

## **Commercial Fish Pier Ordinance Town Of Stonington**

Section 301. Authority: This Ordinance is enacted in accordance with Title 30 M.R.S.A. Section 2151 and Title 30 M.R.S.A. Section 1917

Section 302. Purpose: The following provisions shall govern the use of the Town of Stonington Commercial Fish Pier.

Section 303. Permits: Applications for permits may be obtained from the Fish Pier Manager. Following approval and payment of the prescribed fee, decals will be issued which must be affixed to the vessel or vehicle described in the application, and will be valid for one (1) year from the date of purchase. Vessels or vehicles not displaying a valid decal will not be permitted to use the Pier. Permit fees and operation policies shall be recommended by the Harbor Committee to the Board of Selectmen for approval.

The following permits are required:

- a) Vessel Permit - All vessels docking at the Fish Pier must obtain either
- 1) an annual vessel permit; or
  - 2) a per-day vessel permit. Per-day permits are for daylight hours use of the Fish Pier. A vessel may not obtain more than five (5) per-day permits in any one year. Vessels that obtain an annual vessel permit will receive credit for payments made in the same year for any per-day permits

Vessels are not to be left at the Fish Pier unattended. Vessels found in violation may be removed at the owner's expense by order of the Pier Manager/Harbor Master. Vessels shall not arrive at the Fish Pier with tenders/skiffs in tow.

- b) Service Permit: Any person or corporation providing repair services, fuel, equipment, supplies or maintenance of fishing vessels or to equipment or facilities on the Fish Pier must obtain either an annual or per-day service permit. All vehicles selling fuel on the Fish Pier must be covered by liability insurance in the amount of \$1,000,000 per occurrence. Vessel owners delivering fuel to their own vessels must have liability insurance in the amount of \$300,000 per occurrence and their vehicles must conform with all Maine safety and fire regulations, except for vessel owners delivering quantities of eight gallons or less to their own vessels.
- c) Transport Permit: Any vehicle transporting product or equipment off the Fish Pier must obtain either an annual or per-day transport permit. Transport vehicles shall not be left unattended on the Fish Pier.

Vehicles violating this ordinance may be removed at the owner's expense.

- d) Skiff Permit: Any boat moored at the designated skiff floats must obtain a skiff permit. Only boats sixteen (16) feet or less in length may obtain a skiff permit.
- e) Parking Permit: Any vehicle parking in the designated parking lot must have a parking permit.

Section 304. Berthing/Parking: The Fish Pier is for the loading and unloading of product. Overnight berthing at the Fish Pier is strictly prohibited. Vessels seeking refuge may tie up to the Fish Pier when approved by the Fish Pier's Manager or designee. Consideration will be based on Gale Warnings (of 34-47 knots) and or storm warnings (48 plus knots) . It is strictly prohibited for the Master, Owner or Operator to leave his/her vessel unattended during the entire duration he/she is seeking refuge. Vessels must be removed from the grounds of the Fish Pier immediately following any storm.

Section 305. Trash and Debris: Depositing of household trash or debris on the Fish Pier is prohibited. Containers are provided for commercial vessel trash. Any equipment left unattended on the Fish Pier shall be removed at the owner's expense.

Section 306. Enforcement: Enforcement of the provisions of this Ordinance is delegated to State or local law enforcement officers, the Fish Pier Manager, and the Harbor Master of the Town of Stonington. Personnel, services, and equipment of any other agency of State or Federal government may be utilized in performance of this provision. Any officer having vested authority shall, pursuant to authority provided by law and with or without warrant or other process, arrest any person if he has reasonable cause to believe such person has committed an act as prohibited by Sections 302-307 of this ordinance. The Town of Stonington Town Manager, in consultation with the Town Selectmen, shall prescribe the forms for permits. The Pier Manager may, in the interest of maintaining appropriate law and order, in his sole discretion, elect to temporarily suspend the use of any permit granted.

Section 307. Penalty: Violation of any provisions of this Ordinance may result in a fine of not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00 per instance.

Section 308. Severability: If any part of this Ordinance is declared invalid for any reason by any court having jurisdiction, the validity of any other part of this Ordinance shall not be affected.

Section 309. Funding: The "Fish Pier Reserve Fund" is hereby established. Any and all fees and penalties collected under this Ordinance shall be placed in this reserve fund to be used as authorized by the Board of Selectmen and the Harbor Committee for capital improvements, management, operation, and maintenance of the Fish Pier. No additional action by Town Meeting is needed in order for the Selectmen and the Harbor Committee to use these fees and penalties, provided they comply with the provisions of Title 30-A M.R.S.A. s/s/ 5802

7-17-95

Sec 309 Amended 12/9/96

Amended 3/98

Amended 7/31/02 – sections 301 through 308 changed

Amended 9/13/10 – section 304 changed by vote of Special Town Meeting

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A True Copy Attest



Lucretia Bradshaw, Town Clerk