

Town of Hingham Mooring Regulations

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§ 1 Authority and Enforcement

A. Authority

The regulations set forth herein at Sections 1 through 18 (“Mooring Regulations”) are adopted by the Harbor Master pursuant to Massachusetts General Laws, Chapters 40, 60B, 90B, 91 and 102, Commonwealth of Massachusetts Regulations Chapter 310, Article 15 of the Town of Hingham Harbor By-law, and all other applicable legal authority.

The Harbor Master may interpret these regulations and issue additional terms, conditions, and/or restrictions not set forth in these regulations.

B. Enforcement

The Harbor Master, Deputy Harbor Master, and Assistant Harbor Masters have the authority to enforce all regulations set forth herein, and all applicable rules, regulations or laws of which are incorporated here by reference in these Mooring Regulations or Town By-Laws to the full extent permitted by law.

§2 Definition of Terms

The following terms, for the purposes of these regulations, shall have the following meanings:

Adrift. The word “*adrift*” shall mean without being made fast to a stationary object and not operating under power or sail.

Aground. The word “*aground*” shall mean stuck on the bottom.

Anchor. The word “*anchor*” shall mean to hold a vessel in place by lowering a heavy weight into the water by cable, chain, line or other method, but not moored.

Awash. The word “*awash*” shall mean a semi-submerged vessel or object.

Back River Mooring Field. The term “*Back River Mooring Field*” shall mean the water of the Back River inward of an imaginary line drawn from the easternmost portion of the Tern Harbor Marina due south to Hingham. This excludes the waters south of the Philip G. Murray, Sr. Bridge.

Boat. The word “*boat*” shall mean a small vessel propelled by any means on water including but not limited to oars, sails, or an engine.

Berth. The word “*berth*” shall mean any space wherein a vessel is confined by wet slip, float, mooring, or other type of docking facility.

Boating Season. The term “*boating season*” shall mean the period from May 1 to the following October 1.

Channel. The word “*channel*” shall mean a navigable route for the passage of vessels, established by customary use or under the authority of federal, state or municipal law.

Charter Boat. The word “*charter boat*” shall mean any charter boat embarking passengers for hire.

Dinghy Dock. The term “*dinghy dock*” shall mean the town floats reserved for the seasonal keeping of dinghies for access to moorings.

Dredging Season. The term “*dredging season*” shall mean the time period from October 1, until February 15 the next year or the time period specified by the US Army Corps of Engineers.

Emergency Situation. The term “*emergency situation*” shall mean a serious, unexpected, and often dangerous situation requiring immediate action. This determination shall be at the sole discretion of the Harbor Master.

Harbor Master. The word “*Harbor Master*” shall mean the Harbor Master, deputy Harbor Master, and assistant Harbor Masters duly appointed by the Town of Hingham Select Board.

Heavy chain. The term “*heavy chain*”, which may also be termed “bottom chain”, shall mean the chain connecting the anchor to the swivel or buoy if a swivel is not used. The heavy chain may be a larger size or equal to the size of the light chain but in no case should it be a smaller size than the light chain.

Hewitt’s Cove Mooring Field. The term “*Hewitt’s Cove Mooring Field*” shall mean the water of the Back River inward of an imaginary line drawn from the northernmost portion of the Bouve property due West to Weymouth. This excludes the Back River Mooring Field.

Hingham Harbor. The term “*Hingham Harbor*” shall mean the waters of the sea lying within the limits of the Town of Hingham.

Hingham Waterways. The term “*Hingham Waterways*” shall mean the navigable bodies of water within the limits of the Town of Hingham including, without limitation, the ponds, rivers, streams, seas, and oceans.

Immediate Family. The term “*Immediate Family*” shall mean spouse or child.

Inner Harbor. The term “*Inner Harbor*” shall mean the waters that lie south of a line drawn from Broad Cove to the southernmost tip of Ragged Island, and then continuous due east to World’s End.

Inner Harbor Mooring Field. The term “*Inner Harbor Mooring Field*” shall mean the water south of the imaginary line drawn from the point of the Causeway Road peninsula just south of Ragged and Sara Island straight across to World’s End. This does not include the Inner Harbor Mooring Basin.

Inner Harbor Mooring Basin. The term “*Inner Harbor Mooring Basin*” shall mean the water within the dredged mooring basin in the Inner Harbor.

Length. The word “*length*” shall mean the straight-line measurement of the overall length from the foremost part of the vessel to the aftermost part of the vessel, measured parallel to the centerline, exclusive of bow sprits, bumpkins, rudders, outboard motor brackets, and similar fittings or attachments.

Light chain. The term “*light chain*”, which may also be termed “top chain”, shall mean the chain connecting the swivel to the pennant. The light chain may be a smaller size or equal to the size of the heavy chain but in no case should it be a larger size than the heavy chain.

Marina. The word “*marina*” shall mean a berthing area with docking facilities under common ownership or control and with berths for ten or more vessels, including commercial marinas, boating facilities, and yacht clubs. A marina may be an independent facility or may be associated with a boatyard.

Moor. The word “*moor*” shall mean the securing or making fast of a boat, raft, or float by means of cables, anchors, lines, chains, or other device or contrivances, to the ocean bottom, the shore, or a dock, slip, pier, or marina; meaning and intending that this phrase applies to boats, rafts or floats which are secured to the ocean bottom, as well as to boats, rafts, or floats secured to a dock or slip in a marina.

Moored float permit. The term “*moored float permit*” shall mean a permit issued by the Harbor Master for the temporary securing or making fast of a float, raft, or dock (excluding a mooring) by semi-permanent anchorage installation, comprising of ground tackle such as a mooring and chain.

Mooring. The word “*mooring*” shall mean a temporary, semi-permanent, or permanent anchorage installation, comprising an anchor, chain, and mooring buoy, or their equivalents.

Mooring location. The term “*mooring location*” shall mean the location of a mooring assigned by the Harbor Master to a permit holder.

Mooring service provider. The term “*mooring service provider*” shall mean any qualified person who is authorized by the Harbor Master by permit to install, service and inspect moorings in the Hingham Waterways.

