the application, testimony and any other available information. The decision can be expected within \_\_\_\_\_ days or weeks.

Chairman adjourns the meeting/Public Hearing.

## **Article III General Policies**

### **Section 1. Public Waterfront Facilities (Adopted 2/12/97)**

**A. Maximize Use** It is the policy of the Gloucester Waterways Board that the construction, renovation, or repair of City waterfront facilities shall maximize the usefulness in serving public needs as set forth in the 1993 Harbor Plan.

**B. Funding** It is the policy of the Gloucester Waterways Board that the construction or major renovation of City waterfront facilities be funded to the extent possible by grants or loans from outside sources in order to leverage and maximize the impact of the City's Waterways Enterprise Fund.

**C. Fees** It is the policy of the Gloucester Waterways Board that all fees charged at City waterfront facilities reflect the level of service provided by the facility.

### **Section 2. The Harbor Commission Line (Adopted 11/13/96)**

**A. Encroachments** Consistent with the Community Development Plan and the 1993 Harbor Plan, it is the Policy of the Gloucester Waterways Board that no piers, wharves, bulkheads, pilings, floats or other structures shall extend beyond the Harbor Commission Line. This policy shall guide the Board and Harbormaster in their evaluation of development proposals, projects, and permit applications.

**B. Alterations** Requests for alteration of the Harbor Commission Line shall be reviewed by each of the Board's standing committees, shall be presented at a public hearing, and shall be evaluated in a written report to the appropriate agency of the Commonwealth.

### **Section 3. Public Waters of the City (Adopted 7/14/98)**

**A. Shared Use** It is the policy of the Waterways Board to encourage shared use of all Gloucester's public waters by fisherman and other boaters, exclusive of the areas defined in Article VIII Section 1.A. Herein. The use of outer harbor mooring areas by lobsterman is permitted and encouraged. The Waterways Board urges all users of shared waters to respect the rights of others.

### **Section 4. Boat Excise Taxes (adopted 6/11/97)**

**A. Delinquent Boat Excise Taxes** No person whose name is on the list of delinquent boat excise taxpayers prepared by the Collector's office shall be permitted to use or occupy any public waterfront facility until such time as the excise tax and related interest and penalties are paid in full. Said facilities shall include, but not be limited to, public landings, all launch ramps, including the one at Dun Fudgin; public, transient moorings; and any parking area related to these facilities.

**B. Banning of Vessels from Gloucester Waters** It is the policy of the Waterways Board that the Harbormaster shall, upon receipt of a notice that excise tax on a vessel remains unpaid after the due date, refuse to allow the vessel to moor, dock or otherwise be situated within the waters of the City of Gloucester as authorized by M.G.L. Chapter 60B, Section 4.

**C. Responsibility of the Harbormaster** It shall be the responsibility of the Harbormaster, Assistant Harbormasters and other Harbormaster staff to implement the policies set forth above by prohibiting the use of public waterfront facilities by delinquent boat excise taxpayers, and by seeking out those vessels which have been refused access to Gloucester waters. In the event that a delinquent taxpayer ignores the order of the Harbormaster or an Assistant Harbormaster he shall be cited for failing to obey the order of a Harbormaster.

## **Article IV Mooring Regulations (Adopted 4/4/2001 & 5/2/2001)**

### **Section 1. General Policies**

**A. Habitual Use** It is the policy of the Gloucester Waterways Board that all moorings be utilized as fully as possible. Personal Mooring permittees must habitually use their mooring during the summer season, ***April 15 to October 15***, each year for the vessel on record with the Harbormaster. Transient mooring permittees must habitually use their mooring(s) during the summer season each year for transient vessels, or vessels under repair, by the permittee. For the purpose of these regulations, habitual use is defined as a minimum of thirty (30) days during the summer season. The Harbormaster must be notified in writing, as soon as possible, if a permittee does not intend to habitually use their mooring for the upcoming season and the reasons therefore. The period of nonuse of a mooring by a permittee shall not exceed one (1) permit-year. Failure to comply with the habitual use standard set forth above or allowing the habitual use of a mooring by a vessel not on record with the Harbormaster shall result in automatic revocation of the Mooring Permit.

**B. Payment of Excise Taxes** It is the policy of the Gloucester Waterways Board that failure to pay state vessel excise taxes shall be grounds to deny and/or revoke a mooring permit by the Harbormaster. *“ Failure to pay said excise by the due date shall result in a penalty being imposed which shall be equal to twenty dollars or twenty five percent of the amount of the excise due, whichever is greater. The penalty shall be in addition to the amount of excise due and any interest thereon imposed by law. If said excise remains unpaid after the due date, the Harbormaster of a city or town shall refuse to allow the vessel to moor, dock, or otherwise be situated within the waters of said city or town.” Massachusetts General Laws Chapter 60B. Section 2.*

**C. Consistency with Harbor Plan** All actions of the Waterways Board and Harbormaster resulting from these regulations shall be consistent with the current Harbor Plan.

**D. Multiple Moorings** Additional moorings will not be issued for the same registered vessel. An individual who currently has a permitted mooring may add their name to the Wait List for a mooring for the same vessel in another area; however, if/when they become eligible for a mooring in that area, they will be required to surrender the original mooring. This is not meant to prohibit a person from having multiple moorings, each with its designated permitted vessel.

### **Section 2. Mooring Permits**

**A. Requirement** *“No person shall establish a mooring within Gloucester waterways without first obtaining a permit from the Harbormaster to do so. Mooring permits shall be renewable each calendar year.”* Gloucester Code 10-51(b)

**B. Definition** For the purposes of the Regulations, the word “person”, used in Section 2.A. above. Shall include business, organization, or other legal entity.

**C. Application Process** *“Applications for new permits must be submitted on forms provided by the Harbormaster.”* Gloucester Code Section 10-51 (c)

A person assigned a mooring will have one (1) calendar year to place a vessel on the mooring. Provided, however, that a mooring fee, equivalent to the fee paid by the previous permittee, or based on declared vessel length on wait list, will be paid for the year regardless if there is a vessel to occupy the space.

**D. Mooring Fees** *“ The fee for each type of mooring shall be established by the City Council. Fees for Personal Moorings shall be charged by the length of vessel at the rate of six dollars (\$6.00) per foot for Gloucester residents and taxpayers and at the rate of eight dollars (\$8.00) per foot for nonresidents. The fee for Transient Moorings shall be two hundred dollars (\$200.00) each. There shall be no fee for Municipal Moorings licensed by the Waterways Board.”* Gloucester Code Section 10-51 (e)

## **Article IV Mooring Regulations (con't)**

**E. Vessel Length** *“For the purposes of determining the amount of the mooring fee, the length overall (LOA) of a vessel exclusive of bowsprits, main boom, and boomkins” shall be considered the vessel length. “For the purposes of mooring assignments, the length shall include bowsprits, main boom, and boomkins.”* Gloucester Code Section 10-50(j). For the purposes of these regulations the vessel length and length overall (LOA) shall be rounded up to the nearest foot.

**F. Vessel Ownership** To obtain a mooring a person shall own the vessel shown on the mooring application. The Harbormaster may require the following proof of ownership: a Certificate of Registration, Title or Documentation showing the applicants name; a sales tax receipt; current insurance policy or bill of sale showing the applicants name. The Harbormaster may, at any time, require a permittee to produce the ownership documents listed above if the Harbormaster has reason to believe that ownership is questionable. Only one person shall be listed on a mooring permit. The right of survivorship for a mooring shall be limited to that set forth in Section 6.D., herein.

**G. Application Information** No Mooring Permit or renewal may be issued until the applicant files the official application form with the Harbormaster, on time, completed in full, along with the appropriate fee. In addition, a State Registration, USCG Documentation or other proof of ownership, whichever is applicable (except in the case of Section 2.C.) will be required, along with proof of residence if applicable (see Section 6.C.).

**H. Timely Return** *“A completed renewal application by each mooring permit holder, including the renewal fee and proof of ownership (as provided in Section 2.G.), shall be returned to the Harbormaster’s office on or before the last business day in February of each year. After that time the mooring holder may renew the permit by filing a completed application, including the regular fee per foot, plus a late fee of \$50.00, prior to the last business day of May of that same year. Failure to do so will result in the mooring permit being revoked”* Gloucester Code Section 10-51 (f).

1.) Following the February renewal deadline, the Harbormaster shall by certified mail, to the applicant’s address of record, notify the permit holders that have not submitted a completed mooring permit renewal application by the February deadline.

2.) Following the May late renewal deadline, the Harbormaster shall by certified mail, to the applicant's address of record, notify the permit holder that the mooring permit has been revoked. All appeals of this action shall be directed to the Commonwealth of Massachusetts

**I. Approval** The Harbormaster shall approve or deny a properly completed application for renewal of a Mooring Permit within thirty (30) days of receipt at the Harbormaster’s Office. Mooring Permits are valid only for a period of one (1) year. All Mooring Permits expire on the last day of December of each calendar year.

**J. Amendment of Permit** If a permittee enters into a partnership, sells a vessel of record or purchases a new vessel, the Harbormaster must be notified immediately for an amendment to the Mooring Permit. The Harbormaster’s approval of the amendment must take place prior to attaching the new vessel to the mooring. In the case of an amendment to a Mooring Permit which changes the use, location, length, beam, size or mass of the vessel to be moored, the Harbormaster may grant temporary approval of the application pending final review by the Waterways Board. The Waterways Board shall review the Mooring Permit Amendment, consider the Harbormaster’s recommendation and may make a determination to hold a Public Hearing, based on the need to receive public input on particular questions of navigation or impact on the public use and enjoyment of the waterways. If a Public Hearing is not deemed to be necessary, the Board shall direct the Harbormaster to take appropriate action on the application. If the LOA, beam, or space requirements of the new vessel is different than that of the previous vessel of record the Harbormaster may require relocation of the mooring at the owners expense. If the LOA of the new vessel is greater than the prior vessel and the available space is not adequate, or if relocation space is not available or location swap with another mooring is not feasible, the Harbormaster may deny the request for an amended Mooring Permit.

**K. Finding** Within thirty (30) days of a Public Hearing on an application for a Mooring Permit Amendment, the Board shall make a written finding in support of, or in opposition to, the mooring application. The Board’s finding may include conditions, limitations and safeguards to protect the public interest. Said finding shall be forwarded to the Harbormaster who shall take final action on the application.

## **Article IV Mooring Regulations (con't)**

### **Section 3. Waiting Lists**

**A. Requirement** *“Applications for new permits shall be submitted on forms provided by the Harbormaster. Applicants shall be placed on waiting lists by location preferred, in order of their receipt.” “ The Harbormaster shall publicly post the waiting lists at the Harbormaster’s Office and shall file a copy of same with the City Clerk’s Office on April 30<sup>h</sup> of each year” Gloucester Code Section 10-51(c)*

**B. Transient Moorings and Trawl Moorings** The Harbormaster shall maintain separate waiting lists for Transient Moorings and Trawl Moorings.

