

**REGULATIONS GOVERNING MOORING PERMITS AND THE USE OF  
QUINCY WATERS  
(Draft February 2006)**

Pursuant to M.G.L. ch. 91 §10A and 310 CMR 9.07, and consistent with the ordinances of the City of Quincy, the **Harbormaster** of the City of Quincy hereby issues the following regulations governing the use of all **Quincy Waters**:

**I. PURPOSE**

The City of Quincy Regulations governing the use of **Quincy Waters** have been established in order to provide efficient utilization of harbor areas, waters, and waterways; to improve the safety of harbor areas, waters and waterways; to improve the safety of moored **Vessels**; and to provide adequate space for the enjoyment of **Quincy Waters** by all of the users of those waters and waterways.

**II. DEFINITIONS**

- Boat/Vessel:** Every description of watercraft, used or capable of being used as a means of transportation on the water, including seaplanes, amphibious vehicles, and any other variable use craft when navigating or moored on the water, with the exception of human powered vessels under 8 feet in length. The term boat or vessel may be used interchangeably.
- Mooring:** Any structure or apparatus including floats and rafts held by anchors or bottom mooring.
- Transient Boat:** A boat that is in **Quincy Waters**, including but not limited to being moored at a permitted mooring, for no more than fourteen (14) successive calendar days nor more than twenty eight (28) total calendar days in a calendar year.
- Permit Holder:** A person to whom a Quincy mooring permit has been issued.
- Quincy Waters:** The waters of the sea lying within the limits of the City of Quincy, including but no limited to harbors, bays, and coves, whether publicly or privately owned or controlled, over which the Harbormaster has public safety and/or public health jurisdiction.
- Harbormaster:** The Quincy Harbormaster, Assistant Harbormaster or any authorized agent of the Quincy Harbormaster.
- Commercial Group Mooring Company:** An entity in the business of providing berthing or mooring of boats on a seasonal or transient basis to the general public and qualifying as a Private or Public Recreational Boating Facility.

**Immediate Family:** The spouse, father, mother, son, or daughter of the **Permit Holder**.

Reference should also be made to 310 CMR 9.02 for additional definitions.

### III. MOORING PERMITS

1) All **Vessels**, except a **Transient Boat**, moored in **Quincy Waters** shall have a current mooring permit issued by the **Harbormaster's** Office. The **Harbormaster** shall issue mooring permits annually.

2) A mooring permit shall be issued when an applicant for such permit has submitted:

- a) A signed completed application for said permit;
- b) Written proof of payment of any boat excise tax due to the City of Quincy;
- c) Proof of submission of Assessors form **2BE-1** for the boat, if the boat has not previously been assessed by the City of Quincy;
- d) Signed permission from the owner of a marina or private landowner, if applicable.

3) The **Harbormaster** shall publish and supply a standard form or permit application Which shall include, but not be limited to?

- a) applicant's complete name;
- b) applicant's mailing address;
- c) applicant's telephone numbers, including applicant's emergency telephone number;
- d) the name of the **Boat** to be moored by applicant;
- e) a description of the **Boat** (name, make, model, year, color, type, draft, length, and use);
- f) the city/town of the prior year's **Mooring** of the applicant's **Boat**;
- g) copies of the registration or documentation of the **Boat**;
- h) A description of the **Mooring** to be used by the boat and certification that the **Mooring** meets the requirements of this regulation;
- i) The proposed location of the mooring; and
- j) Certification of compliance with the tax laws of the Commonwealth of Massachusetts as required by M.G.L. c. 62.

4) The **Harbormaster**, in accordance with 310 CMR 9.07, shall act on a mooring permit application within fifteen (15) calendar days of the application's submission to the **Harbormaster**. The **Harbormaster** must state in writing the reason(s) for a rejection. If such reason(s) may be remedied/corrected, then a rejected applicant shall be granted fifteen (15) calendar days to remedy/correct the reason(s) for rejection. Upon the applicant's satisfactory and timely proffer of written evidence of complete remedy/correction the **Harbormaster** shall approve the application and issue the permit within seven (7) calendar days of the proffer of such written evidence.