Mooring buoy. The term “*mooring buoy*” shall mean a white buoy with a blue band marking a mooring, except as otherwise approved by the Harbor Master.

Mooring/docking permit. The term “*mooring/docking permit*”, which may also be termed “mooring permit” or “docking permit” shall mean the annual written authority signed by the Harbor Master authorizing the permit holder to moor the prescribed vessel in Hingham Waterways.

Outer Harbor Mooring Field. The term “*Outer Harbor Mooring Field*” shall mean the water north of the imaginary line drawn from the point of the Causeway Road peninsula just south of Ragged and Sara Island straight across to World’s End.

Pennant. The word “*pennant*” shall mean a line or chain by which a vessel is made fast to a mooring buoy.

Permit holder. The term “*permit holder*” shall mean a person to whom a Hingham mooring/docking permit has been issued.

Person. The word “*person*” shall mean and include an individual; a receiver; a trustee; a partnership; joint venture; a firm; an unincorporated association; a syndicate; a trust; a corporation; or any other entity having legal personality.

Primarily moored. The term “*primarily moored*” shall mean where a vessel’s main berth is located.

Qualified person. The term “*qualified person*” shall mean any person with the appropriate training and experience to install, service, and inspect moorings to ensure that they meet town regulations.

Rafting. The word “*rafting*” or “*tying*” shall mean the making fast of two or more vessels to each other while at least one is moored or anchored.

Scuba. The word “*scuba*” shall mean self-contained underwater breathing apparatus comprising a diving apparatus with compressed air tanks for breathing underwater.

Stray vessel. The term “*stray vessel*” shall mean a vessel which is in a deteriorated or un-seaworthy condition, sunken or likely to sink, awash, aground, adrift and likely to damage piers, wharves, floats or other vessels, constitutes a menace to navigation, or is secured to a mooring or pier without proper authorization.

Third Party User. The term “third party user” shall mean a person with whom the Harbor Master authorizes, other than the permit holder, to use a mooring location and/or the associated mooring gear.

Town Landing. The term “*town landing*” which may also be termed “*town pier*”, shall mean the town-owned landing located on Victory Wharf in the Inner Harbor.

Town Landing Docks. The term “*town landing docks*” which may also be termed “*town pier*”, shall mean each and every dock secured to the town landing.

Transient permit. The term “*transient permit*” shall mean the written authority by the Harbor Master authorizing the temporary (less than fourteen (14) consecutive days) to moor the prescribed vessel in Hingham Waterways.

Vessel. The word “*vessel*” shall mean, inclusively, to the extent permitted by law, watercraft of every description, including, but not limited to, ships of all kinds: barges, sailing vessels, craft and powerboats of any type or kind by whatever means propelled; every object designed, adapted or capable of being navigated, towed or operated on water from place to place for the transportation of merchandise, people, or for any other purpose (except a seaplane); or other artificial contrivance, used or capable of being used as a means of transportation on water; and as otherwise construed under Massachusetts and/or federal law.

World’s End Mooring Field. The term “*World’s End Mooring Field*” shall mean the water of the Weir River starting at the tip of the World’s End Peninsula, on the eastern side of World’s End between World’s End Reservation and Planters Hill.

Winter buoy. The term “*winter buoy*” shall mean a buoy approved for winter use by the Harbor Master.

§ 3 Applicability

These regulations apply to all –

- (i) Moorings in Hingham Waterways.
- (ii) Vessels or other objects anchored or moored in Hingham Waterways.

§ 4 Mooring/docking permits

A. All Vessels Required to Have a Permit

- (i) No person shall moor, anchor or set any mooring or vessel within the limits of Hingham Waterways without first obtaining a mooring/docking permit or a transient permit from the Harbor Master except as otherwise provided in these Mooring Regulations.
- (ii) All vessels moored for two consecutive weeks (14 days) or more, or primarily moored in the Town of Hingham shall obtain a mooring/docking permit from the Harbor Master.

(iii) No person shall use a float, raft or dock attached to ground tackle in the Hingham Waterways without first paying any applicable permit fee and obtaining a Moored Float Permit from the Harbor Master.

(iv) Except in an emergency, no person, including, but not limited to, a person acting as master, owner, or custodian, shall moor or anchor any vessel, raft, or float for a period of more than forty eight (48) hours within the limits of the Hingham Waterways, or in any waters under the jurisdiction of the Harbor Master, without first obtaining written permission from the Harbor Master.

(v) Mooring/docking permits are issued annually, and the decal shall be properly affixed to the port side, aft end, beneath the gunwale prior to a vessel's placement in the Hingham Waterways. Such permits will expire on December 31 of the calendar year they were issued.

B. Assignment List

(i) The Harbor Master will maintain an assignment list for all mooring fields. All new applicants must submit a request for an assignment list position as set forth by the Harbor Master. All people who wish to be on the assignment list for a mooring location must re-apply each year in order to maintain their position. Mooring locations shall be assigned by the Harbor Master. The following restrictions apply to the assignment list:

(1) Assignment list applicants cannot transfer an assignment list position to another person.

(2) Only one name can be put on an assignment list position. This name must match the name of the boat owner accepting the mooring/docking permit.

(3) The type of vessel specified (power/sail) and size (length, draft) can be updated on the assignment list. An applicant's eligibility for a mooring location will be based on the information provided at the time of consideration for assignment by the Harbor Master. It is the applicant's responsibility to keep the applicant's contact and vessel information accurate and up to date.

(ii) If, in the opinion of the Harbor Master, there is space for additional mooring location(s) in the Hingham Waterways, the Harbor Master may assign additional mooring locations.

(iii) When a mooring location becomes available, the Harbor Master may offer the mooring location to the first person on the assignment list with a vessel appropriate in size and/or type as determined by the Harbor Master. The Harbor Master may consider other factors as he deems fit, reasonable, and equitable in allocating the available space. The mooring location seeker shall make application with the Harbor Master and meet all the mooring/docking permit application requirements within the timeframe specified by the Harbor Master.