**C. Application Information** A person wishing to have their name placed on up to five mooring areas’ lists must either present themselves to the Harbormaster’s office to complete the appropriate application or call to have an application faxed. Due to date and time stamp constraints mailed applications cannot be accepted. There is a \$10.00 renewal fee for each year after the initial application. It is the responsibility of the applicant to keep their contact information [and boat information if otherwise required herein] current each year until a mooring space becomes available. While there is no requirement for a wait list applicant to own a vessel, it is required that when the applicant reaches position number five (# 5) a vessel length must be declared. Declaration of vessel length is important because this will be used to determine the applicant’s eligibility for the space that has just become available. Wait list applicants in the top five (5) spots on a waiting list must notify the Harbormaster of their preferred method of being contacted in the event a space becomes available. Timely response when notified is required pursuant to Article IV Sec. 3 (e).

**D. Timely Return.** Renewal applications are mailed each year on October 1. It is the responsibility of the applicant to keep their contact information up to date and to follow up on their renewal applications each year at this time. Persons wishing to remain on the waiting list shall return this form, together with a renewal fee of \$10.00, on or before the last business of December of each year to the Harbormaster. Failure to timely file the renewal shall result in removal from the waiting list, provided however that an applicant may request reinstatement to his or her previous position on waiting lists by filing with the Harbormaster a request for reinstatement renewal form together with the \$10.00 renewal fee and a late fee of \$50.00, for a total of \$60.00, prior to the last business day of February of the following year. The final opportunity to appeal removal from the waiting list will be at the regularly scheduled meeting of the Waterways Board in April. A revised waiting list will be posted after the meeting so appeals will not be considered by the board after this time.

**E. Notification** When a space becomes available the first person on the wait list for that area will be notified by the Harbormaster via certified mail. Said person shall have twenty one (21) days to respond to the Harbormaster to determine if their vessel is suitable for the available space. The person will be given the opportunity to match their vessel size to the space or opt to be passed over. If the person fails to respond, or turns down the opportunity to install a mooring at the designated location, the Harbormaster shall proceed to the next person on the waiting list. Applicants wishing to be passed over may do so for as long as they chose and continue to renew their application and pay the renewal fee. This process shall be repeated until a proper sized vessel is found for the vacated mooring space. In some situations it may be necessary to review the mooring field to determine if rearranging moorings might prove to better serve the mooring needs. A person assigned a mooring will have one (1) calendar year to place a vessel on the mooring. Provided, however, that a mooring fee, based on the declared length on the wait list, will be paid for the year regardless if there is a vessel to occupy the space.

**F. Transfer of position on waiting list.** Upon presentation of a death certificate, the harbormaster may transfer an applicant’s position on the waiting list to a member of the applicant’s immediate family. An immediate family member shall be defined and limited to the applicant’s parents, spouse or children. The position shall be transferred by right of survivorship.

## Article IV Mooring Regulations (con't)

### Section 4. Identification of Moorings and Permitted Vessels

**A. Mooring Buoys** All personal moorings shall be a white buoy with a blue horizontal band not less than two (2) inches wide. Personal mooring buoys shall be not less than twelve (12) inches in diameter. All transient Moorings shall be an orange buoy, not less than twenty four (24) inches in diameter, and marked with a six (6) inch black reflective "T". All Municipal Moorings shall be an orange buoy, not less than twenty four (24) inches in diameter, and marked with a six (6) inch black reflective "GT". All mooring buoys shall be marked and numbered as set forth below. All winter logs shall be removed and moorings buoys in place by May 30<sup>th</sup> each year.

**B. Identification Numbers** The Harbormaster shall assign an identification number to every mooring in Gloucester's waterways, upon issuance of a permit. Personal Moorings shall be assigned Arabic numerals. Transient Moorings shall be assigned the letter "T" with Arabic numerals and Municipal Moorings shall be assigned the letters "GT" with Arabic numerals. In addition, each identification number shall include the LOA of the permitted vessel in the case of a Personal Mooring and the maximum LOA allowed for any Transient or Municipal Mooring. Every permittee shall paint or affix their assigned identification number on the mooring buoy by May 30 of every year, in the manner shown below. All identification numbers shall be no less than three (3) inches in height and shall include a hyphen before the LOA numbers. All numbers shall be black and legible. All winter logs shall be marked with the permit number. Any mooring that is without the identification numbers, poorly maintained, improperly numbered or illegible as set forth herein shall receive an assessment fee of \$50.00 dollars, as per Gloucester City Ordinance 10-51(i) 1., and may be removed by the Harbormaster at the owner's expense.

#### *Examples of buoy numbering:*

**Personal Mooring #79**  
for a 23' vessel



**White Buoy with blue stripe**

**Transient Mooring T 6**  
for a vessel up to 40'



**Orange Buoy**

**Municipal Mooring GT 17**  
for a vessel up to 35'



**Orange Buoy**

**C. Identification Stickers** The Harbormaster shall provide every permittee with a mooring identification sticker which shall bear the mooring number of the permitted vessel. This sticker shall be attached to the outside of the hull of the permitted vessel, on the starboard transom. Stickers shall not be altered or obscured. All vessels not properly displaying the sticker shall be assessed an additional fee of \$50.00 as per Gloucester City Ordinance 10-51(i) 2.

## **Article IV Mooring Regulations (con't)**

### **Section 5. Mooring Installation and Maintenance Standards**

**A. Requirement** *“All moorings shall be placed under the direction of the Harbormaster and are subject to inspection by the Harbormaster prior to their initial placement and at intervals of three (3) years.”*  
Gloucester Code Section 10-51(a)

**B. Inspection of Moorings** At the time of placement, all moorings shall be consistent with standards set forth herein. At each inspection older moorings shall be altered or replaced in order to be consistent with said standards. The expense of hauling and resetting a mooring along with any repairs or replacement of gear required by these Regulations shall be borne by the permittee.

If the Harbormaster cannot be present at a mooring inspection he may require a written report by the permittee or an independent contractor who was present at the hauling, performed an inspection and made repairs to bring the mooring up to standards set forth herein. Said written report shall be submitted to the Harbormaster within seven (7) days of the hauling and inspection, shall be signed by the contractor and include date and time of inspection, persons present, description of mooring ground tackle and buoy, and any inconsistency with the standards set forth herein.

In certain cases the Harbormaster may allow underwater inspections of mooring gear by a qualified, independent diver. Approval of this type of inspection shall require a written report of the inspection, similar to that listed above, submitted by the diver within seven (7) days of the inspection.

**C Installation Standards** All moorings within Gloucester’s waterways shall maintain the following standards. The standards set forth herein are **minimum standards for normal weather conditions**. It is the responsibility of the permit holder to provide proper and sufficient mooring knowing the probability of **stronger winds, extreme tides or other severe weather conditions**. The Harbormaster reserves the right to require stronger mooring due to vessel characteristics and/or variables of local mooring areas.

**D. Identification** All Mooring buoys shall be marked as outlined in Article IV Section 4 A., B. & C. Improperly marked buoys shall be subject to an assessment fee of \$50.00.

**E. Disclaimer/Indemnification** Anyone who moors in the Waterways of Gloucester does so at their own risk. The City of Gloucester, the Waterways Board and the Harbormaster are not responsible for any damage or injury caused by mooring failures or the public use of the Waterways.

**F. Mooring areas by exposure** The Mooring areas of the City of Gloucester are divided into the following categories as defined by exposure to the weather.

- 1. Protected** Pirates Cove, Smith Cove, Lobster Cove, Annisquam River Areas A & B.
  - a. Annisquam River A is bow and stern mooring only
- 2. Semi Protected** Little River, Jones Creek, Mill River, Annisquam River Area C, D & E.
- 3. Exposed Area 1** Freshwater Cove, Oak Cove, Inner Harbor, Hodgkins Outer & Inner, Lanes Cove, Diamond Cove, Lighthouse Beach, Cambridge Beach, Lighthouse Cove (Raymond’s Beach), Salt Island, Essex Bay,
- 4. Exposed Area 2** Wonson Cove, Ten Pound Island, South East Harbor, Eastern Point Yacht Club.

## Article IV Mooring Regulations (con't)

### G. Specifications for minimum mooring standards

Exposed Areas 1&2					Protected/Semi Protected Areas				
Boat Length	Mooring Weight	Bottom Chain	Top Chain	Pennant	Boat Length	Mooring Weight	Bottom Chain	Top Chain	Pennant
0-17'	1000	3/8	3/8	1/2	0-17'	500	3/8	3/8	1/2
18-26'	1500	1/2	3/8	1/2	18-26'	1000	1/2	3/8	1/2
27-35'	3000	1/2	3/8	3/4	27-35'	2000	1/2	3/8	3/4
36-42'	4000	3/4	1/2	(two) 3/4	36-42'	4000	3/4	1/2	(two) 3/4
42-52'	6000	3/4	1/2	(two) 3/4	42-52'	6000	3/4	1/2	(two) 3/4
52' and over - As specified by the Harbormaster					52' and over - As specified by the Harbormaster				

**Mooring Weight** is based on the dry

weight of concrete.

Mushroom anchors will not be allowed except as noted below in G. 2.

- 1. Alternative mooring weight** Alternative mooring weight concepts such as a screw type or pyramid system (i.e. Helix or Dor-Mor) may be allowed with the Harbormaster's written permission.
- 2. Variations from Minimum Standards** The Harbormaster may require or permit variations to these minimum standards. Such variations shall require a written explanation to be included in the permittee's file.

**H. Responsibility** It is the permittee's responsibility to ensure that the mooring equipment, scope, chocks and cleats of the permitted vessel be in safe and serviceable condition.

**I. Environmentally sensitive areas** The Harbormaster may require alternate mooring specifications for areas that have been designated as environmentally sensitive.

**J. Mooring Areas** The Harbormaster, in conjunction with the Waterways Board, may require the relocation of permitted moorings for the purpose of maximizing the available mooring areas and public access in Gloucester waters. Size, draft and type groupings, grid patterns and shared floats are some examples that may be considered in the future. It will be the responsibility of the permit holder to bear the cost of relocation in the event of any reconfiguration of a mooring area.

