

TOWN OF CHATHAM
SELECTMEN

REGULATIONS FOR
CHATHAM MUNICIPAL FISH PIER

§1001 Authority and enforcement

- (a) These rules and regulations are adopted by the Board of Selectman pursuant to Ch. 114 Sec. 2 of the 1943 Acts and Resolves of Massachusetts governing the use of the Chatham Town Wharf or so-called Fish Pier, to include but not limited to the bulkheads, packing house, parking areas and Wharfinger's building.
- (b) The Wharfinger, Harbormaster, and Assistant Harbormasters have the authority to enforce these regulations.

§1002 Applicability

These regulations apply the use of the Chatham Municipal Fish Pier located between Shore Road and the waters of Aunt Lydia's Cove.

§1003 General provisions

- (a) All capitalized terms herein shall have the same meaning as set forth in Section 1001 of these Regulations.
- (b) No motor vehicles including motorcycles shall be allowed on the platform portion of pier, except forklift tow motors as used by the tenants in conjunction with the fish pier operations.
- (c) All vehicles used in the transportation of product are responsible for containing all drainage/leakage of any liquids and/or fish waste from their vehicles except in the designated areas approved by the Harbormaster, Wharfinger and/or Assistant Harbormasters.
- (d) The dragging, pushing or pulling of any fish containers, totes or coolers is prohibited on all town floating docks and gangways.
- (e) All refuse must be deposited in the containers supplied for this purpose, and all waste oil must be deposited in the waste oil container.
- (f) The rubbish disposal containers are solely for the dumping of trash and debris generated at the fish pier, or from Vessels with valid docking permits, all other dumping is prohibited.
- (g) The discharge, disposal, or dumping of oil, dead fish, or parts, rubbish, refuse, or debris from the Fish Pier, Vessel or other sources into or on the tidewaters or shores of Aunt Lydia's Cove is strictly prohibited. Violators will be prosecuted in accordance with all

applicable Town, State, and Federal law.

- (h) The drinking of alcoholic beverages is prohibited at the fish pier.
- (i) No advertising is permitted at the Fish Pier, with the exception of those who have a valid docking permit and having been given special permission by the Wharfinger.
- (j) Only Docking Permit holders, their crew, (to include baiters), and Persons authorized by the Town of Chatham may use the bait room, waste oil tank, and rubbish containers. No Person may use the bait room to conduct an independent, baiting operation.
- (k) The storage of petroleum Products and bottled gases is prohibited at the fish pier.
- (l) The improper use or abuse of the waste oil facility shall result in suspension of docking permit and prosecution in accordance with Town, State, and Federal law.
- (m) No pets are allowed unleashed at the fish pier, and are prohibited in the fish packing areas.
- (n) There is hereby designated by the Selectmen a loading/unloading area for Product within the area known as the yellow zone in the south jog; said area shall consist of an area approximately 17 x 40 feet.
 - (1) It shall be the responsibility of each captain to comply with these regulations and further be responsible for the clean-up of the area immediately after loading/unloading.
 - (2) All Vessels using the South Jog area will, prior to unloading, obtain a South Jog Unloading permit in addition to holding a current and valid Docking permit. (Fees listed in §1007 of Harbormaster Fish Pier Regulations).
 - (3) Packing vehicles may unload a Vessel in the yellow zone in the South Jog under the following conditions: All buyers and/or packers shall have access to the Vessel they are unloading, but in no event shall more than two (2) vehicles packing (taking fish out) be permitted in the lower level parking lot at any one time. All other packing vehicles will remain off site until such time as the vessel that they are attending to shall be in place to unload. Vehicles not actively unloading a Vessel must be removed to an appropriate off-site location. No packing vehicle may be left unattended at any time. Each packer or buyer shall be required to have a vehicle permit for the current fishing season (fee listed in §1007 of Harbormaster Fish Pier Regulations). Buyer/Packers will park their vehicles at the direction of the Wharfinger.

§1004 Vehicle permits

- (a) Any independent buyer/packer business unloading finfish, lobster or shellfish into any vehicle shall pay an annual fee of \$250. This shall not apply to any Vessel with valid Docking and South Jog Offloading permits that unload their own Product into their own vehicle.

- (b) Vessel owner/operators may park their vehicles in the lower and/or upper lots with valid and appropriate parking permits issued by the Selectmen or their authorized agent, under the following conditions:
- 1) Vehicle parking in the lower lot is reserved for commercial fishermen boat owners/operators, who display a valid and current Lower lot (L) parking permit issued with an appropriate docking permit.
 - 2) Parking in the Upper lot (U) from June 15th through Labor Day, between the hours of 1 AM and 7 AM, is restricted to those vehicles displaying a current and valid Lower (L) or Upper (U) lot parking permit. The upper level parking permits shall only be issued to those:
 - a. who possess a valid docking permit but do not meet the criteria for a Lower lot (L) permit.
 - b. crewmen of a fishing vessel that has a valid docking permit. These crewmen must obtain an Upper lot (U) parking permit from the owner/operator of the fishing vessel with authorization from the Harbormaster. Fishing vessel owner/operators are responsible for retrieving parking permits from their crew who no longer fish on their vessel.
 - c. owners of North Beach Island camps.
 - d. charter boat owners may issue one (1) temporary Upper lot (U) parking pass for use by their customers for the day in which they will be chartering the vessel from the fish pier. This temporary permit must have the date of the charter and the charter vessels name printed on it. This permit shall be visibly displayed on the vehicles dashboard.
 - 3) From June 15th through Labor Day, three (3) parking spaces in the upper lot shall be designated 1 hour parking for use by the general public between the hours of 1 AM and 7 AM.
 - 4) Parking spaces in the Upper lot after 7 AM and before 1 AM shall be available to any vehicle on a first-come-first-served, space-available basis, provided that non-permitted vehicles that remain in spaces from 1 AM to 7 AM shall be subject to towing or the fines authorized in these regulations.
 - 5) Nothing herein shall prohibit the Selectmen from licensing any portion of the parking spaces for special events or under special circumstances.
- (c) A new, first time parking permit will only be issued to an owner or agent of a Vessel greater than 30 feet in length.
- (d) Parking permits may not be issued to any vehicle larger than 1 ton capacity.
- (e) Permit parking in the lower lot is on a first come first serve basis. All vehicles must be legally parked in the spaces provided.
- (f) Electronic repair technicians, welders and mechanics conducting minor repairs may ask

the Wharfinger for a temporary parking permit.