(iv) To remain on the assignment list from year to year, the applicant shall pay an annual fee to be determined by the Select Board. Such fee shall be paid and received before the end of the calendar year to remain on the assignment list for the following calendar year. Failure to do so may result in removal from the assignment list. Assignment list applicants may be notified annually of their need to re-apply. It is the sole responsibility of the person on the assignment list to maintain their status.

C. Obtaining a New Permit

(i) An applicant must submit a request for a mooring/docking permit on a "Mooring/Docking Permit Application" set forth by the Harbor Master.

(ii) The mooring/docking permit applicant shall –

- (1) Ensure that the information on the form is accurate and that all requested information is complete;
- (2) If the application is for a mooring location, the applicant must include a description of the mooring gear to be used to moor the vessel, and the applicant's mooring location preference;
- (3) Provide copies of vessel registration or documentation, proof of payment of vessel excise tax required under MGL Chapter 60B § 4, and additional reasonable information as the Harbor Master deems necessary; and
- (4) Submit the application to the Harbor Master's Office for review with the required annual fee.

(iii) Issuance of a mooring/docking permit shall be denied if the permit holder is delinquent in the payment of vessel excise tax in accordance with the MGL Chapter 60B § 4. If vessel excise tax is paid to another municipality, proof of payment is required at time of application. If the vessel is primarily moored in Hingham, the excise tax shall be paid to Hingham.

(iv) Issuance of a mooring/docking permit may be denied if the permit holder is delinquent in the payment of any local taxes, fees, assessments, betterments or any other municipal charges in accordance with applicable laws

D. Renewal of an Existing Permit

(i) A mooring/docking permit holder will complete a "Mooring/Docking Permit Renewal Application" annually in the manner as set forth by the Harbor Master. It is the sole responsibility of the permit holder to renew the existing permit.

(ii) The mooring/docking permit holder who wishes to renew the permit shall -

- (1) Ensure that the information on the application is accurate and that all requested information is complete;
- (2) Provide copies of boat registration or documentation, proof of payment of vessel excise tax required under MGL Chapter 60B § 4, and additional reasonable information as the Harbor Master deems necessary; and
- (3) Submit the application to the Harbor Master with the required annual fee before March 1.

(iii) A permit holder who does not wish to renew the permit shall promptly notify the Harbor Master.

(iv) Issuance of a mooring/docking permit shall be denied if the permit holder is delinquent in the payment of boat excise tax in accordance with the MGL Chapter 60B § 4. If boat excise tax is paid to another municipality, proof of payment is required at time of application. If the vessel is primarily moored in Hingham, the excise tax shall be paid to Hingham.

(v) Issuance of a mooring/docking permit may be denied if the permit holder is delinquent in the payment of any local taxes, fees, assessments, betterments or any other municipal charges in accordance with applicable laws.

(vi) Any person who, during the preceding year was a permit holder, has priority for a mooring/docking permit at the same location, provided that the boat is the same type and size, (length, draft, and beam) as the previous year.

(vii) In the event that a permit holder of a previous year upgrades or changes in vessel size or type, which may cause relocation of the permit holder's mooring, the following will be used to determine who has priority of the open location.

A permit holder from the previous year shall have priority over the current assignment list for vessels that require the same type of location (length, draft, beam, or type, as determined by the Harbor Master) provided the person requesting the mooring location change has been a continuous permit holder for a period of consecutive years greater than the number of consecutive years than that of the person who is next on the assignment list for the same category.

(viii) Any permit holder who fails to renew a mooring/docking permit by March 1 may forfeit the mooring/docking permit, and if a mooring location was assigned to said permit holder, may forfeit said mooring location. If the mooring location is still available when the applicant submits the "Mooring/docking Permit Renewal Application" and required fee(s) and documentation to the Harbor Master, the applicant is eligible for assignment of said mooring location and may be assessed a late fee for every month the application was late.

E. Mooring Fees

The mooring/docking permit fee, moored float permit fee, assignment list fee, and any transient permit fee, are not refundable and shall be established by the Select Board prior to the first day of November each year. These fees shall apply to all vessels moored in Hingham Waterways greater than or equal to 13 feet in length unless state law provides for an exemption or the Select Board have provided for an exemption and such exemption is listed under "Special Situations" of these regulations. The mooring/docking permit fees, moored float permit fees, assignment list fee, and any transient permit fees are for all vessels on moorings, slips, docks, or floats, and apply to both commercial and recreational vessels and facilities. In the World's End Mooring Field each mooring/docking permit has a fixed fee per mooring and may be subject to additional fees as deemed appropriate and established by the Select Board prior to the first day of November each year.

F. Issuance of Mooring/Docking Permit

(i) Upon receipt of a complete mooring/docking permit application and inspection of any mooring gear as the Harbor Master may require, a mooring/docking permit may be issued by the Harbor Master, and additionally, if the mooring/docking permit is for a mooring location, the mooring/docking permit may be issued designating the mooring location if, in the opinion of the Harbor Master, the mooring and gear is sufficient to moor the vessel described in the application and there is available space within the desired location without endangering other vessels or placing any person or property in danger. The Harbor Master may refuse to issue a mooring/docking permit until after full payment has been made of any fee that may be required pursuant to these regulations, Town by-law, state law, and/or other applicable law. The Harbor Master shall refuse to issue a mooring/docking permit until vessel excise tax has been paid as provided in Section 4(C).

(ii) The Harbor Master may reassign any vessel to a different mooring location as he deems appropriate.

G. Transfer of Permit

(i) Mooring/docking permits are not transferable, and no person shall cause any vessel to be attached to a mooring at an assigned mooring location other than the vessel described in the application for said mooring/docking permit unless authorized by the Harbor Master; provided, however, the Harbor Master may permit the temporary or transient use of a mooring by another vessel, subject to Sections 4A(ii) and 4(H).

(ii) To the full extent permitted by applicable law, regulation, or other legal requirement, in the event of the death of a permit holder the Harbor Master may approve the transfer of the permit(s) that had been issued to the deceased and assign the corresponding mooring location(s) to a member of the deceased's immediate family, if the family member requests the transfer within one (1) year of the event of death and the mooring location has not been reassigned.