## Article IV Mooring Regulations (con't)

### Section 6. Personal Moorings

- A. **“Personal Moorings** *(are) for the sole use by the single vessel of an individual and his or her immediate family”*. Gloucester Code Section 10-51(d)
- B. **Fees** *“Fees for Personal Moorings shall be charged by the length of the vessel at the rate of six dollars (\$6.00) per foot for Gloucester residents and taxpayers and at the rate of eight dollars (\$8.00) per foot for nonresidents.”* Gloucester Code Section 10-51(e)
- C. **Definition of “Resident” and “Taxpayer”** For the purposes of these regulations, the term “resident” shall include any applicant who can provide, to the Harbormaster, proof of any of the following: payment of real estate taxes or water fees to the City of Gloucester in the preceding year; registration as a voter in Gloucester; inclusion in the current “List of Residents” prepared by the Board of Registrars of Voters; twelve (12) months of rent receipts and canceled rent checks for the preceding year for a rental dwelling unit in Gloucester, driver’s license or utility bills (ie... electric, gas, phone). For the purposes of these regulations the term “taxpayer” shall include any individual who has paid real estate taxes to the City of Gloucester in the preceding year.
- D. **Rental of Moorings** No personal mooring shall be rented. Failure to comply with this regulation shall result in automatic revocation of the Mooring Permit.
- E. **Use of Moorings** No Personal Mooring shall be transferred, swapped, or temporarily reassigned except as set forth below:
1. A Personal Mooring Permit may be amended by the Harbormaster to allow transfer to a member of the permittee’s immediate family. For the purposes of these regulations, immediate family shall be defined and limited to the permittee’s parents, spouse or children.
  2. Personal Mooring locations may be swapped between two or more permittees with the written permission of the Harbormaster. A swap of mooring locations may only occur when the vessels being relocated match in LOA. If the vessels proposed to be swapped are dissimilar in size and characteristics this requires an amendment to the permit and section 2. J. will be applied.
  3. In order to promote Gloucester as a welcoming port, and to facilitate the further enjoyment of Gloucester waters by local boaters, a permittee may allow a vessel, no greater in LOA than the permitted vessel of record, to moor at his/her Personal Mooring for a period not to exceed forty-eight (48) hours. A longer period may be allowed with notification of, and written permission from, the Harbormaster. In some instances a temporary reassignment may be considered for a particular boating season. In this case preference will be given to vessel owners who are known by the permittee and are currently on the waiting list for a mooring. As stated in Section 1. General Policies, A. Habitual Use; this period shall not exceed one (1) permit-year. Repeat requests by the same permittee will be cause for the WWB to reevaluate the need of the permittee for the mooring space.
  4. Dockmasters of the Eastern Point and Annisquam Yacht Clubs, and other organizations approved by the Waterways Board may, under the general supervision of the Harbormaster, assign visiting vessels to the Personal Mooring of their members provided that they provide assistance to all visiting boaters irrespective of yacht club membership and that no transient mooring fee is charged. The yacht clubs may however, charge reasonable fees for launch services and the use of other facilities such as showers and laundries.

**Sale of Moored Vessel** When a vessel of record on a mooring permit is sold or transferred to another party, the new owner or party in charge of the vessel shall have neither access rights to nor use of the mooring.

## **Article IV Mooring Regulations (con't)**

### **Section 7. Transient Moorings**

**A. Definition** *“Transient Moorings may be used by waterfront businesses or yacht clubs for transient vessels. It is intended that the number of Transient Moorings be limited, especially in the Inner Harbor and smaller coves. The Harbormaster may limit the size of vessels which may be tied to Transient Moorings to protect adjacent vessels.”* Gloucester Code 10-51(d)

**B. Fees** *“The fee for Transient Moorings shall be two hundred (\$200.00) dollars each.”* Gloucester Code Section 10-51(e)

**C. Definition of “Transient Vessels”** For the purposes of these regulations, the term “Transient Vessels” shall include commercial or recreational vessels visiting areas of Gloucester for up to fourteen (14) days. This includes vessels under or awaiting repair or service at a boat yard, marina, or other service facility. The Harbormaster may consider extending the use not to exceed thirty (30) days in a boating season on a case by case basis.

#### **D. Application Process**

Applicants for Transient Moorings must present themselves to the Harbormaster’s office to complete the appropriate application. Applicants for a Transient Mooring(s) shall submit a written statement that explains the specific need for the Transient Mooring(s), describes the impact on existing moorings, and explains why the public interest is better served by granting a Transient Mooring than assigning the available space to an individual on a waiting list. The applicant shall also provide the following information regarding the use and management of the Transient Mooring(s): fees to be charged; a list of services included in the fee, such as launch service, and services for which an additional fee will be charged; reservation process and schedule of availability; and expected number of days the mooring will be in use for the year. Also to be included will be a list of the types of services provided by the business that may be of use to commercial or recreational vessels.

**E. Review and Approval** Upon initial receipt of any completed Transient Mooring application, the Harbormaster shall refer the application to the Waterways Board for review and approval, along with his/her recommendations. In its review of the application, the Waterways Board, must be satisfied that the proposed Transient Mooring is in the public interest and will not interfere with adjacent moorings. The Board may impose conditions, limitations and safeguards on any Transient Mooring. Upon approval by the Board, the Harbormaster shall issue the Transient Mooring permit. Once a Transient Mooring has been reviewed and approved by the Waterways Board, subsequent renewals may be approved by the Harbormaster, provided that the circumstances of the mooring and applicant have not materially changed. The Waterways Board shall, every five (5) years or sooner, review the usage and benefits of any permitted transient moorings to determine if the public’s best interests continue to be served by the re-issuance of these transient mooring permits.

**F. Use of Transient Moorings** Transient Moorings shall be managed and assigned only by the permittee. No Transient Mooring shall be transferred, operated, swapped or rented in a manner inconsistent with, or in violation of, the permittee’s application and permit for said mooring. Transient moorings are intended to be used by transient vessels who wish to moor for up to fourteen (14) days. This applies to the single vessel within one boating season. A longer period, not to exceed thirty (30) days, may be allowed as stated above in paragraph C. Permittees wishing to have an extension of use must receive the Harbormasters permission in writing. Violations of these provisions shall be subject to an assessment of \$50.00, as per Gloucester City Ordinance 10-51(i) 3. or may result in revocation of the mooring permit.

## **Article IV Mooring Regulations (con't)**

### **Section 8. Municipal Moorings**

**A. Definition** A mooring “*which may be approved by the Waterways Board for public purposes.*”  
Gloucester Code Section 10-51(d)

It is intended that Municipal Moorings be owned by the City and operated by the Harbormaster for vessels in distress, as moorings of refuge in emergency situations, or for other public purpose approved by the Waterways Board. It is the intention of the Waterways Board to provide at least one (1) Municipal Mooring in each of the larger coves and harbors.

**B. Fees** The City shall not be required to pay fees for Municipal Moorings

### **Section 9. Use of Moorings**

**A. Movement of Moorings** No mooring shall be moved from its assigned location without the written permission of the Harbormaster. If the Harbormaster determines that moorings are too close together for safe operation, the permittee with the least seniority will be required to move his/her mooring by order of the Harbormaster. However, if it can be proven to the Harbormaster’s satisfaction that the adjacent mooring dragged or otherwise moved to create the congestion, the adjacent permittee shall be required to relocate his/her mooring by order of the Harbormaster.

**B. Emergency and Unforeseen Conditions** The Harbormaster shall have the authority to act in response to sudden conditions and/or events which may require the temporary movement or removal of permitted vessels and/or moorings. Said authority shall not be limited to unforeseen events such as extreme weather, hazardous materials incidents, and emergency repairs to underwater cables or pipes. The Chairman and/or Vice-Chairman of the Waterways Board may be consulted prior to the declaration of emergency and permittees shall be given 24 hours notice if possible. In the event that permittees cannot be contacted or fail to remove their vessels or moorings as directed by the Harbormaster, the Harbormaster shall have the authority to move said vessels and moorings at the permittees expense.

**C. Rafting of Vessels** The temporary, short-term rafting of vessels on moorings is permitted under the following conditions:

- (1) The moored vessel in the raft must be the vessel of record for the subject mooring or must be assigned to that mooring by the Harbormaster or an authorized yacht club dockmaster;
- (2) The rafted vessels must be organized to safely and evenly distribute the load of the raft on the mooring gear.
- (3) At least one (1) qualified operator must remain on board each rafted vessel at all times so that the raft can be dispersed in an emergency; and
- (4) Rafts must be dispersed when the sustained winds exceeds twenty (20) knots, when the safety of neighboring vessels is threatened or when directed by the Harbormaster or authorized yacht club dockmaster.

**D. Shared Mooring Floats** The Gloucester Waterways Board, in an effort to conserve mooring space, will consider the installation of shared mooring floats for use by more than one vessel on a case by case basis. In all cases the permitted vessel (s) being attached to such a float shall be either permitted in, or taken from the top of the waiting list for, the particular mooring field where the original, or newly created, mooring is set. The location of the mooring float may require the use of bow and stern moorings. Applications for a shared mooring float shall be presented to the Board and include a scale drawing of the float detailing its appropriate length for the proposed vessels, sturdy construction, through-bolted cleats for the vessels and the attachments to properly sized ground tackle suitable to the Harbormaster. Shared mooring floats shall not threaten or interfere with any other permitted mooring. Each vessel on a Shared Mooring Float shall pay the standard mooring fee set forth by City Ordinance.

Shared Mooring Floats are intended to be used strictly for the tying up of permitted vessels. No storage of any personal property including, but not limited to, traps, gear, or picnic equipment shall be allowed on Shared Mooring Floats.

## **Article IV Mooring Regulations (con't)**

**E. Mooring Trawls** The Gloucester Waterways Board, in an effort to conserve mooring space, advocates the installation of Mooring Trawls by waterfront organizations approved by the Waterways Board. A Mooring Trawl is a line of mooring buoys attached to properly sized common moorings for use by vessels of similar size and characteristics. An application for a Mooring Trawl shall be made by the sponsoring waterfront organization and shall include a scale drawing of the Trawl, its ground tackle and size and type of vessel the trawl is designed for. Said Trawls shall not threaten or interfere with any other permitted mooring. The Waterways Board's approval of mooring Trawls may include conditions, limitations, safeguards and location.

The owner of each vessel tied to a Mooring Trawl shall be required to have a Mooring Permit as set forth in Section 2, herein, and shall be required to pay the normal mooring fee for said vessel. The Waterways Board shall, every five (5) years or sooner, review the usage and benefits of any permitted Mooring Trawls to determine if the public's best interests continue to be served by the re-issuance of these Mooring Trawl permits.

**F. Moorings on Private Tidelands** No Mooring Permit may authorize the placement of a mooring on private tidelands if objected to by the owner(s) thereof. Mud Flat Moorings may be issued to waterfront property owners.

Moorings will be positioned at the Harbormaster's discretion to insure that the mooring and vessel are out of the navigable water during low tide. When issuing a Mud Flat Mooring the Harbormaster shall confer with the Shellfish Warden and the Conservation Commission.

**G. Restricted Areas** No Mooring Permit may authorize the placement of a mooring in any navigational channel, turning basin or other restricted area formally designated by the Waterways Board or by Federal or State agencies.

No Mooring Permit may authorize interference with the public's rights of fishing, fowling and navigating on tidelands.

**H. Stray Vessels** Any Permitted vessel which is (1.) Sunken or likely to sink; (2.) Aground or awash; (3.) Adrift and likely to damage piers, wharfs, floats or other vessels; (4.) A hazard or menace to navigation; or (5.) Secured to a mooring without proper authorization, is hereby declared to be a public nuisance and shall be considered a stray vessel. Failure of a permittee to remove or secure a stray vessel, as directed by the Harbormaster, shall result in revocation of the Mooring Permit.

