
By Mr. Holmes, petition of Robert H. Tilden and others for legislation relative to the powers of harbormasters. Harbors and Public Lands.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Three.

AN ACT RELATIVE TO POWERS OF HARBORMASTERS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 26, of chapter 102, of the General Laws,
2 is hereby amended by deleting all the provisions thereof and
3 substituting therefor the following new Section 26:

4 *Section 26. Additional Powers of Harbormasters.*

5 A. The Harbormaster may regulate and station all vessels
6 in the streams or channels of his harbor and may re-
7 move such as he determines are not fairly and actually
8 employed in receiving or discharging their cargoes, to
9 make room for such others as required to be more im-
10 mediately accommodated for such purposes.

11 B. A Harbormaster shall regulate the placing of and as-
12 sign locations for all moorings of any description in his
13 harbor whether said moorings be for vessels, boats,
14 floats, rafts, lobster cars or other similar objects, except
15 moorings which are incidental to and included in the
16 recorded plans of structures which have been licensed
17 by the Department of Public Works under the provi-
18 sions of Chapter 91 of the General Laws.

19 C. Harbormasters may, subject to local ordinance or by-
20 law, make regulations prescribing the minimum ground
21 tackle to be used to moor or anchor the various vessels,
22 boats and other objects enumerated in the previous
23 paragraph, and may refuse to permit any such vessel
24 or other object to be anchored or moored in his harbor

25 if its ground tackle does not comply with said regula-
26 tions. Ground tackle, as herein used, shall include the
27 anchor or mooring block, chain and pennant.

28 D. Harbormasters in towns shall have control of all public
29 landings and of all wharves, piers, docks, floats and
30 ramps owned by the town, concurrently with the Se-
31 lectmen, for the purpose of regulating the use thereof,
32 and assigning mooring locations thereon. They may
33 establish reasonable rules and regulations therefor with
34 the approval of the Selectmen and subject to any ap-
35 plicable by-law.

36 E. A city or town may, by ordinance or by-law, provide
37 for reasonable fees to be paid to the town for services
38 rendered by the Harbormaster in assigning the loca-
39 tion of moorings and the inspection of ground tackle,
40 and may also charge reasonable fees for the use of its
41 landings, ramps, piers, wharves and floats. Said fees
42 shall be collected by the Harbormaster and paid over
43 and accounted for to the town treasurer.

1 SECTION 2. Section 28 of Chapter 102 of the General Laws
2 shall hereby be amended by adding thereto an additional
3 paragraph as follows:

4 Any violation of the rules and regulations or orders
5 made under Section 26 hereof may be enjoined by a
6 petition in equity brought by the Harbormaster or by
7 the mayor or selectmen in the name of the city or town.