H. Transient Permits

A transient permit is required to moor a vessel in Hingham Waterways without a mooring permit, unless the vessel is moored in Hingham Waterways for an emergency. No transient permit for a mooring will be issued until the applicant calls, hails, or communicates with the Harbor Master as required and provides sufficient information necessary to determine whether there is available space to moor the vessel without endangering other vessels. Until the applicant makes full payment of any fee that may be required pursuant to these Mooring Regulations no transient permit will be issued. The Harbor Master has the sole authority to create and assign the use of transient mooring locations. Permit holders must provide advance notice to the Harbor Master of the expected duration and dates of any mooring location vacancy expected to exceed twenty-four (24) hours. All mooring locations that are vacant for more than twenty-four (24) hours and associated mooring gear may, at the discretion of the Harbor Master, be used to accommodate transient vessels.

I. Maximum Vessel Length and Number of Vessels

The maximum length of vessels on moorings in the Inner Harbor Mooring Basin shall not exceed thirty (30) feet overall (L.O.A.) except on transient moorings equipped to hold larger vessels or as otherwise authorized by the Harbor Master. A person or entity may have no more than two (2) concurrent mooring/docking permits for mooring locations in the Inner Harbor Mooring Basin.

J. Vessel Sales and Replacement

The Harbor Master must be notified within (30) days and a bill of sale must be provided to the Town of Hingham Assessor's Office within (30) days of the sale of any vessel, or the transfer of any ownership interest therein, assigned to a mooring location on Hingham Waterways. The Permit holder for said mooring location has one (1) year to replace the vessel, however the Harbor Master can extend the time limit at the Harbor Master's discretion. A replacement vessel must conform to the type and size vessel appropriate for the mooring as determined by the Harbor Master and said vessel must be approved by the Harbor Master in order to be attached to a mooring at the assigned mooring location. The Harbor Master may, if he deems appropriate, reassign any such replacement vessel to a different mooring location.

K. Third Party Mooring Use

A permit holder may, with the written approval of the Harbor Master, and subject to Section 6, authorize a third party use of said permit holder's mooring location and/or gear. Authorization can be granted for a maximum period of one (1) year after which only the permit holder must use the mooring location or risk

loss of his/her mooring/docking permit. The third party will not be allowed to use the same mooring location for more than one boating season.

L. Abandonment

In the event that a permit holder does not use his mooring location for at least thirty (30) consecutive days in any boating season, said mooring location may be deemed abandoned and/or reassigned, unless the permit holder has notified the Harbor Master, in advance, of his intent not to use the mooring location for a period not to exceed one boating season. In such event the Harbor Master may make the mooring location available for transient or third party assignment.

M. Mooring Plans

The Harbor Master shall maintain mooring plans for the Inner Harbor Mooring Field, Outer Harbor Mooring Field, World's End Mooring Field, Hewitt's Cove Mooring Field, and Back River Mooring Field. These plans will specify the number of vessels to be moored, vessel sizes, and mooring locations. The Harbor Master may change these plans at the Harbor Master's discretion.

§ 5 Moving, Relocating, Removal of Moorings

(i) Moorings shall not be moved from an approved location without the prior approval of the Harbor Master.

(ii) If for any reason the approved location of a mooring becomes inadequate for the vessel, it shall be the responsibility of the permit holder to move the vessel, within fourteen (14) days, to a new location approved by the Harbor Master.

(iii) In the event that a mooring is moved from its approved location by storm, ice or other cause, it shall be the responsibility of the permit holder to relocate the mooring to the location originally approved, or to another location approved by the Harbor Master. Relocation of the mooring shall be made at the earliest opportunity, but in no case later than fourteen (14) days from the date that the dislocation of the mooring is or could be discovered. Any situation jeopardizing the permit holder's vessel or vessels moored nearby shall be corrected by the permit holder as soon as possible.

(iv) In the event that a mooring permit is not renewed by the deadline specified in Section 4(D)(ii)3, it shall be the responsibility of the Permit holder to remove the mooring and associated gear. Removal of the mooring shall be made at the earliest opportunity, but in no case later than May 1. If mooring is not removed by May 14 the mooring and associated gear will be immediately removed by the Harbor Master, at the expense of the owner.

(v) The Harbor Master may relocate, remove or cause to be relocated or removed any mooring or vessel whenever, in the Harbor Master's judgment, the safety of other vessels or the maximum use of the field requires such action.

(vi) Should the permit holder or vessel owner fail to relocate said mooring or vessel upon reasonable notice, any expense relating to movement of a mooring or vessel under this Section 5, including but not limited to inspection, removal or relocation and any liability incurred therefore, shall be the sole responsibility of the permit holder of said mooring and/or vessel owner.

§ 6 Mooring, Mooring Location, and Mooring Equipment Rentals

(i) No person other than the Harbor Master shall offer a mooring location in Hingham Waterways for rent or lease.

(ii) The Harbor Master may rent/lease moorings and mooring locations as provided in these Moorings Regulations. The Harbor Master may rent/lease mooring equipment. A marina may rent/lease mooring equipment and associated tackle, adjacent to said marina, only with the permission of the Harbor Master, and only for use at mooring locations assigned by the Harbor Master. An approved mooring service provider may rent/lease mooring equipment and associated tackle only with the permission of the Harbor Master, and only for use at mooring locations assigned by the Harbor Master. Any mooring equipment rented or leased pursuant to this Section 6(ii) shall visibly bear the permit holder's last name or a designated mooring number approved by the Harbor Master.

(iii) Violation of this Section 6 may result in the revocation of the mooring/docking permit, removal of the mooring, and non-criminal citation and fines.