### **Section 10. Designated Mooring Areas**

**A. Authorized Areas** The Harbormaster will issue permits for moorings in areas determined to be practical from a safety, accessibility and environmental perspective. Safety issues will be considered in locations that are areas unprotected from strong winds and/or long fetch and where moorings may encroach or inhibit normal marine traffic use and usual fishing practices. Accessibility will be judged by consideration of landing facilities nearby and/or useable by the permittee. Modification by the above guide will be possible with approval of the Gloucester Waterways Board. The following vicinities are designated as Authorized Mooring Areas without identified restrictions;

**Freshwater Cove   Wonson Cove   Oak Cove   Lighthouse Cove (Raymond's Beach)**

**Ten Pound Island   Pirates Cove   Smith Cove   Inner Harbor**

**Little River   Jones Creek   Mill River   Lobster Cove   Goose Cove   Hodgkins Outer   Lanes Cove**

**Cambridge Beach   Lighthouse Beach   Diamond Cove**

The following area is designated as an Authorized Mooring Area for vessels twenty (20) feet or greater in length and/or have a self-bailing cockpit;

**South East Harbor**

## Article IV Mooring Regulations (con't)

The following area is designated an Authorized Mooring Area for vessels no greater in length than twenty (20) feet;

### **Hodgkins Inner**

The following areas are designated as Authorized Mooring Areas with specific boundaries;

### **Annisquam River**

- Area A** Entrance to Little River north to the 128 Bridge
- Area B** 128 Bridge north to Nun Buoy "28" off of Riverview
- Area C** Riverview north to Thurston Point
- Area D** Thurston Point north to Nun Buoy "14" off of Wingaersheek Beach
- Area E** Nun Buoy "14" north to Babson Point Wingaersheek Beach

**B. Limited Access Areas** There are several areas that have been identified as "Limited Access Areas" due to their exposed locations and lack of adequate public access facilities within safe travel distance. Additional moorings will only be issued to people who have safe access from an existing ramp, float, dock or private beach. Such as:

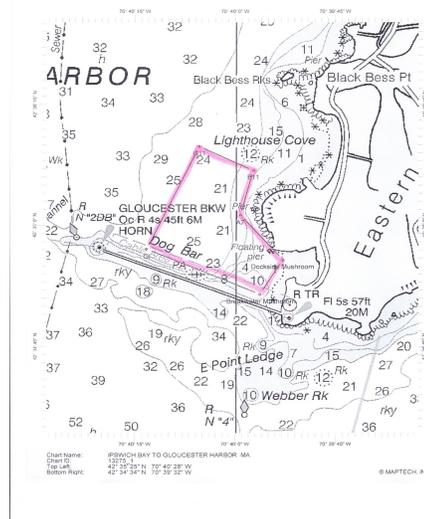
### **Salt Island Essex Bay**

The reason for identifying these areas as limited access is solely based on safety. Traveling any distance by a small dinghy to these exposed areas would create a hazardous voyage. These areas are limited to those property owners that have immediate access. The Waterways Board shall, every five (5) years or sooner, review each of the areas listed as a Limited Access Area to determine if the public's best interests continue to be served by this designation.

### **C. Eastern Point Yacht Club**

The use of moorings in this area [area shown on Exhibit referenced herein] shall be limited to members of the Eastern Point Yacht Club. The assignment of moorings in this area and maintenance of any waiting list shall be done by the Harbor Master. Eastern Point Yacht Club shall be responsible for the physical maintenance of the moorings. The reason for identifying this area as a limited access area is two-fold: (1) access to this area other than from the yacht club often is a hazardous voyage in a dinghy; (2) the yacht club has exclusively used this area since at least 1954, provides a valuable public service of providing transient boaters to use open moorings on non-discriminating basis, and provides a junior sailing program and other sail programs for Gloucester youth. The maintenance of this area, as a limited access area, is conditioned upon the Eastern Point Yacht Club continuing to provide reasonable access to transient boaters, without discrimination, to open moorings, subject to such boater's compliance to reasonable regulations, safety, availability, and notice. Five moorings in this field will be designated transient moorings.

Mooring ID <b>G1-</b>	42-34.951	70-40.221
Mooring ID <b>G11-</b>	42-35.163	70-40.091
Mooring ID <b>B11 -</b>	42-35.114	70-39.955
Mooring ID <b>A7-</b>	42-35.021	70-39.988
<b>Dockside Mushroom</b>	42-34.930	70-39.882
<b>Breakwater Mushroom</b>	42-34.858	70-39.936



## **Section 11. Designated Anchorage Areas**

### **A. Purpose**

To provide transient vessels with safe and welcome waterways within the City of Gloucester (Gloucester Waterways) while simultaneously prohibiting the establishment of unauthorized and illegal moorings. To see that no anchored vessel interferes with the safe and orderly navigation of vessels in and around Gloucester Waterways.

### **B. Authorized Areas**

The City of Gloucester Waterways Board has designated certain and specific areas for the anchorage of vessels in order for boaters to safely enjoy Gloucester Waterways.

The following anchorage's are designated for use by vessels anchoring overnight:

1. Federal Anchorage Area, Gloucester Inner Harbor, at *NOAA Chart 13281*;
2. South East Harbor, bounded by Ten Pound Island and Dog Bar Breakwater; and
3. Western Harbor, vicinity of stage Head, west of sewer outfall pipe at *NOAA Chart 13281* .

### **C. Prohibited Areas**

Anchoring in the following areas is prohibited:

1. All federally designated channels as defined at *NOAA Chart 13281*; and
2. All designated mooring areas as defined at *Article IV Mooring Regulations, Section 10*.

### **D. Special Situations**

Under special situations and as consistent with the purposes of these *Regulations*, the Harbormaster may authorize additional areas for anchoring not already established pursuant to *Paragraph B* of these *Regulations*.

Transient vessels, when anchoring near designated public or private swimming areas, shall comply with the laws of the Commonwealth of Massachusetts and *City of Gloucester Ordinances* as to vessel operation.

### **E. Transient Vessel**

The Gloucester Waterways regulations seek to promote tourism and development of Gloucester Harbor as a welcoming port to transient vessels which are travelling from port to port as well as encourage locally-based vessels to anchor in the public anchorage and utilize onshore/downtown facilities and to regulate the use of moorings.

### **F. Use of Anchorage**

No person shall anchor a vessel in Gloucester waterways if in the opinion of the Harbormaster such anchoring has created an unsafe, unauthorized and/or illegal mooring. If such a mooring has been established, the owner and/or operator of said vessel shall be notified by the Harbormaster to cease and desist the violation. The Harbormaster may further order the vessel to be removed. Failure to comply with said order shall constitute a violation of the *City of Gloucester Ordinance; Section 10-51* and shall be subject to a penalty pursuant to *Section 10-51*. Each day the vessel remains anchored in violation of said *Ordinance* shall constitute a separate violation.

An illegal mooring is defined as 1) an unpermitted mooring or 2) ground tackle including an anchor and chain which is used to temporarily secure a vessel for a period of more than 30 days in a calendar year in the Gloucester waterways, except that, vessels secured by ground tackle which are travelling or cruising from one port to another port and are transient vessels shall not be viewed as creating illegal moorings.

**Page Intentionally Left Blank**

## **Article V Public Landings with Launch Ramps**

### **Section 1. Definitions**

"Gloucester Code Sec. 10-50. Definitions. (c) Public landing: *Any area including uplands, ramps, floats, wharfs, piers, parking areas and water that has been set aside by the city for the landing of vessels to discharge or take on passengers or supplies, or for the launching of vessels, and for public access and recreation as set forth in M.G.L.A. c. 88, § 14;*"

#### **A. The City of Gloucester has three types of Public Landing Launch Ramps**

- 1) A launch ramp constructed by the Department of Fish and Game Public Access Board (i) and capable of supporting the launching of trailered vessels. These are; DunFudgin, Stone Pier, Corliss and Lane's Cove
- 2) A launch ramp not constructed by the Department of Fish and Game Public Access Board that offers difficult access for the launching of trailered vessels. These are; County Landing, Freshwater Cove, Kettle Cove, Stanwood Point, Lobster Cove and Hodgins Cove
- 3) A launch ramp that is suitable for hand carried launching only, i.e. kayaks, canoes or small skiffs. Examples of this type of launch ramp are; Brown's Mill and Kent Cove

### **Section 2. General Policies and Use**

**A.** All Public Landing Launch Ramps within the boundaries of the City of Gloucester are subject to the rules and regulations governing Public Landings in Article VI of these Policies, Rules and Regulations.

**B.** Launch ramps that have been constructed by the Department of Fish and Game Public Access Board are additionally governed by the Public Access Board rules and regulations which are posted at each location. All persons using these ramps must abide by these posted regulations and those referenced above.

**C Fees** All Public Launch ramps, with the exception of Dun Fudgin, are open to the public with no fee.

- 1) The fees for launching vessels at the Dun Fudgin Public Access ramp shall be as follows: (*Section 10-53 Gloucester Code*)  
Daily fee for all users except commercial boat haulers, per vessel launched . . . \$5.00  
Season pass for any vessel up to and including 18' in length, per season . . . \$35.00  
Season pass for any vessel more than 18' in length, per season . . . \$50.00

Daily fee for commercial boat haulers, per vessel launched . . . \$35.00  
Season pass for commercial boat haulers, per season . . . \$350.00

- 2) Failure to pay fee as posted shall result in the issuance of a violation as specified in Gloucester Code Sec. 10-21 and Sec. 1-15.

### **Section 3. Prohibited Activities**

**A** No person shall, in the vicinity of any Public Launch Ramp:

- 1) deposit or leave waste, refuse or sanitary waste;
- 2) clean hulls, flush engines and equipment;
- 3) exhibit disorderly conduct, gamble, drink alcoholic beverages or use illegal drugs;
- 4) dock or beach a boat or leave a motor vehicle or trailer for more than 24 hours within the boundary of the City of Gloucester Public Landing Launch Ramp. The storage of boats, equipment or other items is prohibited in these areas, except with the permission of Harbormaster.

**B** Limited hours of operation at Stone Pier and Long Warf

- 1) Gloucester Code 10-52 (f) *Restrictions on hours.*

*“ Stone Pier and Long Wharf shall be closed to prohibit all activities between the hours of 10:00 p.m. and 4:00 a.m.”*

## Section 4. Management Policies

- A All public landings with launch ramps shall be managed in accordance with the provisions outlined in Article VI Section 1 of these Policies, Rules and Regulations as granted by the following City of Gloucester Code of Ordinances:

Sec. 10-3. Authority and responsibilities.

*“ The Gloucester Waterways Board is hereby empowered, and authorized to:*

- (b) Establish policies, rules and regulations for the use of Gloucester's waterways and waterfront facilities, including but not limited to, mooring areas, public launch ramps, public landings, and city owned commercial marinas;*
- (c) Recommend to the city council fee schedules for moorings, launch ramps, slips at city owned commercial marinas, and other waterfront public facilities and a schedule of fines for violations of waterways rules and regulations;*
- (d) Oversee the operation and maintenance of all public launch ramps and related facilities, the city owned commercial marinas, and public landings, floats or access ramps;”*

Sec. 10-22. Responsibilities.

The harbormaster shall be responsible for the following tasks unless otherwise assigned by the mayor;

*“ (i) Operate and manage the maintenance of all public launch ramps, public landings, city owned commercial marinas and other public waterways facilities owned by the City of Gloucester ”*

**(i) Department of Fish and Game Public Access Board** *“The Department, in conjunction with the Board, acquires property and easements for the purpose of providing access and through the Office of Fishing and Boating Access (FBA) designs, constructs, manages, and improves facilities statewide. Boat launching facilities are managed by staff from the Division of Fisheries & Wildlife, the Department of Conservation and Recreation, and municipalities”.*

## Article VI Public Landings

### Section 1. Management Policies

- A. Facilities and Equipment at Public Landings** It shall be the policy of the Waterways Board that all facilities and equipment at Public Landings will be periodically inspected and evaluated by the Public Facilities Committee with the assistance of the Harbormaster. The Committee shall maintain a list of recommended improvements and additions to said facilities and equipment for each Public Landing.
- B. Donations of Facilities and Equipment** Offers to donate facilities and equipment at Public Landings shall be referred to the Public Facilities Committee for review and evaluation with respect to its list of recommended improvements. The Committee shall determine if the donation is in the public interest and is consistent with the intent of Public Landings generally and the setting and use of the specific landing in question.
- C. Memorials** Memorial plaques, engraved benches or other personalized memorials shall not be allowed.

