

§ 430-1 Authority

These rules and regulations are made by the Town Manager of the Town of Barnstable under the authority of Chapter 32, Article II, § 32-7, of the Town of Barnstable Code

A. Purpose

To establish a regulation in order to effectively utilize the Town's Ways to Water by controlling the size and types of vessels placed upon these ways. This regulation also limits the timeframe in which vessels will be permitted to remain in the areas, requiring annual removal.

B. Definitions

Vessel: For the purpose of this regulation, a vessel is every description of watercraft used or capable of being used as a means of transportation upon the water.

Structure: Structure means any man-made object which is intended to remain in place in, on, over, or under the tidelands or other waterways and would require a local permit from the Town's Conservation Commission and/or a Ch.91 permit. Structures may include any anchoring system that is put in place by the altering, digging, and/or burying something into the grounds/shores of the Town.

§ 430-2 Regulation of vessels on Town ways to water, landings and beaches.

A. Only non-motorized vessels may be placed on posted Town Ways to Water and landings between April 16 and November 14 of each calendar year.

B. No vessel greater than 12 feet in length overall and no vessel greater than 5 feet in beam may be placed on any Town Way to Water.

C. Vessels may only be placed so as not to cause damage to the Town property and environment. No structure may be erected or placed without prior authorization from the Town of Barnstable. Any object or item that is used to secure vessels must be removed each year by November 15 and may not be put into place until April 16.

D. All vessels stored along the shores of Town-owned property shall either display a decal issued by the Harbormaster, or by other means, that clearly indicates ownership and contact information of the watercraft.

E. The Town of Barnstable assumes no responsibility for the loss and/or damage to any vessel placed on Town property. Any vessel so placed on a

Town Way to Water is at the owner's risk and responsibility and any liability incurred therefore shall be at the owner's expense.

F. The owner of any vessel or structure which violates sections A through E above may be fined in accordance with Chapter 32, Article II, § 32-7, of the Town of Barnstable Code. Also, any vessel or structure which violates sections A through E above may be removed by the Harbormaster at the owner's expense and will be considered abandoned if the vessel or structure is not reclaimed and said expenses are not paid to the Harbormaster within fourteen (14) days of removal, following which the vessel or structure may be scrapped or disposed of by the Town.

G. Unless a vessel owner secures written permission from Harbormaster staff for a proven need and that the vessel be actively used, no vessel shall be stored or placed on any Town property between November 15 and April 15 that is posted by the Harbormaster with a permanent sign to this effect. Any vessel placed or remaining between those dates shall be considered abandoned property under this regulation, and will be scrapped or otherwise disposed of by the Town. The Town of Barnstable shall not be responsible for damage to or theft of any vessel placed neither at this parcel nor for loss of property considered abandoned under this regulation.

H. Additionally, with respect to the property located at 85 Old Shore Road, Cotuit (Assessor's Map 035, Parcel 072), no vessel shall be stored or placed on the bathing beach portion of this parcel, as delineated by the low rail fences on either side or as otherwise may be posted.

I. Other than as may temporarily be required during launching, vessels shall not be placed on either side of the launch ramp.

J. Trailer storage is prohibited at all times on the Town property located at 85 Old Shore Road.