

Approved by Board of Selectmen - April 24, 2006
Revised by Board of Selectmen - May 22, 2006
Revised by Board of Selectmen - June 26, 2006

BUCKS HARBOR PUBLIC PIER, RULES & REGULATIONS

Notice: The use of the Bucks Harbor Public Pier, wharfs, floats, grounds, parking lots, and equipment are at your own risk. The town of Machiasport, Maine owns the Bucks Harbor Public Pier. The Bucks Harbor Public Pier is to be used primarily as PUBLIC PIER and may be used by fisherman, boaters and non-boaters alike.

It is the responsibility of anyone using the Public Pier, to use the trashcans and to clean up after him or herself.

Definition: The Bucks Harbor Public Pier includes, floats, ramps, grounds, land, parking lot, ramps, and /or any items and equipment attached thereto.

GENERAL-

- a. It shall be the duty of the Office of the Harbor Master or any other Law Enforcement Officer to enforce the provisions of this document.
- b. It is a Class E crime to disobey a Harbor Master. Conviction can carry fines up to \$500 and six months in jail.
- c. Any person(s) who violates any provisions of these Rules & Regulations commits a civil violation punishable by a civil penalty as per the SECTIONS below.
- d. Repeated offenses of any rule or regulation can lead to fines and/or restrictions or suspension of facility use.

1. USAGE-

- a. Tie-up is limited to two (2) hours per boat in a 24 hour period (except for an emergency). Emergency exceptions must be reported to the Harbor Master, if not available the Assistant Harbor Master.
- b. Boats shall not be left unattended at the Public Pier.
- c. Boats shall not be left at the Public Pier between 9 PM and 4 AM except for loading/unloading purposes. (Dinghies are permitted 24-hour tie-up to dinghy dock only).
- c. Boats shall not be docked at the Public Pier during severe weather conditions.
- e. **Penalty**-Violation of this SECTION is punishable by a minimum fine of \$50 per day to maximum of \$500 per day. The violator(s) will be held response for all expenses, but not limited to, removing the boat(s) from the Pier and/or the attached floats, attorney fees, and court cost. The Town of Machiasport with be held harmless for any damages incurred as a result of moving said boat or its equipment.

2. VEHICLES-

- a. Vehicles shall not block the approaches to the Public Pier or prevent passage to the end of the Public Pier.
- b. Vehicles and equipment shall not be parked on the Public Pier.
- c. Vehicles may be used on the Public Pier for loading and unloading purposes only.

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- d. All other vehicles must be parked in the parking lot.
- e. Vehicles and other equipment shall not be left unattended in the parking lot for more than 72 hours unless otherwise authorized by the Harbor Master.
- f. All vehicles parked on the Public Pier and parking lots are required to position themselves such as to take up minimum space.
- g. **Penalty-** Violation of this SECTION may be punishment by a written warning, impoundment to a minimum fine of \$50 per day. The owner(s) will be held responsible for all cost associated with towing expenses, attorney fee, and court cost. The Town of Machiasport is not liable for damages occurring to this vehicle.

3. PERIPHERALS

- a. Bait, fishing gear, traps, nets, machinery, floats, hardware, ladders, petroleum products, boat trailers, etc., shall not be stored or left in or on the Public Pier or in the parking lot. (Exception storage of bait on Finn Beach)
- b. The Public Pier, dock space and floats are to be used only *temporarily* for peripherals and those items are to be placed so as not to block through traffic to the end of the Public Pier, dock, or ramp.
- c. Peripherals shall not be left on the Public Pier for more than four (4) hours in a 24-hour period.
- d. All Peripherals and vehicles in violation of these rules will be removed at the owner's expense.
- e. **Penalty-** Any person in violation of this SECTION or discarding, throwing, dropping, depositing or disposing, or leaving (and not properly and attending to) any personal property, peripherals or litter on the pier, approaches and/or parking lot will be subjected to a written reprimand or impoundment and/or a fine of a minimum penalty of \$25 per day to a maximum penalty of \$150 per day including expenses, attorney fees, and court cost. The Town Of Machiasport is not responsible for any damages resulting from the above penalty.