### Section 2. General Use

- A. General Use** The uses of public landings are defined by the following;

#### **Gloucester Code Sec. 10-52. Use of public landings**

*“(a) General use. All public landings, along with the ramps and floats attached thereto, shall be used primarily for the landing of people from vessels, the docking of vessels while people are alighting or boarding, and by persons tying their vessel thereto while making purchases ashore. Public landings shall also provide public access for passive recreational activities. Where public landings have no floats, vessels may be pulled up on shore for the purposes set forth above. Parking areas at public landings shall be for the exclusive use of landing users unless otherwise designated by the waterways board.”*

*“(b) Tie-up period. No owner nor anyone else in charge of or operating a vessel of any description, shall use the head of any float moored or attached to any public landing for any greater period of time than ordinarily and reasonable required to load or unload the passengers or occupants of any such vessel, together with whatever merchandise might accompany or be in the possession of the persons or passengers alighting therefrom. In no case shall any vessel be tied to the head of a public landing float for more than thirty (30) minutes except by permission of the harbormaster. However, dinghies, tenders and other auxiliary vessels less than twelve (12) feet in length, used by mooring holders or transient boaters, may be tied up at the sides of undedicated floats at public landings for up to four (4) hours while the owners thereof are purchasing goods and services. No such auxiliary vessel shall block the head of a float or interfere with permitted activities.  
The harbormaster may permit the seasonal tie-up of dinghies, tenders or other auxiliary vessels less than twelve (12) feet in length at portions of any public landing so designated by the waterways board, provided that the fee set forth below has been paid. Such permitted vessel shall be marked by an official sticker on their transoms.”*

### Section 3. Prohibited Activities

A. The following are prohibited activities

(1) As defined by **Gloucester Code Sec. 10-52. Use of public landings**

*“(c) Conducting business or soliciting. It shall be unlawful for any person to conduct any business, including vending on or from a public landing. The sale of tickets or the solicitation of passengers in any other manner for boat or fishing trips from any public landing is prohibited. However, any person operating a harbor sail, ferry, excursion vessel, vessel livery or party fishing vessel but maintaining a wharf headquarters or principal place of business elsewhere, may use a public landing as a point of call and may discharge or take on passengers. The vessels engaged in such ventures shall not lay at any float at a public landing longer than shall be ordinarily and reasonable necessary for their occupants, passengers or customers to board or alight therefrom, and shall not block or otherwise interfere with other permitted activities.”*

*“(d) Other prohibited activities. No person shall clean fish, or leave ropes, lobster pots, barrels, rocks, bricks, boards or any other material on any public landing, or launching ramps, floats or piers thereof, for longer than is reasonable necessary in the act of loading or unloading the same onto or from vessels, unless authorized by the harbormaster. No person shall load or unload lobster pots, bait, or other gear on or from any public landing, or floats, wharfs or piers thereof, except those designated by the waterways board. No vessels, vehicles or trailers may be stored on any public landing.”*

*“(e) Encroachment. No person shall encroach upon a public landing in any way.”*

(2) The Waterways Board prohibits bottom scrubbing and painting at all public landings and ramps.

**B. Designated Areas.** The Waterways Board hereby designates all public landings for the loading or unloading of lobster pots, bait, or other gear.

### Section 4. Seasonal Tie-ups of Dinghies and Auxiliary Vessels

**A. Authority** *“The Harbormaster may permit the seasonal tie-up of dinghies, tenders or other auxiliary vessels less than twelve (12) feet in length at portions of any Public Landing so designated by the Waterways Board, provided that the fee set forth below has been paid. Such permitted vessels shall be marked by an official sticker on their transoms.” Gloucester Code Section 10-52(b)*

**B. Fees** *“The annual fee for the annual tie-up of dinghies, tenders or other auxiliary vessels less than twelve (12) feet in length shall be fifty (\$50.00) dollars.” Gloucester Code Section 10-52(f)*

**C. Designated Areas** The Waterways Board hereby designates the following areas for the seasonal tie-up of dinghies, tenders or other auxiliary vessels less than twelve (12) feet in length:

<b>Cripple Cove Landing:</b>	The land ward side of the four southerly floats
<b>Magnolia Pier:</b>	Both sides of the pier and the pier side of the float
<b>Lobster Cove Landing at the bridge:</b>	All sides of the float except the west side

The Public Facilities Committee and the Harbormaster shall arrange the installation of appropriate signs or markings to indicate the tie-up areas.

**D. Cripple Cove Dinghy Dock** Gloucester residents only as of June 7, 2000

## E. Assignment

- (1) **Permit Renewal** Boaters who tie-up vessels fitting the description above at the areas described above shall have their permits renewed on an annual basis provided they pay the required fee and follow the rules set forth herein. Permits are to be renewed with the Harbormaster by the last business day of February each year. Permit decals are to be affixed to the inside of the starboard transom of the dinghy.
- (2) **Wait Lists** Applicants will be placed on a waiting list by location preferred, in order of receipt. The Harbormaster shall keep the waiting lists updated and shall post them publicly at the Harbormaster's Office and at the City Clerk's Office. Applicants being granted a dinghy tie up permit will have one month from the time of notification of the position to place a vessel in the permitted space. Provided, however, that the permit fee has been paid at the time of acceptance of the space.
- (3) **Transfer of Dinghy Tie-Up Permit** Permits are for an individual and shall not be leased or otherwise assigned to others. Permits for dinghies used as access to a vessel on a permitted mooring in the City of Gloucester may only be passed to the same immediate family member, defined and limited to permittee's parents, spouse or child, as the corresponding mooring permit that is being transferred. Proper ownership documentation must be supplied.
- (4) **Habitual Use** It is the policy of the Gloucester Waterways Board that all dinghy tie up spots be utilized as fully as possible. Dinghy tie-up permittees must habitually tie the dinghy which is on record with the Harbormaster to their assigned tie-up location during the summer season, **April 15 to October 15**, each year. For the purpose of these regulations, habitual use is defined as a minimum of thirty (30) days during the summer season. The Harbormaster must be notified in writing, as soon as possible, if a permittee does not intend to habitually use their dinghy tie-up spot for the upcoming season and the reasons therefore. The period of nonuse of a tie-up spot by a permittee shall not exceed one (1) permit-year. Failure to comply with the habitual use standard set forth above or allowing the habitual use of a tie-up spot by a dinghy not on record with the Harbormaster shall result in automatic revocation of the Tie-Up Permit.

## F. Tie-up Rules

- (1) All boats excise taxes owed by the applicant shall be paid in full;
- (2) Vessels are to be tied with a line from the bow only unless otherwise directed by the Harbormaster;
- (3) Vessels are to be well maintained and in a seaworthy condition to the satisfaction of the Harbormaster;
- (4) Vessels shall not block or hinder other vessels at the facility;
- (5) No debris, trash or other items shall be left on the floats or gangway;
- (6) Tie-up of vessels at a Public Landing is at the owner's risk. The City assumes no responsibility for theft or vandalism; and
- (7) All vessels shall be removed from Public Floats by November 1 unless otherwise authorized by the Harbormaster.

## G. New Public Dinghy Tie-Up Facilities

In the event that additional dinghy tie-up spaces become available due to the construction of new Public Landing Facilities, the Harbormaster shall advertise the availability for one week in the local newspaper and shall take names and other pertinent information of those who express interest in a spot for two weeks. At the end of the two week period the Harbormaster shall publicly draw the names of those who will be permitted to tie-up at the designated sites. The remaining names shall be drawn to establish a waiting list for available spots which shall then be governed by section E. (2) above.

# **Article VII City Owned Commercial Marinas**

## **Section 1. Definition**

- A. City Owned Commercial Marina** A marina created by the City of Gloucester for use by commercial fishing vessels. Two such facilities are St. Peter's Marina, accessed from the Public Parking lot on St Peter's Public Landing and Harbor Cove Marina, located at 65R Rogers Street . One of the missions of the Waterways Board is to protect and promote dockage for commercial fishing vessels. The Waterways Board may expand or create new facilities if the space becomes available.

## **Section 2 Management Policies**

- A. Management** City Owned Commercial Marinas shall be under the management of the City of Gloucester's Waterways Board who have been so empowered by the Gloucester Code of Ordinances Chapter 10 Sec. 10-3 (b), (d).
- B. Facilities and Equipment** It is the policy of the Waterways Board that all City Owned Commercial marinas and equipment be periodically inspected and evaluated by the Public Facilities Committee with the assistance of the harbor master. The Committee shall maintain a list of recommended improvements, repairs and additions to said marinas. Improvements and additions shall be reviewed for evaluation and approval by the full board to determine feasibility and gain to the marina.
- C. Slip Assignment** Slip assignment will be determined by vessel characteristics i.e. length and beam . Vessels may be reassigned to slips based on highest and best use of the marina facility. Vessels may be relocated between the marinas to best achieve this goal.

## **Section 3. General Use and Requirements**

- A.** All City Owned Commercial Marinas within the boundaries of the City of Gloucester are subject to all applicable federal, state and local laws, rules and regulations.
- B.** Tenancy at City Owned Commercial Marinas is limited to vessels that are actively engaged in commercial fishing. The tenant must provide proof of the following: 1. Valid insurance with City as named insured. 2. Commercial fishing permit/license. 3 Vessel is fully rigged for permitted fishery and meets all applicable requirements of vessel's permit. 4. Landing slips. If a vessel is not actively engaged in commercial fishing for 12 months the lessee must come before the Waterways Board for review.
- C.** Tenants must keep their fishing permits/licenses current and provide proof of said annually when the lease is renewed.
- D.** Tenants shall provide annual proof of insurance as required in the current lease agreement;
- E.** It is required that all vessels are maintained in working condition. Tenants docking vessels deemed to not be maintained in such condition will be required to come before the Waterways Board for review of their lease.
- F.** Repair work performed on vessels while docked at City Owned Commercial Marinas must be accomplished in such a manner as to avoid interference with any other Marina users and must not constitute any hazard to people or property.

- G.** Contractors engaged in welding or hot work must first receive a permit from the Fire Marshall.
- H.** Vessel owners are responsible for the removal of debris and other refuse.
- I.** Lobster trap storage at City Owned Commercial Marinas is allowed under the following conditions:
  1. Storage for lobster traps only; no rope, buoys, or repair materials.
  2. Storage is for tenants only.
  3. Traps shall be stacked in a neat and orderly fashion.
  4. Storage shall be limited to the upland side behind the benches.
  5. Storage of lobster traps shall be permitted between November 15 and May 15
  6. Owners of stored traps shall be responsible for leaving storage area broom clean immediately after traps are removed.
  7. The Harbormaster will remove any traps still in storage after May 15 as per Section K below.
- J.** Bait shall be properly stored and covered on board the vessel.
- K.** Violations of lease provisions; termination of Lease agreement
  1. Tenants found to be in violation of any of the provisions of the lease agreement, or these regulations, will receive verbal notification from the Harbormaster and given one week to come into compliance.
  2. If, after one week, the violation continues to exist the Harbormaster will issue a written notice to the tenant.
  3. Failure to correct the violation by one week past receiving a written notification will result in the tenant being required to come before the Waterways Board and risk having their lease terminated.
  4. If the violation is trap storage, the traps will be removed.