- 5) No **Mooring** shall be placed in **Quincy Waters** without a mooring permit and/or permission of the **Harbormaster**. A mooring permit may be issued only by the **Harbormaster** upon written application as described above.
- 6) Any **Mooring** existing in the absence of a mooring permit shall be deemed to be a public nuisance and shall be in violation of these regulations and may be removed at the expense of the **Mooring** owner and delivered to the possession of the **Harbormaster** to a storage area designated by the **Harbormaster**. The removed **Mooring** (a) may be claimed by the **Mooring** owner subject to payment of removal fees, storage fees, and any fines that may have accrued; or (b) may be disposed of pursuant to M.G.L. ch. 91.
- 7) No **Boat** in any **Quincy Waters**, other than a **Transient Boat**, may be moored, docked, or anchored at any private dock, marina, boat club, boat yard, yacht club, and/or any other Private or Public Recreational Boating Facility, without obtaining authorization from the **Harbormaster**. **Mooring a Vessel** with a Mooring Permit at its assigned **Mooring** shall constitute authorization from the **Harbormaster**.
- 8) No floats or docks may be installed by a private owner without the proper permits and approval by the **Harbormaster**. Prior to issuing such approval, the Harbormaster shall require compliance with all federal and state guidelines (MGL Chp.91).
- 9) A mooring permit is only valid for the specific boat, the **Permit Holder** identified on the application, and the mooring location assigned. Any change to the boat, **Permit Holder**, or mooring location shall invalidate the mooring permit.
- 10) **Permit Holders** may renew their mooring permits on an annual basis. The **Harbormaster** shall send to each **Permit Holder** a renewal application. Provided that the **Permit Holder** returns a completed application with all necessary documentation within thirty (30) days of the sending of the application, for the same boat, the **Permit Holder** shall be entitled to a renewal of the Mooring Permit, for the same location.
- 11) A **Permit Holder** shall be entitled to substitute one boat for another provided that the **Harbormaster** determines that the new boat can be safely moored in the same location and that the **Mooring** meets the requirements of this regulation.
- 12) No individual under **16** years of age may be granted a Mooring Permit, assigned a **Mooring** location, or placed on the **Mooring** Permit Wait List. No individual may lay claim to three (3) or more **Moorings** within the limits of the City of Quincy, without the written permission of the **Harbormaster**. No Mooring may be rented, sold, or transferred. Any **Permit Holder** that has not occupied his assigned **Mooring** for one **Mooring** year will forfeit his/her **Mooring** location and mooring permit.

#### **IV. MOORING FEES: None**

**V. MOORING PERMIT DECALS AND MOORING TAGS:**

The **Harbormaster** shall issue mooring permit decals on an annual basis as part of the issuance of the **Mooring** Permit. **Mooring** permit decals are to be affixed to the port side of each **Permit Holders Vessel**. The **Permit Holder** shall ensure that the decal remains visible to casual inspection. The **Permit Holder** may affix the current year’s permit decal over the decal from a previous year (QMC 12.26.070).

**Mooring** assignment numbers must be permanently marked on all **Mooring** buoys. If this system of **Mooring** marking fails, **Mooring** tags will be issued to **Permit Holders** that are assigned to a **Mooring** site requiring **Mooring** in open waters with ground tackle and a **Mooring** buoy. Tags are to be placed on such **Moorings** so as to be clearly visible.

**VI. MOORING SPECIFICATIONS AND REQUIREMENTS:**

All **Moorings** shall meet the minimum standards as set forth below. These standards are set for normal weather conditions. All **Moorings** are to be spaced at a distance to allow a **Vessel** a swing circle of 360 degrees in order to prevent damage or contact to other **Vessel**. In the event of gale winds or stronger and/or extreme tides, it is the **Permit Holder’s** responsibility to ensure that all necessary safety precautions are taken. Because **Mooring** loads are variable, because it is impossible to say that all **Boats** of equal length require the same size **Mooring**, and because the below standards cannot be applied to all **Boats**, the Harbormaster reserves the right to require a **Boat** owner to increase the minimum **Mooring** standard for any **Vessel**. Such an increase shall be required upon a determination by the **Harbormaster**, in his discretion, that the minimum standard would be inadequate for the **Vessel** at issue because of unusual design including but not limited to excessive weight, wind age, or draft. *Notwithstanding any of the foregoing, the City of Quincy shall not be held liable for any damage caused by a failed minimum standard Mooring.*

