

## WELLFLEET ENVIRONMENTAL PROTECTION REGULATIONS

### 2.05: Small Vessel Identification and Permitting Program

To protect the fragile beach and riparian ecologies and associated vegetation, small vessels (canoes, kayaks, dories, skiffs, dinghies, sail or paddle boards, and similar watercraft) may be stored only at approved locations as designated by the Conservation Commission, in cooperation with the Harbormaster and Beach Administrator at the following locations:

- Gull Pond Indian Neck
- Mayo Beach
- Old Wharf Point (Site owned by Wellfleet Conservation Trust)
- Pleasant Point
- Powers Landing

Approval from the Harbormaster is required for leaving a vessel at any other Town landing or on Town owned property.

Small vessels may be stored unattended in Wellfleet provided that they meet the following regulations.

(1) Each vessel must obtain and display a current Identification Sticker obtained from the Town of Wellfleet.

(a) Stickers are nontransferable to any other vessel, even if owned by the same individual.

(b) Stickers will serve as a permit for use of one four-foot slot at one (1) specific site, and will be issued annually and be in effect from April 1<sup>st</sup> through October 31<sup>st</sup>. In accordance with existing Marina regulations, no boats shall be stored on Town Landings between November 1<sup>st</sup> and March 31<sup>st</sup>, with the exception of those used by year-round fisherman.

(2) Residents, non-resident taxpayers, and those presenting a current year round residential lease or will be eligible for an identification sticker for the fee of \$100.00. Season: April 1 to October 31 - \$100.00

(a) The vessels must be located in the manner defined by the Town. In most cases, this will require that vessels be placed in a slot on racks provided and/ or approved by the town.

(3) A limited number of slots are available at each designated site and will be allotted on a first come first served basis. Applications will be available on the Town website, through the beach sticker office, and the Harbormaster's office.

(a) Any person who leases a mooring through the Harbormaster, may upon request, be issued one Identification Sticker at no charge for a “tender” associated with the larger vessel. Such tenders are to be stored as directed by the Harbormaster

(b) Each licensed commercial fisherman or aquaculturalist who stores a small vessel associated with his/her work at a town landing will be allocated one Sticker at no charge, and a second Sticker at no charge if work is done in two different locations within Wellfleet Harbor. Stickers for fishermen and aquaculturalists shall be year-round permits and available upon request from the Harbormaster.

(4) Any vessel owner receiving or purchasing a Sticker agrees to release the Town of Wellfleet and its employees or agents (“the Town”) and the underlying property owner, from any and all claims, rights of action or other forms of liability, whether for personal injury, property damage or otherwise, that may arise in connection with use of the approved sites for storage of a vessel, and agree, as a condition of receipt of a permit for such storage, to INDEMNIFY and HOLD HARMLESS the Town and the underlying property owner against any and all legal claims and proceedings of any type that may arise from or relate in any way to use of the designated storage location.

(5) The Harbormaster, the Shellfish Constable, the Conservation Agent, and the Beach Administrator (and their deputies or assistants) shall have the authority to enforce this regulation.

(6) Any vessel found on a town landing without a current Town-issued Identification Sticker may be tagged for removal. If the vessel has not been removed by the owner within 48 hours, it may be removed and stored by the Town and subject to a non-criminal violation with a fine of up to \$100. The per diem storage fee for vessels unclaimed within the 48 hours is \$15.00/day up to a maximum storage fee of \$150.00. The vessel will be released to its owner upon payment of any fine imposed.

Persons with unpaid fines will not be able to purchase beach and transfer station stickers or vessel identification stickers until or unless the fine is paid in full.

(7) Any vessel unclaimed by the owner within one month of its removal maybe disposed of as the Town determines.

(8) If a question arises regarding this regulation or the issuance of a permit, the Conservation Commission will discuss the matter at a regularly scheduled business meeting. Requests for hearings should be made in writing and sent to the Conservation Commission or its Agent. Following such a request, a hearing will be scheduled within one month’s time.