#### **Section 4. Lease agreement and collection of Rent**

- A.** Tenants are required to sign an “Agreement For Vessel Dockage” prior to placing a vessel in the marina. Said agreement may be extended each year, on or before the first day of July, per the terms outlined in the agreement.
- B.** The rental fee for dockage at city owned commercial marinas is established by the City Council on recommendation from the Waterways Board (Gloucester Code Chapter 10 Sec. 10-3. (3) ). The rental fee is due and payable by the first day of each month according to the terms of the current Agreement.
- C.** Failure to pay the monthly rental fee for a period to extend 20 days beyond the due date may be cause for the Agreement to be terminated as outlined in the Agreement.
- D.** Transfer of the assigned slip is only allowed as a right of survivorship. Upon presentation of a death certificate the assigned slip location may be transferred to a member of the deceased’s immediate family. Immediate family is defined as parent, spouse or child only. Upon the transfer said family member must sign a new lease agreement as well as comply with the use and requirement provisions as provided in Section 3 above.
- E.** Any change in vessel size shall be brought to the attention of the Harbormaster prior to placing vessel in the slip.

## **Section 5. Waiting Lists**

- A.** Application for a slip location at City Owned Commercial Marinas may be made at the Harbormaster's office, or via fax, at any time of the year during regular business hours. Applicants must show proof of boat ownership, fishing permit and be actively fishing. If there is no available slip at the time of the application the name of the person applying will be placed on a waiting list.
- B.** The Harbormaster shall keep one waiting list to serve all city owned commercial marinas. Said list will be kept updated and shall be posted publicly at the Harbormaster's Office and at the City Clerk's Office. An annual reminder notice will be mailed to persons listed on the waiting list. However, it is the responsibility of the wait list applicant to notify the Harbormaster's office of their desire to remain on the wait list. Said notification must be received by the last business day of May of each year.
- C.** When a slip space becomes available the first person on the wait list will be notified by the Harbormaster via certified mail. Said person shall have twenty one (21) days, from date of postmark, to respond to the Harbormaster. The eligible applying tenant accepting said space must present documentation that confirms his/her active status as a commercial fishing vessel. For example; a current season fishing permit/license, current fish sales ticket and/or proof to establish fishing activity. Applicant must also provide proof of insurance

## **Section 6. Prohibited Activities**

No live-aboards

Subleasing is not allowed except with written permission of the Harbormaster and is limited to between January 1 and April 1

No discharge Section B 4 of Agreement

No Fueling

No running in gear while tied to the dock.

## **Article VIII Public Waterways Traffic and Safety**

### **Section 1. General Regulations (Adopted 10/21/99)**

**A. Prohibition of Lobstering in Regulated Areas** Lobstering by any and all means shall be prohibited within the following portions of Gloucester's waterways;

1. The Inner Harbor of the City of Gloucester, as determined to be those waters eastward of a line extending from the painted boulder near the Paint Manufactory located on Rocky Neck, N 42 36.445, W 070 39.546 to the Cape Pond Ice Company, N 42 36.558, W 070 39.727. This is meant to include all waters under piers, buildings and other waterfront structures falling within said line; and including, but not limited to, any of the following areas, Smith's Cove, North and South Channel, and Harbor Cove, whether or not they fall outside the above defined line;

2. All Federally designated anchorage's; and

3. All Federal channels, fairways and travel lanes within the Demarcation Line and under the jurisdiction of the City of Gloucester.

**B. Enforcement** Violators of this Regulation are subject to confiscation of their gear by the authorities as set forth here below, and shall be subject to daily fines under the authority of Section 1-15 of the Code of Ordinances of the City of Gloucester.

1. Enforcement of this Regulation is delegated to the Gloucester Harbormaster and to the Police Department of the City of Gloucester.

2. Both enforcement authorities shall have the authority to confiscate gear found to be used in violation of this Regulation, as they deem appropriate. The enforcement agency confiscating said gear shall be permitted to dispose of the lobster gear through public auction, or by any other means permitted by the Code of Ordinances of the City of Gloucester.

3. Both enforcement authorities shall have the authority to access fines for gear found to be used in violation of this Regulation, under the authority of Section 1-15 above, as follows:

A) Each lobster trap found in violation of this Regulation shall be considered a separate violation;

B) Each day a lobster trap is found in violation of this Regulation shall be considered a separate violation.

## **Article IX Policies Regarding Waterways Funds**

### **Sections 1-20 Reserved for the Waterways Enterprise Fund**

#### **Section 21. Special Accounts (Adopted 9/11/96)**

**A. Authority** From time-to-time the waterways Board may authorize the Harbormaster to establish special accounts with the City Treasure for financial donations or grants for waterways activities, as set forth in M.G.L. Chapter 44, Section 53A.

**B. Public Access Account** This account shall be established with the City Treasurer for financial donations by individuals, businesses or corporations that are dedicated for physical improvements to public landings, public floats or other public access projects approved by the Board.

Upon receipt of a donation to this account the Harbormaster shall immediately notify the Chairman of the Operations & Finance Committee who will call a Committee meeting to review the donation. The Committee shall send its recommendation to the Board which will vote to accept or not accept the donation.

Prior to expenditure or commitment of funds from a Public Access Account, the Harbormaster shall obtain approval from the Waterways Board. Upon said approval the Harbormaster shall then request approval for expenditure of the funds from the Mayor and City Council, as set forth in M.G.L. Chapter 44, Section 53A.

## **Article X Policies Regarding the Harbormaster's Office**

**Section 1. Disposal of Derelict/Abandoned Vessels and Property** In accordance with Massachusetts General Laws (M.G.L.) Chapter 91: Sections 38 through 49 and Chapter 102: Sections 17, 24, 25 and 27 the following policy is established as guidance for the Harbormaster in removing and disposing of derelict/abandoned vessels not greater than 20 feet in length.

A. The Harbormaster on a routine basis shall inspect all navigable waters of Gloucester by either boat or vehicle. During these inspections particular attention shall be given to the marsh lands and public landings to detect any abandonment of derelict vessels.

B. If a vessel is left on any public landing or other inter tidal area under the control of the City of Gloucester, and the Harbormaster determines that the vessel is therefore being "stored" or abandoned in violation of Gloucester City Ordinance Chapter 10, Section 10-52(d), the Harbormaster may take the following action:

1. A complete inventory of the vessel shall be conducted utilizing the Massachusetts Department of Environmental Management (DEM) **Vessel Identification Worksheet**.

2. Upon completion of this work sheet the Harbormaster will use all means available to identify the owner of the abandoned vessel by using both the Massachusetts Boat Registration Number and/or the Hull Identification Number if available. Having identified the registered owner the Harbormaster shall send written notification by certified mail to the owner ordering the removal of said vessel in accordance with M.G.L. Chapter 91, Section 40.

3. If the vessel has not been removed or no correspondence has been received from the last known owner within 10 working days, the Harbormaster may have the vessel removed as per M.G.L. Chapter 91, Section 41.

4. If no information is available from either the registration or hull identification number the Harbormaster may place an advertisement in the local newspaper for at least one day describing the abandoned vessel and requesting any information available to possibly identify an owner. If after 5 working days no information is provided to identify the owner the Harbormaster may remove the vessel as per M.G.L. Chapter 91, Section 41.

5. An owner who wishes to claim a vessel that has been so advertised shall provide positive proof of ownership to the Harbormaster's Office. If the Harbormaster determines that the petitioner is the owner of the vessel, the vessel shall be released to the owner. However the vessel is not to be released until the owner has reimbursed the Harbormaster's Office for any and all costs incurred, as specified in M.G.L. Chapter 91, Section 42.

6. Any vessel removed by the Harbormaster may be sold as per M.G.L. Chapter 91, Section 43 with proceeds of this sale properly deposited into the Gloucester Waterways Enterprise Fund.

7. Upon completion of the removal and/or the disposal of any abandoned vessel the Harbormaster shall file a written report to the State DEM for records purposes.

**Section 2. Reserved**

## **Article X Policies Regarding the Harbormaster's Office (con't)**

### **Section 3. Vessel Towing and Assistance (Adopted 9/9/98)**

**A. General Assistance Policy** The Waterways Board believes that any unsecured vessel that cannot propel itself is inherently dangerous to life or property. Accordingly, it is the policy of the Waterways Board that the Harbormaster shall make a reasonable effort to provide assistance to any individual or vessel in distress in Gloucester waters, within the limits of equipment and training that have been provided. The level of assistance shall be determined by the location of the subject vessel and the nature of its distress. No fee shall be charged for this assistance. For the purpose of this Policy, Gloucester waters shall extend out to the three mile limit, bounded by extensions of the municipal boundaries.

**B. Primary and Secondary Response Areas** Given the limited equipment and staff available to the Harbormaster, the primary response area shall extend from the RR buoy at Eastern Point to the AR buoy at Annisquam. The secondary response area shall be defined as the waters beyond those buoys out to the municipal boundary or the three mile limit.

**C. Marine Emergencies** The Harbormaster shall respond immediately to any marine emergency in the primary or secondary response areas including, but not limited to: medical emergency; diver in distress; fire; collision; vessel taking on water; and lifeguard requests for assistance. The Harbormaster may respond to marine emergencies in neighboring waters at the discretion of the senior staff person on duty if a timely, effective response can be undertaken.

**D. Non-Emergency Incidents** Non-emergency incidents include, but are not limited to, vessels disabled due to a mechanical problem, lack of fuel or grounding. Once communication is established with a vessel involved in such an incident, the Harbormaster shall maintain a communication schedule with the vessel until it is secured. Upon establishing communication the operator shall be asked if he/she wishes commercial assistance. If the operator answers affirmatively, Harbormaster staff shall follow Section F., herein. If an operator in the primary response area answers negatively, the Harbormaster shall make a reasonable effort, during normal patrol hours, to respond to the scene. The boater shall be informed of the Harbormaster's estimated time of arrival on scene. In the event that the Harbormaster cannot respond in a timely manner he shall transmit the local equivalent of a Marine Assistance Request Broadcast (MARB) on VHF Channel 16. If an operator in the secondary response area answers negatively, the Harbormaster shall transmit the local equivalent of a MARB on VHF Channel 16, and may provide technical advice via radio. The Harbormaster is not required to respond to non-emergency incidents in the secondary response area, but may do so at the discretion of the senior staff person on duty. The Harbormaster shall not respond to non-emergency incidents in neighboring waters.

**E. Limits of Assistance** The primary interest of the Harbormaster for non-emergency incidents is to get the disabled vessel secured. Accordingly, assistance for non-emergency incidents shall be limited to towing a disabled vessel to the closest marina, public mooring or other safe facility within the limits of the equipment and staff on duty. Due to the limitations of the Harbormaster's outboard powered boats, the Harbormaster shall not tow vessels larger than 40', shall avoid towing vessels through the Blynman Canal, and shall tow at headway speed only. Individuals tows shall be made at the discretion of the on-duty staff. In no case shall a vessel be towed into neighboring waters. Non-emergency assistance will be interrupted in the event of a marine emergency. The staff may make reasonable radio or telephone calls on behalf of a boater involved in a non-emergency incident.