§ 7 Mooring and Tackle Specifications

A. Pennant

Pennants shall be of three strand soft lay nylon or braided line or the equivalent, have a hard spliced eye with a hot dip galvanized thimble of appropriate size in the end that attaches directly to the light chain. Pennants shall have a soft spliced eye or clip in the opposite end to attach to the vessel. Pennants shall have installed chafing gear where the pennants go through the chocks. Pennants may have a pickup buoy as long as the pickup buoy line does not exceed three (3) feet. Pennants may have floatation attached. Each pennant shall have no more than two floatation buoys, each not to exceed six (6) inches in length. Pennants shall be inspected routinely and replaced at least every three (3) years or earlier or when there are any signs of wear and tear and/or chafing. Each vessel shall have two (2) pennants secured directly to the chain unless prohibited by design of the boat. No split bridles or pennants are allowed.

B. Mooring Buoy

(i) Except as otherwise approved by the Harbor Master, the mooring buoy shall be white, hard/soft shell, high-density foam filled, with a two (2) inch blue reflective band around the middle. Through the center there shall be a conduit which the light mooring chain shall pass through and attach to the pennant.

(ii) The mooring buoy shall have the owner's last name or permit number painted or affixed above the blue stripe in letters contrasting in color no less than three (3) inches high. If a marina, club or organization is the permit holder it shall have the marina name, club, or organization's name as specified by the Harbor Master. No other numbers, letters, or words shall be adhered to the mooring buoy, except as otherwise approved by the Harbor Master.

Any mooring not properly marked may be removed by the Harbor Master at the owner's expense.

C. Winter Buoy

Except as otherwise approved by the Harbor Master, the permit holder may use a winter buoy to mark the location of his/her mooring and they shall be-

- (i) White in color with a blue band and marked with the owner's last name or mooring permit number.
- (ii) Upright at an angle of not less than forty-five (45) degrees at any period of tide and have at least twenty (20) inches, but not more than five (5) feet exposed and be at least four (4) inches in diameter.
- (iii) Not be constructed of wood. Commercial made plastic buoys are acceptable or buoys composed of PVC pipe.
- (iv) Not be used between June 1 and September 14.
- (v) It is recommended that all moorings not in use and left in the water after October 31 replace the mooring buoy with a winter buoy. No winter buoys shall remain in the waterways after June 1. Upon written order from the Harbor Master the owner of such winter buoys shall have two (2) weeks to remove the buoy. The Harbor Master may remove said buoy and replace it with an appropriate mooring buoy or remove the mooring at the owner's expense immediately. Winter buoys not properly marked with the owner's last name or mooring permit number will be immediately removed from the waterways and charged to the owner if identified. The Harbor Master, Town of Hingham, its agents or employees shall not be liable for any damage or liability directly or indirectly arising out of such removal or replacement.

D. Mooring Tackle

All chain and associated eye bolts, swivels, shackles, thimbles shall be at least grade 30 (conforming to ASTM A413) hot dipped galvanized and stronger, if necessary. All shackle pins and swivels shall be welded or moused by either coated wire or tie wrap. Chain and associated eye bolts, swivels, shackles, and thimbles shall be replaced when the wear factor has reached 20 percent from its original manufacturer's size. The permit holder is responsible for the mooring anchor, tackle, and pennants whether solely owned or rented.

E. Anchors and Mooring Blocks

- (i) The minimum mooring size is as set forth in Section 7F, Mooring Gear Specifications.
- (ii) Granite blocks shall be thru bolted with a 1¼ eyebolt. Concrete blocks, Dor-Mor, helical and Hazlett or similar band system moorings may be permitted if approved by the Harbor Master based on feasibility, location, water depth, navigation, ground composition, swing radii, environmental impact, and other pertinent factors.

F. Mooring Specifications

Minimum Mooring Gear Specification							
Vessel Length	Mushroom	Granite Block	Pyramid	Heavy Chain	Light Chain	Pennant	Mooring Ball
Up to 15'	150	500	200	½	3/8	7/16	18"
16'-20'	200	500	250	5/8	1/2	5/8	18"
21'-24'	250	1000	300	5/8	½	5/8	18"
25'-27'	300	2000	400	¾	½	3/4	18"
28'-30'	400	3000	500	¾	½	3/4	18"
31'-34'	500	3500	600	¾	5/8	¾	24"
35'-40'	600	4500	800	¾	5/8	1	24"
41'-50'	800	5000	1000	¾	5/8	1 1/8	24"
Over 50'	Check with Mooring Service Provider and Seek Harbor Master Approval						
Units: Lengths are in diameter inches and dry weights are in pounds							
Swivels shall be one size larger than the light chain to which they are connected.							
Pennants shall not exceed 2.5 times the height from the water to the chock.							
Chain lengths shall be two (2) times the depth of the water if less than ten (10) feet at MLLW and 2.5 times the depth of the water if greater than or equal to 10 feet of water depth at MLLW.							

Mooring plans have coordinates for mooring placement as well as predetermined chain and pennant lengths for each mooring location. These moorings shall be maintained by an authorized Mooring Service Provider at the Permit holder's expense.

a. Inner Harbor Mooring Field

- i. Pennants shall not exceed five (5) feet in length from the mooring ball to the bow chock, plus the distance from bow chock to the point of attachment on the vessel.
- ii. Total length of mooring gear shall not exceed thirty-five (35) feet of which twenty (20) feet will consist of heavy chain and (ten) 10 feet will consist of light chain.
- iii. Incorporated herein by reference are the "Inner Harbor Mooring Field Specifications" which provide mooring location coordinates.

b. Outer Harbor Mooring Field

- i. Incorporated herein by reference are the "Outer Harbor Mooring Field Specifications" which provide mooring location coordinates, chain, and pennant length.

c. World's End Mooring Field

- i. Pennants shall not exceed five (5) feet in length from the mooring ball to the bow chock, plus the distance from bow chock to the point of attachment on the vessel.
- ii. Total length of mooring gear shall not exceed thirty-five (35) feet of which twenty (20) feet will consist of heavy chain and (ten) 10 feet will consist of light chain.
- iii. Mooring ball size shall be no less than twenty-four (24) inches.

- iv. Incorporated herein by reference are the “World’s End Mooring Field Specifications” which provide mooring location coordinates.
- d. Hewitt’s Cove Mooring Field
 - i. Incorporated herein by reference are the “Hewitt’s Cove Mooring Field Specifications” for chain and pennant length specifications.