- (g) Seasonally, the Wharfinger may designate parking spaces as "Truck and Trailer Combinations Only." These spaces will be clearly marked, and will be available on a first come first serve basis. In the event these spaces are filled, trailers may be detached from the towing vehicle and parked in a vacant space, provided it is within the marked lanes. Off-season trailer parking will be at the discretion of the Wharfinger.
- (h) Vehicles parked at the Fish Pier will be moved at the request of the Wharfinger.
- (i) Vehicles illegally parked, or parked in the designated "Truck and Trailer Combination Only" areas are subject to a fine and/or being towed away at the owner's expense.

§1005 Fuel permits

- (a) The Town Manager may in accordance with MGL Ch. 30B issue a fuel concession agreement for the purpose of dispensing diesel fuel, gasoline, and other related Products from the fuel system at the fish pier packing building.
- (b) The holder of the Chatham Fish Pier Concession Agreement and other vendors selling fuel at the South Jog area will pay to the Town of Chatham, by the 10th of each month: \$.08 for each gallon of diesel and gasoline pumped.
- (c) Before any fuel company may deliver fuel to the fish pier, a permit must be obtained from the Town of Chatham that is valid for the current fishing season (fee listed in §1007 of Harbormaster Fish Pier Regulations).
- (d) Vendors so authorized must carry on their fueling operations in a neat, orderly manner, taking care to prevent fuel spillage or leaking either onto the dock, the surrounding ground area, or into the waters of Aunt Lydia's Cove, bearing sole responsibility and expense for any damages or costs incurred by anyone as a result of any such spillage or leakage.
- (e) Vendors so authorized will at all times carry and cover a full, in-force liability insurance policy which includes among other specific protections, insurance for any fuel spill or improper discharge of not less than ONE MILLION DOLLARS (\$1,000,000) and shall hold harmless and indemnify the Town of Chatham against any and all claims pertaining to the management, delivery, and operations relevant to the sale of fuel and related Products.
- (f) Vendors dispensing fuel to boats shall pay to the Town of Chatham a fee (listed in §1007 of Harbormaster Fish Pier Regulations) for each gallon of fuel sold at the fish pier. Vendors shall on or before the 10th day of each month pay to the Town of Chatham the fee collected from fuel sales at the fish pier during the previous month.
- (g) Before any Vessel may purchase fuel at the south jog, the owner or agent must obtain a south jog Fuel Permit (fee listed in §1007 of Harbormaster Fish Pier Regulations), in addition to a docking permit.

§1006 Fish packer lease review criteria

- (a) The failure of the lessee to honor all terms of the lease shall be grounds for a review and potential cancellation in accordance with the terms of the lease.
- (b) The failure of a lessee to make available a loading dock for the use of buyers other than the lessee, provided that the lessee received reasonable notice for scheduling trucks, boxes, totes, ice, and packers shall be grounds for review.
- (c) In all cases, a review of a fish pier packers lease will be conducted three months prior to the expiration date of a current agreement by the Board of Selectman and the Aunt Lydia's Cove Committee.
- (d) A review of a fish packers lease may be called for by the Wharfinger and/or the Aunt Lydias Cove Committee if their volume of fish packed during the 6 months prior to October 1 during the current fishing season falls below twenty-five percent of the total number of boxes landed at the fish pier and south jog combined.

§1007 Supervision and enforcement

- (a) Supervision of these regulations shall be the responsibility of the Selectmen and their agent, the Wharfinger.
- (b) Violations of these regulations may be punishable by fine of up to \$50 dollars, per offense, as determined by the Wharfinger, Harbormaster and/or Assistant Harbormasters. Subsequent violations may result in suspension of docking permit.
- (c) The Wharfinger is authorized to issue parking tickets (non-criminal violations).
- (d) Docking permits may be suspended or revoked by the Board of Selectmen upon recommendation of the Wharfinger or Harbormaster for violations of these regulations or other valid reason such as conduct that tends to create a nuisance. The Selectmen will provide reasonable notice to the permit holder and will hold a hearing at which the permit holder will be heard and which shall include the reasons for potential suspension and/or revocation prior to making their decision.

§1008 Severability

In the event that any portion, section, or clause of these Rules and Regulations is hereafter judiciously found to be invalid, such decision, invalidity, or voidance shall not affect the validity of the remaining portions of these Rules and Regulations.

Florence Seldin *07/08/14*
Florence Seldin, Chairman Date
Board of Selectmen

The following sections have been modified and/or new and revised on August 3, 2013:

§1003 (a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m) & (n)(3) - General provisions

§1004 (a) - Vehicle permits.

§1005 (d) - Fuel permits.

§1006 (a) - Fish packer lease review criteria.

§1007 (b) (d) - Supervision and enforcement.

The following section(s) have been modified and/or new and revised on July 01, 2014:

§1004 (b) - Vehicle permits; delete old (b) replace with new (b).

§1004 (c) - has been moved to §1005 as (b) {administrative correction only}.