**F. Commercial Assistance** Staff from the Harbormaster's Office shall neither recommend nor select commercial assistance firms. However, the Harbormaster shall maintain an alphabetical list of marine towing or assistance firms from Marblehead to Newburyport that provide adequate proof of qualifications and certificates of insurance. If there is no adequate response to a Harbormaster's MARB for a vessel needing assistance, the list can be provided to the operator for their personal selection of, and discussions with, a commercial firm.

# **Article XI Policies Regarding Waterfront Land Use & Development**

**Blank**

**CITY OF GLOUCESTER  
ASSESSMENT OF HARBORMASTER DEPARTMENT**

**Appendix D: Daily Routine, Daily Boat Checks, Daily Launch Checks,  
and Inspection Form for Commercial Marinas**

Nineteen Harbor Loop  
Gloucester, MA 01930



TEL 978-282-3012

FAX 978-281-4188

[jcaulkett@gloucester-ma.gov](mailto:jcaulkett@gloucester-ma.gov)

<http://gloucester-ma.gov/harbormaster>

## CITY OF GLOUCESTER HARBORMASTER'S OFFICE

### DAILY ROUTINE

#### MONDAY through FRIDAY

- 1/ Harbormaster will review log and mooring survey report from previous evening, complete necessary follow up
- 2/ Harbormaster will review transient moorings slips and compare with board/visual inspection, complete necessary follow up
- 3/ Harbormaster will review boat inspection reports and complete necessary follow up
- 4/ First Assistant Harbormaster (1pm to 8pm)
  - a. Review transient boat reservation book, board and visual
  - b. Complete boat check off list
  - c. Check data base to resume mooring inventory
  - d. Complete scheduled pump outs/transient mooring fee collection
  - e. Patrol Inner/Outer Harbors and River resuming mooring inventory from previous patrol
  - f. Return to Inner Harbor (approx. 5pm) to inspect transient moorings
  - g. Patrol Inner/Outer Harbor till completion of shift
  - h. Secure boat noting any discrepancies
  - i. Input data for mooring inventory
  - j. Update transient mooring board, secure slips and payments
  - k. Complete daily log sheet and incident reports as required
  - l. Respond appropriately to all calls for assistance
- 5/ Second Assistant Harbormaster (4pm to 9pm)
  - a. Complete boat check off list
  - b. Check data base to resume mooring inventory
  - c. Patrol River inspecting moorings and enforcing safe boating laws till completion of shift
  - d. Secure boat noting any discrepancies
  - e. Input data from mooring inventory
  - f. Complete daily log sheet and incident reports as required

## **DAILY ROUTINE (cont)**

### **SATURDAY, SUNDAY & HOLIDAYS**

#### **1/ Morning Shift (8am to 2pm) Two Assistants**

- a. Complete a through c of weekday routine
- b. One Assistant will proceed up river to resume mooring inspections and enforcing safe boating laws (particularly in area of Wingersheek Bch) Boat and Assistant will remain on station until relived by second boat (approx. 1:30 pm) at predetermined location. Upon returning to base complete h, i, and k of weekday routine
- c. One Assistant will patrol Inner and Outer Harbors resuming mooring inspections and enforcing safe boating laws, provide pumpout services as requested, respond to requests for transient moorings
- d. Respond to all calls for assistance
- e. Complete h, i, j, k, of weekday routine

#### **2/ Afternoon Shift (1pm to 9pm) Three Assistants**

- a. Complete a through c of weekday routine
- b. Two Assistants will proceed up river, relieve on watch boat/assistant continue patrol as stated in weekend/holiday routine b, d and e
- c. One Assistant will continue patrols as stated in weekend/holiday routine c, d and e

This Daily Routine will be adjusted accordingly for all permitted marine events ie... International Dory Races, St Peter's Fiesta and Labor Day Weekend/Schooner Festival



Nineteen Harbor Loop  
Gloucester, MA 01930

TEL 978-282-3012

FAX 978-281-4188

[jcaulkett@gloucester-ma.gov](mailto:jcaulkett@gloucester-ma.gov)

<http://gloucester-ma.gov/harbormaster>

**CITY OF GLOUCESTER**  
**HARBORMASTER'S OFFICE**

***DAILY LAUNCH CHECKS***

The following launch checks will be performed by the oncoming morning launch operator prior to assuming duties;

**DATE/TIME/LAUNCH OPERATOR**

---

<b>FUEL</b> _____	<b>RADIO</b> _____
<b>NAV LIGHTS</b> _____	<b>LIFE RING/LIGHT</b> _____
<b>LIFE JACKETS</b> _____	<b>BOAT HOOK</b> _____
<b>ALONGSIDE LINES</b> _____	<b>DEWATERING PUMP</b> _____
<b>FIRE EXTINGUISHERS</b> _____	<b>BILGE PUMPS</b> _____
<b>ANTENNA</b> _____	<b>FLAGS</b> _____
<b>HELM</b> _____	<b>THROTTLE</b> _____
<b>CLEATS</b> _____	<b>EMERGENCY TILLER</b> _____
<b>FIRE BUCKETS</b> _____	<b>FIRST AID KIT</b> _____
<b>HAND HELD HORN</b> _____	<b>FENDERS</b> _____
<b>ENGINE/FLUIDS</b> _____	<b>CLEANLINESS</b> _____

**MAKE SURE AUTOMATIC BILGE SWITCHES ARE IN THE ON POSITION**

**COMMENTS:**



Nineteen Harbor Loop  
Gloucester, MA 01930

TEL 978-282-3012  
FAX 978-281-4188  
[jcaulkett@gloucester-ma.gov](mailto:jcaulkett@gloucester-ma.gov)  
<http://gloucester-ma.gov/harbormaster>

**CITY OF GLOUCESTER**  
**HARBORMASTER'S OFFICE**  
***DAILY BOAT CHECKS***

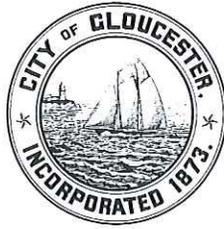
The following boat checks will be performed by the oncoming Assistant Harbormasters prior to assuming duties;

**DATE/TIME/ASSISTANT**

---

<b>BOAT</b> _____	<b>CLEANLINESS</b> _____
<b>FUEL/OIL</b> _____	<b>RADIO</b> _____
<b>DGPS</b> _____	<b>LOUD HAILER</b> _____
<b>NAV LIGHTS</b> _____	<b>BLUE LIGHT</b> _____
<b>TOW LINE/BRIDLE</b> _____	<b>LIFE RING</b> _____
<b>TOSS BAG</b> _____	<b>FENDERS</b> _____
<b>ANCHOR/LINE</b> _____	<b>FIRST AID KIT</b> _____
<b>LIFE JACKETS</b> _____	<b>BOAT HOOK</b> _____
<b>TOOL BAG</b> _____	<b>ALONGSIDE LINES</b> _____
<b>DEWATERING PUMP</b> _____	<b>FIRE EXTINGUISHER</b> _____
<b>ENGINE</b> _____	<b>BILGE PUMP</b> _____
<b>ANTENNA</b> _____	<b>FLAG</b> _____
<b>HELM</b> _____	<b>THROTTLE</b> _____
<b>CLEATS</b> _____	<b>DECK LATCHES</b> _____

**COMMENTS:**



Nineteen Harbor Loop  
Gloucester, MA 01930

TEL 978-282-3012

FAX 978-281-4188

[jcaulkett@gloucester-ma.gov](mailto:jcaulkett@gloucester-ma.gov)

<http://gloucester-ma.gov/harbormaster>

**CITY OF GLOUCESTER**  
HARBORMASTER'S OFFICE  
**CITY MARINA MAINTENANCE PLAN**

**ST. PETER'S AND HARBOR COVE COMMERCIAL MARINAS**

The following is a general guideline for the maintenance of both City owned commercial marinas. It is broken into 7 sections with each subject having an assigned inspection period, i.e.... Monthly (M), Quarterly (Q), Annually (A) with the exception of diving inspections on piles which will occur every three years.

**GANGWAYS (Q)**

- A. Check connecting hardware
  - 1/ Angle iron
  - 2/ Bolts/washers
  - 3/ Rods
  - 4/ Eyes
  - 5/ Cotter pins
  
- B. Check welds
  - 1/ Hand rails and base
  - 2/ Connecting hardware
  
- C. Check rollers or wheels
  - 1/ General physical condition
  - 2/ Check fasteners
  - 3/ Lubricate
  - 4/ Check condition of float under rollers/wheels
  
- D. Check overall general condition
  - 1/ Connecting plates
  - 2/ Skid plates at bottom

**FLOATS (Q)**

- A. Check deck surface
  - 1/ Check for ware
  - 2/ Check for loose boards or popping nails/screws
  - 3/ Check for splintering wood
  - 4/ Check rotten boards

## MARINA MAINTENANCE PLAN (CON'T)

- B. Check boarder edge of float
  - 1/ Check wooden boarder for damage missing bolts
  - 2/ Check rub rail system
  - 3/ Check cleats
- C. Check metal hardware
  - 1/ Check connecting eyes for ware
  - 2/ Check connecting bolts for ware
  - 3/ Check cotter pins
- D. Check overall general condition of floats
  - 1/ Time for deck sealer

### PILES (Q)

- A. Check general condition (**@ low tide**)
  - 1/ Broken
  - 2/ Flat spots
  - 3/ Leaning
  - 4/ Roller ware
- B. Check pile caps
  - 1/ Damaged
  - 2/ Missing
- C. Check hardware
  - 1/ Check Retaining chains
  - 2/ Check Retaining hoops and bolts
  - 3/ Check shackles
  - 4/ Check PVC rings
  - 5/ Check for slackness
  - 6/ Check for ware
- D. Check blocks and rollers
  - 1/ Check for damage
  - 2/ Missing
  - 3/ Check for excessive ware
- E. Check mud line
  - 1/ Dive on piles to check mud line ware/scouring (**EVERY THREE YEARS**)

### WHARFS (M)

- A. Check lighting
  - 1/ Check fixture fasteners
  - 2/ Check bulbs
  - 3/ Check wiring

## MARINA MAINTENANCE PLAN (CON'T)

### B. Check hand rails

- 1/ Check connection joints
- 2/ Check for loose nails/screws
- 3/ Check for splintering
- 4/ Check for warping

### C. Check decking

- 1/ Check for warped boards
- 2/ Check for loose nails/screws
- 3/ Check for damaged/split wood
- 4/ Check for rotten wood

### D. Check supporting structure

- 1/ Check cross members and beams
- 2/ Check piles and rip rap wall
- 3/ Dive on piles to check mud line ware/scouring (**EVERY THREE YEARS**)

### E. Check overall condition

- 1/ Time for deck sealer

## **ELECTRICAL (Q)**

### A. Check Electrical Cabinet

- 1/ Check physical condition
- 2/ Check fasteners securing cabinet to legs
- 3/ Check locks in place
- 4/ Check wire hangers
- 5/ Check front of box for accessibility