G. Minimum Mooring Gear

(i) The mooring specifications outlined above are minimum standards and are not designed to meet severe conditions. If severe weather is predicted, the permit holder should take additional measures, including the removal of the vessel from the water. The permit holder can exceed these specifications except where it would be unsafe or hazardous to do so.

(ii) Each permit holder is encouraged to contact their own specialist in such matters for advice as may relate to the particulars of their vessel. The permit holder may then contact the Harbor Master to discuss what they feel is an appropriate set-up if it is precluded by these Regulations and the Harbor Master may make an exception if deemed appropriate in his discretion.

(iii) In the event that additional or different mooring specifications are required pursuant to other applicable law, regulation, or other legal requirement, the vessel owner is solely responsible for ensuring compliance with said requirements.

(iv) Notwithstanding any of the provisions set forth in these Mooring Regulations, the Harbor Master and the Town of Hingham are not responsible for and shall not be held liable for any damage arising out of or in connection with any mooring compliant with the specifications set forth herein. Nothing in these Mooring Regulations shall be construed as a basis for imposing liability on the Harbor Master or the Town of Hingham.

§ 8 Mooring Inspection

A. Inspection

All moorings shall be inspected and approved by a qualified mooring service provider before being placed in service on Hingham Waterways.

(i) Permit holders shall annually inspect the mooring, tackle, including pennants and buoys, and, if the gear is found defective, shall correct the defective condition immediately.

(ii) The Harbor Master shall require permit holders to have their mooring lifted at the permit holder's expense once every three (3) years for visual examination to determine its condition.

(iii) In lieu of lifting moorings, replacements may be made at the permit holder’s expense. Upon prior approval from the Harbor Master, a permit holder may be permitted to have an underwater visual inspection by a PADI (or equivalent) certified diver who has sufficient training and experience to inspect the tackle. The diver shall report the mooring condition to the mooring service provider who will make a formal report to the Harbor Master.

(iv) The Harbor Master may, at any time, inspect any mooring; and may remove or cause to be removed any mooring that fails to meet the provisions of these regulations, Town by-laws, state or federal law or any other applicable laws or regulations.

B. Qualified Mooring Service Provider

(i) Must be able to supply, service, and/or repair all types of moorings on Hingham Waterways for which it was qualified and shall pull any mooring that it was hired to service for inspection by the Harbor Master upon his request at no expense to the Town of Hingham.

(ii) Must be able to install or replace all moorings in their original location or on a site assigned by the Harbor Master.

(iii) Mooring Service Providers must certify that mooring tackle and equipment complies with all Town of Hingham regulations including labeling mooring buoy with Permit holder's identification should it be necessary. The Mooring Service Provider shall provide to the Harbor Master a completed mooring inspection report for each inspection or provide the required information through a reporting means approved by the Harbor Master.

(iv) A permit may be issued to a mooring service provider after the applicant registers (with a mooring service provider registration form approved by the Harbor Master) and is approved by the Harbor Master as complying with the mooring service provider standards set forth by the Select Board, and upon payment of a fee set by the Select Board. The mooring service provider must maintain and show proof of liability insurance upon request of the Harbor Master in the amount of one (1) million dollars, and display said permit onboard the vessel from which the mooring service provider conducts work in Hingham Waterways.

(v) The Harbor Master retains authority to manage all mooring activities, including issuing permits, inspections, and the collection of mooring/docking permit fees.

(vi) Mooring service providers shall adhere to all Town of Hingham regulations and By-laws.

(vii) No law enforcement authority of any kind is authorized by the approval of a mooring service provider.

(viii) Mooring service providers, with the approval of the mooring/docking permit holder, may inspect the mooring by hoisting it from the water or by using an approved certified diver in accordance with Section 8A(iii).

(ix) When acquiring GPS positions, the antenna must be located directly above the mooring as it is placed if possible. If the antenna is not located directly above the mooring appropriate offsets must be used. Survey grade differentially corrected systems should be used and must be used in all mooring fields as the Harbor Master may require. These units must qualify as sub-meter accurate.

(x) Mooring service provider permits shall be valid for a one-year period unless suspended or revoked for failure to adhere to the Mooring Regulations set by the Harbor Master and all other Town of Hingham regulations, By-laws, Massachusetts General Laws and regulations, and/or other applicable law.

C. Mooring Inspection Guidelines:

- (i) Any chain showing more than 20% wear from the size specified in these regulations must be replaced. Any mooring chain that meets the 20% guideline but shows excessive or uneven wear in the opinion of the mooring service provider shall require another inspection within one year.
- (ii) Any chain which has deformed (stretched or bent) links must be replaced.
- (iii) Swivels must be replaced when ring or shackle pin is 20% worn from its original manufactures size. Swivels are only to be used between heavy and light chains.
- (iv) Shackles must be replaced when worn 20% from its original manufactures size. All shackles must be welded or moused with coated wire or tie wrap. Stainless steel is not preferred.
- (v) Wear on mushroom anchor eyes and shafts must not exceed 20% from its original manufactures size.
- (vi) Mooring pennants with obvious chafing, stretching, or un-laying shall be replaced.
- (vii) The mooring buoy shall have only the Permit holder's last name or permit number, except as otherwise approved by the Harbor Master. If a marina, club or organization is the Permit holder it shall have the marina, club, or organization's name or a number approved by the Harbor Master.
- (viii) The Harbor Master shall assign all mooring locations.
- (ix) Mooring inspections shall comply with all provisions of these Regulations.
- (x) The use of U.S. made chain and hardware is required.

§ 9 Anchoring

No vessel may anchor on Hingham Waterways for more than 48 hours consecutively without permission from the Harbor Master.

§ 10 Town Landing

A. Tying of Vessels

Any person using the Town Landing shall tie their vessels as directed by the Harbor Master and shall move from the docks when so directed by the Harbor Master.

B. General Use

Town Landing Docks may only be used for the prompt loading and unloading of passengers or supplies. For example, temporarily casting off from the dock and then returning to the dock within an hour with the intent to obtain extended dockage during a busy time will be considered unauthorized use of the float. The maximum time period for tying up a vessel is 30 minutes unless the vessel owner has written permission from the Harbor Master. No swimming shall be permitted from floats, piers or launching ramp. The Harbor Master may authorize the temporary dockage of vessels at his discretion.

