

**TOWN OF MARION
RULES AND REGULATIONS
FOR USE OF BOAT BERTHS AT OLD LANDING WHARVES**

Approved by the Board of Selectmen – March 30, 2010

1. No boat longer than sixteen {16} feet or wider than six {6} feet will be allowed to use wharf berths. No raised deck, cabin, or sailboats with masts will be allowed. All boats, when berthed, must be kept bailed and in seaworthy condition. If the Harbormaster or his designee determines that a vessel is not seaworthy due to the lack of bailing, the Harbormaster or his designee may pump- out the vessel and the owner will be assessed a fee of \$10.00 per pump-out to be billed at the end of the boating season. (approved 12/06/05)
2. One berth only per family. With permission of the Harbormaster, a berth may be used temporarily by a family member but the berth holder may not rent out the berth. **The minimum age of applying for a boat berth is eighteen {18} years old.** Slip holders shall not hold more than one (1) town assigned boat berth within Marion waters. (approved 3/16/2010)
3. Fee: \$75.00 per year. A Boat Owner Sticker fee of \$ 100.00 applies to each berth occupied by a non-resident/non-taxpayer. (see Marion Waterway Regulations)
4. Boat owners must furnish all rope and gear from the caplog eyebolt to and including weight; all boats must be fastened fore and aft; weights must be sufficient to counterbalance the weight of the boat; specifications will be directed by the Harbormaster. The cable pulley will be furnished and maintained by the Town.
5. Boats may be put in place anytime after April 1st.
6. Persons holding a license to a berth must re-apply between April 1st and May 15th. **A late charge of \$100.00 will be assessed if the boat berth fee is not received by May 15th. Failure to pay the boat berth fee and the late charge by May 30th will result in the cancellation of your boat berth. Please pay promptly.** The berth will then be awarded to the applicant at the top of the Waiting List.
7. All berthing gear owned by boat owners must be removed by December 30th or earlier upon instruction of the Harbormaster or Wharfinger, if conditions warrant.
8. No parking of cars except for brief periods of loading and unloading of gear will be permitted beyond points approximately fifty {50} feet from the ends of the wharves. All cars shall park within the designated parking areas.
9. No boats may be tied to the floats except for loading, unloading, or emergency purposes. Tie-up time shall be twenty {20} minutes or longer, at the discretion of the Harbormaster or Wharfinger. No boats are to be hauled out on the float.
10. No tying up overnight, except in case of emergency, at the discretion of the Harbormaster or Wharfinger, and only along fender-pile, south wharf.
11. Recourse from the Wharfinger's instructions or decisions must lie with the Harbormaster.
12. Excepting with Harbormaster permission, a license holder not having a boat in berth by July 1st will have the license to the berth rescinded.

13. A license to a berth is not transferable. A boat berthed must be owned by or, if rented, be used exclusively by the holder of the berth license. Otherwise, the boat will be removed by the Harbormaster at the license-holder's expense.
14. Empty berths will be assigned to the applicant at the top of the Waiting List.
15. Persons in berth on the north side of north wharf and south side of south wharf shall have preference over new applicants to berths inside the "U".
16. Applications for a license to berth are available at the Town House to Marion residents and home owners.
17. The Waiting List for a license to berth at Old Landing Wharf will be published annually in the Town of Marion Annual Report.
18. Berth assignments will be made by the Harbormaster. **Refusal of an offer for a Berth may result in the removal of your name from the Waiting List.**
19. Rules and Regulations will be strictly enforced by the Wharfinger.

Failure to comply with these Rules and Regulations will be cause for revoking of the berth license.

The following paragraphs describe, in general, the Wharfinger's responsibility under the Harbormaster:

The Harbormaster has the responsibility not only of seeing that the Regulations are adhered to at both wharf locations, but also of informing the Wharfingers as to the interpretation of the Regulations desired by the Harbormaster.

A Wharfinger is a manager of a pier or wharf and is responsible for boats per se only when they are docking, are docked, or are casting off. The Wharfinger is responsible for the use of the wharf and the orderly parking of motor vehicles on the wharf, and, in the case of a ramp, authorized use thereof. {Parking areas not actually on the wharf and the queue for ramp use are not the responsibility of the Harbormaster's office.}

All Wharfingers are appointed by the Selectmen to the position of Wharfinger and they take their wharf assignments from the Harbormaster's office.