### B. Check shore power pedestals

- 1/ Check deck fasteners
- 2/ Check covers
- 3/ Check wires at float intersections for ware

### C. Check meter usage

- 1/ Take meter reading for monthly bill to tenant

## **GENERAL HOUSE KEEPING (M)**

### A. Check gear storage \*

- 1/ Check amount of gear
- 2/ Check type of gear
- 3/ Check for period of time

\* Shall be in accordance with current City Lease and Waterways Board Rules and Regulations

## MARINA MAINTENANCE PLAN (CON'T)

### HOIST (HARBOR COVE ONLY) (A)

- A. Check arm swing
  - 1/ Check movement
  - 2/ Check lubrication
  
- B. Check hoist controls
  - 1/ Check wiring
  - 2/ Check hoist control box
  - 3/ Test up & down movement
  - 4/ Check lubrication
  
- C. Check overall condition
  - 1/ Check connecting bolts to wharf
  - 2/ Check steel work condition for rusting

### MISELANIOUS AREAS (A)

- A. Check wooden ladder on Building Center end of Harbor Cove Wharf
  
- B. Check chain link fence between City property and Building Center
  
- C. Update photographs of marinas and vessels berthed

CITY OF GLOUCESTER  
ASSESSMENT OF HARBORMASTER DEPARTMENT

Appendix E: April 6, 2015 Minutes of Waterways Board

## MINUTES

### Waterways Board Kyrouz Auditorium City Hall, Gloucester, MA April 6, 2015

Present: Anthony Gross, Patti Page, Jim Bordinaro, Vito Calomo, Mark Lacey, Karen Tibbetts, Bob Gillis, Steve LeBlanc

Also Present: Sally Peek, Sanford Peek, Michael Vasapoli, Doug Shatford, Helen Kamins, Richard Flickinger, Martha Burnham

Chairman Gross opened the meeting at 6 p.m.

**Oral Communications:** None

**Approval of Minutes:** On a motion of Jim Bordinaro, second by Bob Gillis the Board voted unanimously to accept the minutes of the March 3, 2015 minutes with the following correction:

Page 1, Friends of the Harbor, last sentence should read: Anthony Gross likes this idea and wants to make it happen, but not the renting part.

**Magnolia Pier:** Mark Lacey stated that the ladders on the Magnolia Pier are basically a safety issue. At the meeting held with the mooring holders one of the suggestions was an outhaul system of staggering the boats tied to the float. Mark stated they are not trying to take their moorings away, but to find a solution to this problem. He suggested having one skiff for all to use to get to their boats. Chairman Gross explained the letter from the City's Legal Department stating the ladders must be removed; it being a liability. He checked with the insurance company and their advice was to remove the ladders. Chairman Gross is also seeking more clarification from the Legal Department. He also stated the Board needs help from the mooring holders in solving this. Sandy Peek, 40 Englewood Rd, Magnolia: suggested the City bought a small skiff to put on the float for all to use and left the ladders off the pier. It was noted that Mark had suggested this earlier, but rejected.

Sally Peek, 40 Englewood Rd, Magnolia: suggested the City replace the ladders and maintain them. Increase the fee from \$50.00 to \$60.00; do it, but create ladders, build them and maintain them. She questioned why this is happening now and has anyone on the Board checked this out. Michael Vasapoli, 7 Village Rd, Magnolia: said the downside of putting all dinghies and skiffs on one small pier is definitely not allowed. Add to that you have all the extra weight on the float itself with the float attached to four moorings blocks in three places up and down. Anytime there is a wave the float pulls on the pier, add all that extra weight of all dinghies some of them during a storm will get filled with water causing an excessive weight pulling on the pier. It would probably pull the pier out. My suggestion would be if we can get a float that is almost as long as the pier, held in place by pilings that go into the grass so that the float goes up and down with the tide but does not drag on the pier and then you put floats on the outside far enough away from the pier and put small dinghies on the inside. Mark disagreed with this thinking the one dinghy for all to use make more sense. Doug Shatford, 22R Flume Road, Magnolia: said one of the main problems I think with a dinghy, or three or four is when a few people went out at the same time they obviously would be leaving the dinghy on their mooring. Coming back at night and there is no dinghy you have no way to get in and would either leave your boat at the pier or do something; you have no way to get back in. Mark stated the use of a dinghy, or two dinghies would be shared between you and could be locked up at the float. This group of people knows each other, get along well, will bring back the dinghy and put it back on the float, you won't leave it on your mooring. I can't see why this couldn't work; it is only a short term solution. Helen Kamins, 13B Bridge St., Manchester MA: spoke of the children jumping off the pier dinghies and feels the dinghies would work. She agrees it is not safe. Jim Fialho, 49 Magnolia Ave, Magnolia: said put the dinghy on the moorings, keep a few dinghies on the float. He spoke of the outhaul and use it anyway you want to. The best solution he sees is keeping all the outhaul moorings, put

the dinghies on the mooring and a few on the float; go from the float to the outhaul moorings. You will still need a couple of ladders on the pier itself and the safety factor there is if you do fall off the pier and it is a rough day you will be grounded to smithereens on the rocks. If the float gets destroyed in a storm, which has happened many times, it will put us out of business. If there was one ladder to get a dinghy to get access to the other dinghies in case of an emergency you could get in and out that way. If the float isn't there we also need a way to get in and out. What are you going to do if the float is there and everyone hauls their boat out, that's not feasible either. Richard Flickinger, 10 Lowe Dr., Magnolia: said he has been up and down the coast and some have ladders. The Board should check again with the Legal Department, not just taking their word for it. He suggested checking with other communities who have ladders with the same problem and find out how they dealt with this. He appreciated the fact that the Board is working to get a solution to no ladders, but he still believes no ladders is necessary since they have them in other places. Anything you do, keep in mind at least once a year just follow that float. Mr. Flickinger spoke of prices of ladders being cheap, but Chairman Gross and Mark stated these are the wrong kind that he mentioned. Chairman Gross described the correct type for this situation, especially giving the height reaching above the ramp. Jim Bordinaro stated this is an issue of safety and the insurance company needs to be satisfied. Chairman Gross would like 3 or 4 mooring holders representing the others to work with the Board to come up with a solution to this problem. They should e-mail Jim Caulkett to co-ordinate a date and time to meet. Mark explained about inspecting all public landings and found the condition of the ladders unsafe and the railings in terrible condition. Doug Shatford feels the best solution for now is for all to use the dinghy or dinghies to get to their boats. Jim Caulkett thinks it is workable and a lot safer. A discussion about signing a waiver followed. Jim Bordinaro explained about them being responsible if anyone is injured.

**Robert Kline Mooring Wait List Appeal: >Motion:** On a motion of Anthony Gross, second by Karen Tibbetts the Board voted unanimously to place Mr. Kline on the Annisquam River Wait List in the same order as before. **Motion passed**

**Mail Chimp Status:** Paul McGearry will meet with Jim Caulkett to show the process.

**Funding for Transient Mooring Flyover:** Chairman Gross spoke of putting a flyover on the web site; referred to Operations, Finance & Safety Committee.

**City Council – Public Hearing on Transient Moring Fee Increase:** Jim Caulkett reviewed the answers to the questions from the City Council for next Tuesday's City Council meeting. Jim elaborated on the cost of installation of new moorings, maintenance, income, number of moorings used during the year. He noted there has been an increase every year with the number of moorings used.

**No Wake buoy in the Outer Harbor:** Jim Caulkett will get a quote for the sign; it being double sided.

**Meeting with Whale Watch Companies to Discuss No Wake:** Karen Tibbetts suggested having a courtesy meeting to let them know what the Board is doing. An invite will be sent to them via Public Facilities.

**Management Review:** Jim Caulkett has spoken to Susan Neilson about gathering information from various individuals in the department. The report should be completed in July.

**Action: >Motion:** On a motion of Anthony Gross, second by Jim Bordinaro the Board voted unanimously to add the following requirements to the WWB Policies and Regulations Article VII Sec. 2 (D) Standardization of Slip assignments and Rental Fees, insert "*slips are available with a minimum length of 28 ft. and a maximum of 42 ft. As of April, 2015 tenants not conforming to this requirement are allowed to continue as tenants. The minimum monthly fee shall be calculated based on the maximum length the slip can accommodate*" to go to Public Hearing. **Motion passed**

>**Motion:** On a motion of Anthony Gross, second by Vito Calomo the Board voted unanimously to add the following language to WWB Regulations, Article VII Sec. 5 (C) Waitlist (commercial marinas) “ *if a person fails to respond to accept this slip after 21 days their name will go to the bottom of the wait list*” to go to Public Hearing. **Motion passed**

>**Motion:** On a motion of Anthony Gross, second by Mark Lacey the Board voted unanimously to add the following language to Article VI, Sec. 3 (3A) Prohibited Activities (public landings) “*unauthorized installation of ladders on public landings shall be prohibited*” to go to Public Hearing. **Motion passed**

**Mooring update:** Shirley Edmonds elaborated on the figures on the sheet showing the number of deleted moorings, moorings issued revoked moorings and reassigned moorings thus far for 2015. Jim Caulkett reported that \$722.00 is the cost for the mailing of 131 certified letters. The City has bill us.

**Harbormaster Report:** Jim Caulkett reported attending a meeting hosted by Massachusetts Department of Transportation to discuss the continuing work on the 128 bridge. Discussion followed on the storing of their barges. The number of piles that property owners can replace will increase from 10 to 50, this being a major change to the DPA Pile Repair Permit. Jim participated with the U.S. Coast Guard in completing a NCIS Port assessment for Gloucester Harbor. He completed three Public Hearings; George Sibley, Annisquam Market LLC, and City Sailing School Floats. The Assistant Harbormasters and Launch Operators attended a meeting Jim held to discuss events including CLE Engineer, Harbormaster Management Review and the National Grid Remediation Project at Solomon Jacobs Park. He also reported attending a U.S. Coast Guard sponsored Search and Rescue (SAAR) Council meeting.

#### **Subcommittee Reports:**

**Public Facilities:** Magnolia Pier discussed above. The use of personal moorings as transient moorings was discussed. Mark stated before any personal moorings to be used as transient moorings the requirements for inspection of gear must be fine-tuned. He feels the upcoming Harbormaster’s Office would provide some guidance in this area. Discussion followed on the demand for transient moorings, other towns’ inspection requirements, charges for transient moorings and their length of time to implement changes. The request from Lighthouse Marina for a transient mooring in the inner harbor was discussed.

>**Motion:** On a motion of Mark Lacey, second by Jim Bordinaro the Board voted unanimously to give Lighthouse Marina a transient mooring at Ten Pound Island for a 40 ft. boat. No action was taken on the Fish Pier location.

**Operations, Finance & Safety:** No report

**Regulations Review:** Chairman Gross suggested holding the meeting 1 day a month; maybe last Thursday of the month. Discussed was on moorings in private water sheets inside the harbor line. No action. Jim Caulkett contacted Doug Cameron of Fish and Game Department regarding a definition of car top vessels; they being kayaks and canoes. Continued to the next meeting. At the meeting Chairman Gross presented a motion that individuals could not hold more than 1 mooring – no second; therefore, no motion.

There being no other business the meeting adjourned at 8:05 p.m.

Respectfully submitted,

Shirley M. Edmonds