C. Charter/Party Boat Use

No person operating a charter or party boat will cause a charter or party boat to arrive at the Town Landing Docks until just before loading time or to discharge passengers unless otherwise authorized. Any person operating a charter or party boat shall leave the Town Landing Dock immediately after loading or discharging passengers, unless otherwise authorized.

§ 11 Marinas

A. Required Information

All marinas are required to provide the Harbor Master with information to assist with the issuance of mooring/docking permits or other law enforcement responsibilities. This required information shall be provided before the issuance of any mooring/docking permits for vessels moored at that marina. As soon as a marina accepts registrations or renewals for moorings/slips the marina shall notify the Harbor Master and shall do so on a continuous basis. This information shall include the vessel owner's full name and address, all pertinent vessel information, slip and/or mooring number, and any other information deemed necessary by the Harbor Master. Moorings may be assigned only by the Harbor Master as provided in Section 4 of these Mooring Regulations.

B. Assignment List

Assignment lists for marina slips may be maintained by the marina. The assignment list for marina slips shall be made available to the Harbor Master upon his request. The assignment list for moorings shall be maintained by the Harbor Master as provided in Section 4B of these Mooring Regulations.

C. Transient Permits

No transient permit will be issued until the marina provides the Harbor Master with a Transient Mooring/Slip Authorization form set forth by the Harbor Master. The form can be faxed, emailed or dropped off at the Harbor Master Office and will allow a vessel to moor at a slip in Hingham Waterways from 1-14 days, upon obtaining a transient permit under Section 4H. Vessels being launched from a marina may occupy a slip for up to seven (7) days without a transient permit in order for the vessel owner to move their vessel to its primary mooring location. The Harbor Master has the sole authority to assign transient mooring locations.

D. Posting of these Regulations

All marinas shall post Sections 4 and 11 of these Mooring Regulations in a common space to be viewed by the public and make it known to vessel owners that they are required to obtain a mooring/docking permit from the Harbor Master prior to placing their vessel on a mooring or slip.

E. Violation

Failure by a marina to comply with this section 11 or any of the regulations or By-Laws of the Town of Hingham, or any other applicable laws or regulations, shall constitute a violation by the marina and may result in enforcement actions as outlined in these regulations or as otherwise authorized by applicable law.

§ 12 Stray Vessels

For purposes of this section 12, a vessel shall be presumed to be stray or abandoned if left on the shores of the waters of the Commonwealth not moored, anchored or made fast to the shore and unattended and/or on property of another without the consent of such property owner for a period of greater than 72 hours. Any stray or abandoned vessel shall be considered a public nuisance and shall be delivered to the possession of the Harbor Master until claimed by said vessel's owner or disposed of according to law. The owner shall pay all expenses incurred in connection therewith including charges for raising and storing. Removal of and any other conduct in connection with any stray vessel by the Harbor Master shall be without liability to the Harbor Master, the Town of Hingham, its officers, agents or employees. The Harbor Master may order the owner of any stray vessel to properly moor or remove any such vessel and failure to do so shall be a violation of this section 12. For purposes of this section 12, the last owner of record of a vessel at the time it was abandoned shall be presumed to be the person who abandoned the same or caused or procured its abandonment, unless such vessel has been reported as stolen.

§ 13 Obstructing Navigation

No person shall place or maintain any obstruction to navigation, including a lobster pot or buoy attached thereto, or anchor any vessel, within a channel or any approaches thereto.

§ 14 Special Situations

Floats constructed to hold a house, building, shack, or provide living quarters will not be permitted in Hingham Harbor. Any of these floating structures present prior to January 1, 2011 may be permitted as long as its owner obtains a Moored Float Permit.

(ii) All members of the South Shore Yacht Club with a mooring for a vessel primarily moored in Hingham Waterways shall obtain a mooring/docking permit from the Hingham Harbor Master and pay Hingham the excise tax. Members of South Shore Yacht Club that primarily moor in Weymouth with a secondary "storm mooring" in Hingham shall obtain a Hingham mooring/docking permit. These permit holders are exempt from paying excise tax to the town of Hingham provided they provide written evidence that the excise tax was paid to Weymouth.

§ 15 World's End Mooring Field

A. Purpose and Expectations

The World's End Mooring Field is designed to allow the public access for purposes of recreation and enjoyment, provided that no vessel may:

- (i) Moor for more than 14 consecutive days without prior Harbor Master written permission.
- (ii) Discharge any waste as this Area is within a Federal No Discharge Area.
- (iii) Disturb the peace or cause disruption of this protected Area of Critical Environmental Concern; or
- (iv) Violate any other parts of these Regulations, Town by-laws, state or federal law or any other applicable laws or regulations.

B. Assignment List

The assignment list will be managed as outlined in Section 4B of these regulations.

C. All Moorings required to have a Permit

(i) All new applicants for moorings will be subject to the assignment list established in Section 4B of these regulations. A person may have no more than one (1) mooring/docking permit for mooring locations in the World's End Mooring Field.

(ii) The issuance of new mooring/docking permits will follow Section 4C of these regulations.

(iii) Mooring/docking permit renewals will follow Section 4D of these regulations.

(iii) The Permit holder shall pay excise tax to the town/city where their vessel is primarily moored. Upon proof of payment to the town/city where their vessel is primarily moored, they will be exempt from paying excise tax to Hingham.

D. Renting

The fee will be per boat and a reasonable number of vessels may be rafted, taking into consideration the vessel types, weather and other factors, subject to the Harbor Master's exercise of discretion. No person, marina, or entity other than the Harbor Master may offer a mooring location for rent or lease in the World's End Mooring Field.

E. Rafting

Rafting is permitted in this mooring Field only when secured to a mooring and safe conditions allow, provided that the vessels:

(i) Are properly secured and fended;

(ii) Take appropriate measures to avoid contact with other moored vessels;

(iii) Do not impede or interfere with the navigation of vessels through the mooring field;

(iv) No more than five (5) vessels shall raft or tie to a mooring without prior Harbor Master written consent; and

(v) Swim at your own risk.

