

Ordinance X: Harbor and Harbor Master

X. MATTERS PERTAINING TO THE BONNET SHORES FIRE DISTRICT HARBOR

SECTION 1. APPOINTMENT OF THE HARBOR MASTER. The Bonnet Shores Fire District Council shall hire a Harbor Master to serve at the pleasure of the Bonnet Shores Fire District Council, as authorized by the General Assembly of the State of Rhode Island May 8, 1974.

SECTION 2. COMPENSATION. The salary of the Harbor Master shall be an amount set by the Bonnet Shores Fire District Council.

SECTION 3. AUTHORITY. The Harbor Master shall have full power and authority within the jurisdiction fixed by law to enforce regulations and give directions regarding anchorage, management and control of all vessels within the waters of the Bonnet Shores Fire District.

SECTION 4. REMOVAL OF A VESSEL. The Harbor Master may remove for cause from time to time , any vessel not engaged in receiving or discharging cargo, or any vessel not anchored or moored in accordance with his directions in the waters within the waters of the Bonnet Shores Fire District at the owner's expense.

SECTION 5. DESIGNATION OF MOORING AREAS. The Harbor Master shall, having due regard to the draft of each vessel and facility of navigation, designate upon a map of the waters subject to his jurisdiction the places where adequate permanent or temporary moorings or anchorage may be maintained.

SECTION 6. DESIGNATION OF MOORINGS. The Harbor Master shall assign all future moorings within the Bonnet Shores Fire District in accordance with the requirements of the boats; that is the length, draft and facility of navigation. Any change in boat length for the mooring owner's 2022 application requires approval of the Harbor Master.

A. Any mooring now in position in the waters of the Bonnet Shores Fire District may be ordered moved by the Harbor Master, if, in his judgment, such removal be necessary.

B. The Harbor Master shall designate upon a map of the Boat Harbor the locus of each mooring and to said map shall affix or append a list or key designating the name and address of the owner or agent of the owner of each vessel and the size and type thereof. The Harbor Master shall file said map with the Bonnet Shores Fire District Council and thereafter shall maintain it currently accurate. He shall also maintain two (2) currently correct copies thereof, one for himself and one in a place reasonably accessible to mariners for their

convenience in consulting same during hours when the Harbor Master would not normally be available. He shall, on or before July 1 of each year, make a complete and accurate revision of both his Master Map and its copies.

C. The Harbor Master shall keep a detailed description of each mooring including its date of installation and subsequent inspections, its locus keyed to the map, the owner or agent's name, telephone number, home and business address, and the name, length and rig of the vessel.

D. The Harbor Master will, at his discretion, assign moorings to residents and/or taxpayers of the district who have heretofore maintained moorings in the Boat Harbor insofar as this can be documented. Subsequent assignments will be at the discretion of the Harbor Master; due regard shall be given to mooring needs of the residents within the Bonnet Shores Fire District.

1.

E. Only one mooring may be assigned to a specific address and taxpayer.

2.

SECTION 7. MOORING SPECIFICATIONS. Mooring specifications shall be determined by the Harbor Master and posted annually.

3.

SECTION 9. APPEAL. Anyone aggrieved by the action of the Harbor Master in assigning mooring locations or in specifying the nature of the mooring may appeal the Harbor Master's decision to the Bonnet Shores Fire District Council, but not before fully informing the Council of the grievance in writing to the Clerk of the Bonnet Shores Fire District. If the Harbor Master denies a mooring and the applicant can show just cause, he may receive a hearing from the Fire District Council on his rights to have a mooring in the waters of the Bonnet Shores Fire District.

SECTION 10. OPERATION. No person shall operate any boat or vessel in a reckless or negligent manner so as to endanger the life, safety and property of any person.

A. No vessel shall be operated in excess of 5 MPH within the Boat Harbor.

B. The Harbor Master shall cause a sign stating the above restrictions to be so placed that it is clearly visible to those operating vessels within the waters

wherein the above speed restrictions apply. Such signs will be maintained in place from June 1 to October 1 of each year.

SECTION 11. WATER SKIING. No water skiing will be allowed in the Boat Harbor or bathing areas. No water skier or his boat shall approach any stationary or moving object closer than one hundred (100) feet, except as may be incidental to starting or finishing a run.

SECTION 12. POSTING REGULATIONS. The Harbor Master will post and maintain on, or adjacent to, the ramp gate and jetty an adequate digest of those portions of this ordinance relating to the operation of vessels upon the waters under jurisdiction of said Harbor Master.

SECTION 13. NOISE. No operator or owner shall cause or allow excessive noise in the operation of a vessel or watercraft, nor shall said owner or operator allow excessive noise aboard such vessel or watercraft when anchored or moored. Unmuffled sound from engines, outboards or other machinery is not permitted except by permission of the Harbor Master.

SECTION 14. DERELICTS. No derelict boats, motors, piers, wharves or docks shall be allowed in or upon the Fire District's shores. [Removal of all derelicts will be at the owner's expense.](#)

SECTION 15. OBSTRUCTING PASSAGE. No object other than boats and approved moorings shall be used within the mooring areas which will interfere with the movement of the boats.

A. Mushroom anchors shall not be left with stems standing vertical.

B. Floating-type moorings shall not be used for mooring lines.

SECTION 16. PENALTIES. Every owner, master, agent or person in charge of any vessel or watercraft, surfboard, or water skier who shall neglect or refuse to obey the directions of the Harbor Master, or any other enforcement agent of a local jurisdiction, in matters within their authority to direct, and every person who shall resist or oppose such Harbor Master or other authority in the execution of his duties, or shall violate any of the provisions of this ordinance or regulations shall be fined **fifty dollars (\$50) for** each offense and each day that such neglect or refusal to obey shall continue after notice given by the Harbor Master or other authority.

A. Any person who shall remove from a location assigned by the Harbor Master any mooring belonging to another without authority from, or under the direction of the Harbor Master shall, upon conviction thereof, be fined as stated above.

- B. Any individual violating any provision of this ordinance may be cause for the Harbor Master's refusal to allow said individual with his vessel or other watercraft in the waters under the jurisdiction of said Harbor Master for such period of time as may be determined by the Harbor Master of the **Bonnet Shores** Fire District Council together with any necessary court action in cases of violation of state or federal law.
- C. If any boat owner, his agent or any other person shall place a mooring or maintain an anchorage or leave his vessel docked **secured to the dock other** than designated, said Harbor Master may remove or cause to be removed the mooring or vessel, or both, at his discretion and may charge the expense to the **owner or agent**.

SECTION 17. COMPLAINTS. All complaints for violation of this ordinance shall be made to the Harbor Master in writing.

SECTION 19. ANNUAL REVIEW. The Harbor Master shall meet jointly with the **Bonnet Shores** Fire District Council in the month of March of each year to review the preceding year's operation.

Adopted February 26, 1976

Revised and Approved, 5-0, March 16, 2011

Further Revised and Approved, 5-0, December 18, 2019

Further Revised and Approved, 5-0, May 20, 2020

Comment: *The proposed changes were done in conjunction with the expertise provided by the Harbor Master. The deletion of the provision re transferability is recommended because of community concerns over the long waitlist, which involves several years, for moorings in the harbor, and to allow more community members the opportunity to use this special resource that Bonnet Shores has to offer. The deletion of the section on outhauls is recommended because the Harbor Master has indicated that outhauls do not apply to the Bonnet Shores Fire District harbor.*