**a. MOORING WEIGHTS AND CHAIN THICKNESS:**

The following **Mooring** weights, bottom chain thicknesses, and top chain thicknesses shall be required:

**MUSHROOM ANCHOR (QUINCY BAY AND OTHER SOFTBOTTOM AREAS)**

Boat Size	Mooring Weight	Bottom Chain	Top Chain	Pennants
Under 13'	50 lbs.	1/2"	5/16"	1/2"
14-17'	75 lbs.	1/2"	3/8"	1/2"
18-21'	150 lbs.	9/16"	1/2"	5/8"
22-25'	200 lbs.	5/8"	1/2"	5/8"
26-31'	250 lbs.	5/8"	1/2"	3/4"
32-35'	300 lbs. + sw	3/4"	5/8"	3/4"

36-40'                      500 lbs. + sw    3/4"    5/8"    3/4"  
 Over 40'                      Harbormaster Approval

All mushroom moorings of 300 lbs or greater shall also be required to have a Harbormasters Office approved shaft weight (sw) collar bolted or cast into the mushroom anchor as noted above.

**GRANITE BLOCK (HOUGH'S NECK AND QUINCY YACHT CLUB AREA)**

Boat Size	Block Dimensions	
0-17'	24"x24"x12"	672
17-25'	48"x30"x12"	1680
26-31'	60"x30"x12"	2100
32-40'	48"x48"x15"	3360
Over 40'	Harbormaster Approval	

Above weights are conversions using granite.  
 Granite weights 168 pound per cubic foot and has a specific gravity of 2.69. Concrete/cement moorings do not stand up to the salt water like granite. These weights were calculated with the help of the membership of Quincy Yacht Club. The membership has found from time tested storm conditions, that granite last and holds the best.

**HELIX MOORINGS**

Helix Moorings may be installed in the waters of Quincy by Professional Installers only. These mooring must have Proof of Test documentation.

**b. CHAIN LENGTHS:**

Chain lengths shall not be less than three and one haft (3 1/2) times the depth of the water at high tide. For **Vessels** moored in the Quincy Bay area chain lengths shall not be less than four (4) times the depth of the water at high tide. The bottom chain shall be 1/3 of the total length of the chain. All shackles, pins, and mechanical connection shall be wires or seized.

**c. PENNANTS:**

Pennants shall be made of nylon or other **Harbormaster**-approved line. All pennants shall have chafe gear attached so as to cover an area of one foot on either side of the bow chocks. The pennants shall have adequate devises including, but not limited to, thimbles on the ends and secured shackle pins to eliminate the hazard of chafing or backing out. Length of pennants shall be a minimum 2 times the distance from the bow to the waterline.

**d. SUMMER MOORING BUOYS:**

Summer Mooring Buoys shall be in place from May 15<sup>th</sup> through October 31<sup>st</sup> of each year. The Buoy shall be round, with a diameter of between 15” and 18”. In all types of chain flotation **Buoys**, the chain or rod must be passed through the **Buoy** connecting the mooring pennant to the chain. They shall be white and bear a blue horizontal stripe. Summer Mooring Buoys shall be marked with the mooring permit number for the **Permit Holder** of that **Mooring**.

**e. WINTER MOORING BUOYS:**

The holder of a mooring permit shall install a Winter Mooring Buoy by November 1st of each year. Winter Mooring **Buoys** shall be removed by the First Sunday of June of each year, unless written permission is granted by the **Harbormaster** for the Winter Mooring Buoy to remain in the water after the First Sunday of June. If the Winter Mooring Buoy is not removed the Harbormaster after 14 days’ notice may remove said spar at the owner’s expense. The top of all Winter Mooring Buoys shall be white or contrasting color to the sea and shall extend 18" above the surface of the water at mean low tide. Winter Mooring Buoys shall be marked with the mooring permit number for the **Permit Holder** of that Buoy.