4. SWIMMING-

- a. Swimming is not permitted at the Bucks Harbor Public Pier.

5. DUMPING AND DISCHARGE –

- a. Dumping or discharging petroleum products, raw sewerage, paper, plastic, glass products, and/or metal or liquids, solids, gases that is foreign to the marine environment is a violation of state and federal laws, rules and regulations, and Violators will be reported to the appropriate authorities. Violators will also be subject to a civil **minimum penalty** of \$100 to a **maximum penalty** of \$500 which includes expenses, attorney fees, and court cost.

6. COMMERCIAL USAGE

It is the intent of the Town of Machiasport to issue just one commercial user Permit per entity. (e.g. Household, resident/non-resident, or dealers) The person who purchases the permit will be listed as the permit holder. Commercial user Permits shall not be transferred from one person to another.

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- a. Beginning on Monday July 17, 2006 commercial users using the Bucks Harbor Public Pier, for the purpose of soliciting business or potential customers will be required to obtain commercial users Permit from the Town of Machiasport.
- b. A commercial user is defined as one who holds a commercial dealer's license or one who Buys/sells a product and/or service.
- c. A residential commercial user is defined as one who pays property and/or personal property taxes to the Town of Machiasport.
- d. A non-residential commercial user is defined as one who is not a resident of the Town of Machiasport and who does not pay property taxes or personal property taxes in Machiasport.
- e. A commercial fuel dealer is defined as a fuel vendor who sells a product and/or service to customers at the Bucks Harbor Public Pier.

7. COMMERCIAL USER FEES-

- a. Beginning on Monday July 17, 2006 commercial user fees shall be paid by all commercial users who use the Bucks Harbor Public Pier.
- b. Five (5) commercial user Permits (3 residential and 2 non residential) will be issued annually on a first come first serve basis beginning on Monday July 17, 2007 as follows:
- c. Three (3) annual residential commercial user Permits will be available at the Machiasport Town Office, on a first comes first serve basis. The cost of an annual Permit for residential users will be \$1000.
- d. Two (2) annual non-residential commercial user Permits will be available at the Machiasport Town Office, on a first comes first serve basis. The cost of an annual Commercial User Permit for non-residential users will be \$2,000.
- e. Two (2) annual fuel dealer Permits will be available at the Machiasport Town Office. The cost of an annual commercial user Permit for each fuel dealer will be \$500.

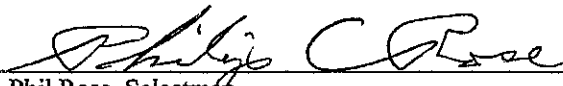
8. ENFORCEMENT

- a. The Harbor Master will maintain a list of all commercial user Permits issued to Commercial users and he/she shall be responsible for the enforcement of the Bucks Harbor Rules and Regulations.
- b. **Penalty-** Any commercial user in violation of this SECTION using the Bucks Harbor Public Pier, approaches and/or parking lot for commercial use as defined above will be subjected to a written reprimand by the Harbor Master. A minimum fine of \$100. Per day, including expenses, attorney fees, and court costs. Violators will forfeit their Commercial User Permit for a period of one year from the date of the violation. The Town Of Machiasport is not responsible for any damages resulting from the above penalty.

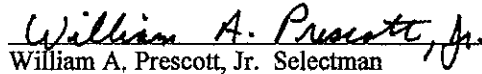
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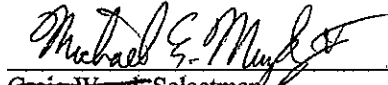
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Phil Rose, Selectman



William A. Prescott, Jr. Selectman



~~Craig Wood~~, Selectman