

By Mr. Lewis, a petition (accompanied by bill, Senate, No. 2061) of Arthur Joseph Lewis, Jr., for legislation relative to the docking of commercial vessels. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-two.

AN ACT RELATIVE TO THE DOCKING OF COMMERCIAL VESSELS.

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

1 Chapter 91 of the General Laws is hereby amended by in-
2 serting after section 10A the following section: —

3 *Section 10C.* Notwithstanding any contrary provision of
4 law, the harbormaster of a city or town or whomsoever is so
5 empowered by said city or town may authorize by written per-
6 mit the stationing of commercial vessels to a public commer-
7 cial dock, pier, wharf, float, raft or mooring fixed or other-
8 wise within the territorial jurisdiction of such city or town
9 upon such terms, conditions and restrictions as he shall deem
10 necessary. He shall act on application for such permits within
11 a period of seven days from receipt thereof.

12 Such application may be left at the Office of the City or
13 Town Clerk by the Master of a commercial vessel.

14 If the harbormaster or whomsoever is so empowered fails
15 to act within such period, then such permit shall be deemed
16 to have been granted.

17 Any refusal to grant such permits within such period shall
18 be in writing by the harbormaster or whomsoever is so em-
19 powered by said city or town and shall include the reasons
20 for such refusal.

21 Any person aggrieved by a refusal to permit such stationing
22 or by any condition or restriction imposed relative to such
23 stationing may appeal to the Division of Waterways of the
24 Department of Public Works.

25 Said Division shall review the circumstances resulting in
26 such appeal and shall render a ruling either confirming the
27 action of a harbormaster or whomsoever is so empowered by

28 said city or town, setting such action aside, or amending such
29 action and imposing its own conditions and restrictions as
30 deemed necessary.

31 Actions by a harbormaster and/or the Division under this
32 section shall be subject to applicable laws administered by the
33 Division of Motor Boats, the Division of Marine Fisheries, the
34 United States Coast Guard and the United States Corps of
35 Engineers.