**VII. HARBORMASTER'S RESPONSIBILITY FOR CHARTING, INSPECTING, AND CREATING NEW MOORING LOCATIONS:**

**a. Charting Existing Mooring Buoys:**

The **Harbormaster** shall keep a detailed chart and description of all **Moorings** located in **Quincy Waters**. This chart and/or description shall indicate who the permit-holder is for each **Mooring** located in **Quincy Waters** and shall indicate the location of the **Mooring**, the type of **Mooring**, the **Boat** owner's name, the **Boat** owner's telephone number, the **Boat** owner's home and business addresses, the name of the **Boat**, and a description of the Vessel, including length, associated with each **Mooring**.

**b. Establishing Additional Mooring Locations:**

A new **Mooring** location may be established in **Quincy Waters** in either of the following ways:

- i). Anyone owning or controlling a **Vessel** may petition the **Harbormaster** for permission to place a new Mooring Buoy in **Quincy Waters** for the purposes of **Mooring** their **Vessel**. The **Harbormaster** shall respond to such petitions within 15 days of receipt. In considering such petition, the **Harbormaster** shall consider:

- A. Safety concerns relating to placing a new **Mooring** at the requested location, including the density of Moorings already located at that location, the size of the **Boat** sought to be moored in that location, and the volume of traffic currently existing in and around that **Mooring** location;
- B. How the placement of a new Mooring will effect the flow of traffic in **Quincy Waters**, including whether or not the new **Mooring** it will interfere with the efficiency and availability of **Quincy Waters** for other members of the public; and
- C. Access to the **Mooring** generally and the applicant's ability to show that he/she can safely gain access to the **Mooring**.

When more than one petition is filed for placement of a new **Mooring** in the same general area, the **Harbormaster** shall give preference to petitions in order that they were received unless one or more of the petitions has place of residence near the proposed **Mooring** site. In such a case, the **Harbormaster** shall give preference for new **Mooring** sites to the petitioner(s) living nearest to the proposed **Mooring**. However, once a mooring permit has been issued with regard to a new **Mooring**, the **Permit Holder** shall be entitled to maintain their permit for that **Mooring** as described below, regardless of applications by nearby residents for new **Moorings**.

- ii). The **Harbormaster** may, on his own initiative, designate locations for new moorings within **Quincy Waters** and /or may place new moorings in such locations. In designating new locations for mooring fields, the **Harbormaster** department shall conduct an assessment of **Quincy Waters** to determine suitable and available anchorage. The City may make available any new mooring areas designated by the **Harbormaster** to the general public, for a fee, by lease, or otherwise.

### **VIII: THE MOORING WAITLIST:**

A Mooring Waitlist shall be established as of January 1, 2007.

As of January 1, 2007, any person who wishes to acquire a permit to use a mooring in **Quincy Waters** will be placed on a Mooring Waitlist. Applications to be placed on the Mooring Waitlist shall be accepted by the **Harbormaster** between December 15, 2006 and February 15, 2007. On February 16, 2007, the **Harbormaster** shall hold a lottery to determine the order in which applicants will be ranked on the Mooring Waitlist. The first position (Rank No.1) shall be the highest position on the Mooring Waitlist and applicants will be numerically ranked down from 1 based on the results of the lottery.

After February 16<sup>th</sup>, any new applicant to the Mooring Waitlist shall be placed at the bottom of the existing list in chronological order according to the date that the applications are received by the **Harbormaster**.

**a. Renewal:**

Once the mooring Waitlist is established, an applicant's position on the waiting list shall be renewable at the end of each calendar year. It shall be the responsibility of the applicant to notify the **Harbormaster** Office in writing between January 1 and March 15<sup>th</sup> of each year of his/her desire to remain on the waiting list. Upon such notification, the applicant shall retain his/her position on the Mooring Waitlist for the ensuing calendar year, or shall move up on the waiting list as appropriate.

**b. Assignment of Moorings:**

When an existing **Mooring** space becomes or when a new **Mooring** space has been created by the Harbormaster and has been made available as a public mooring, the Harbormaster department shall offer the newly available Mooring space to the first person on the waiting list.