F. Anchoring

Anchoring is permitted subject to the following restrictions:

(i) No overnight anchoring without prior Harbor Master consent, exception to section 9;

(ii) No rafting from one anchor; each rafted vessel shall have its own anchor deployed;

(iii) No interference with moored vessels or navigation of vessels through the mooring area.

§ 16 Dredging of the Inner Harbor Mooring Basin

A. Purpose and Expectations

The Town performs routine maintenance dredging roughly every ten (10) years in the Inner Harbor Mooring Basin. There are many benefits for the Town, including but not limited to: improving navigation and safety.

To accommodate dredging mariners should anticipate the following occurring regularly during the maintenance dredging cycle and plan accordingly.

1. Town Landing Docks will be removed prior to the dredging season at a date to be established by the Harbor Master.
2. Dredging will restrict the ability of mariners to use the Inner Harbor, its entrance channel, and at times the boats ramp.
3. To facilitate dredging all inner harbor mooring permit holders are encouraged to schedule a haul-out date and remove their mooring in advance of the dredging season.
4. No vessels, moorings, or floats will return to the Inner Harbor Mooring Basin without the express written authorization of the Harbor Master. *Issuance of a mooring permit is not sufficient written authorization.*

In a *dredging season*, the following restrictions apply:

- (i) Floats located at Barnes Wharf and/or Old Steamboat Wharf shall be removed prior to the dredging season at a date to be established by the Harbor Master; and
- (ii) Vessels, moorings, and other objects in the Inner Harbor Mooring Basin or along the entrance channel affecting the dredging operation shall be removed prior to the dredging season at a date to be established by the Harbor Master.

B. Penalties

Whoever violates this section or provision of these Mooring Regulations shall be liable for a penalty to be determined by the Select Board in an amount not to exceed fifty (50) dollars per day for each violation to the full extent permissible by law, and/or as otherwise authorized by law and/or immediate removal of the dock, mooring, or vessel at the owner's expense. Each day of violation shall constitute a separate offense.

Additionally, the Harbor Master may, at the expense of the permit holder, master or owners thereof, cause the removal of any vessel, mooring, float, dock or other object, which lies in the Inner Harbor Mooring Basin and is not moved when directed by him, and upon the neglect or refusal of such master or owners on demand to pay such expense, he may recover the same from them in contract, to the use of the Harbor Master where the harbor is situated. Each day of violation shall constitute a separate offense.

C. Enforcement

Violations resulting from a vessel, mooring, float, dock or other object left in the Inner Harbor Mooring Basin or affecting the dredging operations will be assessed against the permit holder or person controlling

such property at the time of the violation, regardless of such person's legal status as owner or otherwise. Nothing in the Mooring Regulations shall prohibit the Harbor Master or his designee from assessing penalties, the Harbor Master or his designee shall follow the procedure set forth in M.G.L. c. 40, section 21D.

§ 17 Penalties and Review of Local Decision

The owner of any vessel, mooring or other object not properly moored or not properly permitted, and anyone found in violation of these rules and regulations, shall be subject to a non-criminal citation and fee to be set by the Select Board for each offense, removal of the mooring, removal of the vessel, or all three, and any other fines or penalties authorized by applicable law.

Any applicant aggrieved by a refusal to permit a mooring, float, raft or small structure accessory to a residence or by any condition or restriction imposed relative thereto, may request a review in writing to the Department of Environmental Protection within 30 days after receiving notice of such refusal or of the imposition of such condition or restriction. The failure of the Harbor Master to act upon a complete application within a reasonable time shall be deemed by the Department of Environmental Protection to be a denial of a permit. A copy of the request shall be sent at the same time to the Harbor Master.

§ 18 Conformance with Existing Regulations and Disclaimer

(i) Upon the written request of a vessel owner, the Harbor Master has the authority to make exceptions to the Section 7 mooring and tackle specifications in the Harbor Master's discretion.

(ii) Nothing in the above regulations shall be construed as altering in any way the content and meaning of provisions of Article 15 of the Town of Hingham By-laws, or applicable provisions of Massachusetts General Laws or the Code of Massachusetts Regulations.

(iii) Headings and subheadings are placeholders only. They do not affect or alter the meaning of the subject paragraph or any other paragraph in these regulations.

(iv) These Mooring Regulations are not an assurance of a safe mooring due to variations in weather, individual boater use, and other factors over which the Harbor Master has no control. The responsibility and liability for safety of persons and property rest on the individual vessel owners and permit holders. It shall be the responsibility of the vessel owners and permit holders to ensure compliance with all applicable laws and regulations, including these Mooring Regulations. Specifications and actions of the Harbor Master and/or Town of Hingham are not to be considered assurances of safety.

(v) The Town of Hingham and Harbor Master assume no liability in allowing "rafting" to take place.

(vi) Nothing contained herein shall be construed to conflict with the jurisdiction of the United States Government with respect to the enforcement of navigation, shipping, anchorage, and associated laws of the United States, or any lawful regulation of the Division of Waterways of the Department of Environmental Protection, or the Environmental Police or any of the laws of the Commonwealth of Massachusetts. In the case of concurrent laws or regulations, the stricter, more restrictive, provision shall apply.

(vii) The invalidity of any section or provision of these Mooring Regulations shall not invalidate any other section or provision thereof.

(viii) Nothing in these regulations shall restrict any action by the Harbor Master or Assistant Harbor Master if in his/her judgment such action is necessary to protect life or property.

(ix) Whoever violates any section or provision of these Mooring Regulations, shall be liable for a penalty to be determined by the Select Board in an amount not to exceed fifty (50) dollars per day for each violation to the full extent permissible by law, and/or as otherwise authorized by law. Each day of violation shall constitute a separate offense.

By Authority of the Harbor Master these regulations are adopted replacing any prior regulations and shall take effect on June 3 Two Thousand and Twenty Five.



Kenneth R. Corson III
Harbor Master