Once the Mooring has been offered to the applicant Ranked No.1, that applicant must, within 15 days of the offer, either: 1) apply for a **Mooring** permit for the available Mooring space (including demonstrating to the **Harbormaster** that the **Vessel** that will moored in the available **Mooring** space is appropriate for that space); or 2) state to the **Harbormaster**, in writing, that he/she does refuse this mooring space at this time. If the applicant fails to complete an application for the **Mooring** Permit, within the 15 days of the offer, he/she shall be deemed to have refused the **Mooring** space.

If the applicant Ranked No.1 refuses ( or is deemed to have refused) his right to the **Mooring** space, that applicant will retain his position as the applicant Ranked No.1, and the **Mooring** space will be offered to the applicant Ranked No.2, and so forth down the waiting list. Upon an offer of an available Mooring space, each applicant on the waiting list shall have the same options, as described above, of applying for a mooring permit or waiving the space to the next applicant on the list and retaining his/her position on the list.

If the applicant Ranked No. 1 on the list chooses to apply for a mooring permit and to accept the available **Mooring** space, then the applicant must comply with all the requirements, rules, and regulations, of the **Harbormaster** to obtain a mooring permit for the available **Mooring** space. Once a mooring permit has been assigned to the top ranked individual on the waiting list, that individual will be removed from the list and all of the remaining applicants shall move up on the waiting list by one position. The applicant formerly Ranked No.1 may then choose to remain off the waiting list, or may choose to place his/her name at the bottom of the waiting list then for future space, or at any time thereafter.

If the applicant Ranked No. 1 on the Mooring Waitlist chooses not to accept the available **Mooring** space, then that applicant may remain in first-ranked position on the waitlist indefinitely.

## **IX. MOORING USE:**

A permitted **Mooring** shall be non-transferable except to a person within the **Immediate Family** of the **Permit Holder** upon written approval of the **Harbormaster**. The **Harbormaster** may authorize in writing the temporary use of a permitted Mooring by a Boat other than the permitted boat upon written application of the **Permit Holder**.

## **X. EXPIRATION OF MOORING PERMIT**

All Mooring Permits expire on April 30th of the calendar year following the issuance year. However, Mooring Permits may be renewed pursuant to the provisions stated herein (QMC 12.26.060).

## **XI. CHANGE TO MOORING:**

No person may place, move, remove, or relocate a **Mooring** without the prior written authorization of the **Harbormaster** except for normal servicing of **Moorings** and minor realignment of **Moorings** to prevent adverse contact with nearby **Boats** on **Moorings** wherein the **Mooring** is moved (a) to its original location; or (b) no more than ten feet.

## **XII. USE OF CITY LANDINGS, PIERS, AND DOCKS**

- a. Mooring **Permit Holders** shall be allowed to access their permitted **Mooring** from all public landings.
- b. Mooring **Permit Holders** shall be allowed to access their permitted **Moorings** from the City boat ramp or docks or piers. No **Vessel** may remain tied to a City dock or pier for a period in excess of one-half (1/2) hour without permission of the **Harbormaster**. In the absence of such permission, the **Harbormaster** or his agent may remove or cause to be removed the **Vessel** in violation of this section. Any expense for removal of said **Vessel** and any liability incurred therefore shall be the responsibility of the owner of the **Vessel**.

## **XIII. ENFORCEMENT / PENALTIES:**

These rules and regulations shall be enforced by the Quincy **Harbormaster** Department and by police officers empowered to patrol the waters of Quincy.

Penalties for violations of these regulations shall be pursuant to and in conformance with Title 12 Chapter 26 Section 130 of the Quincy Municipal Code.

#### **XIV. APPEAL OF THE HARBORMASTER DECISION:**

Any mooring **Permit Holder** or applicant for a mooring permit or applicant on the mooring permit waiting list aggrieved by a decision of the **Harbormaster** or any condition or restriction imposed relative to such **Mooring** or application, pursuant to Massachusetts General Law Chapter 91, Section 10A and 310 CMR 907 (5), may appeal in writing to the Massachusetts Department of Environmental Protection, Waterways Regulation Program in accordance with the appeal procedures of that department.