

## AMENDMENT TO HARBOR MANAGEMENT ORDINANCE 09-01

RESOLVED, THAT THE FOLLOWING AMENDMENT TO THE HARBOR MANAGEMENT ORDINANCE BE ESTABLISHED BY THE TOWN OF ESSEX:

*WHEREAS*, the Town of Essex has established a Harbor Management Commission pursuant to an Ordinance adopted March 4, 1986; and

*WHEREAS*, a Harbor Management Ordinance was adopted by the Town of Essex effective October 26, 1990; and

*WHEREAS*, jurisdiction over the Town dock and other Town boat launches and water access areas was vested by The Harbor Management Commission by an Ordinance adopted by the Town of Essex on January 26, 1994; and

*WHEREAS*, the Town of Essex wishes the Essex Harbor Management Commission to manage and control the storage of "vessels" at "public access points" as defined in Article 2 of the Harbor Management Ordinance. Vessels include but are not limited to canoes, kayaks and the like. Public access points include Bushnell Park, and such other public access points as the Harbor Management Commission may designate as suitable for vessel storage hereunder.

*NOW THEREFORE*, pursuant to Connecticut General Statutes §7-148(c)(10) The Harbor Management Ordinance is hereby amended by the addition of the following Article V:

### ARTICLE V

#### **Regulations Concerning Storage of Vessels at Public Access Point**

Section 29. *Designation of Storage areas.* The Harbor Management Commission designates Bushnell Park as a suitable vessel storage area under this Ordinance, and may by resolution and placement of signage under Section 35 hereof, designate other such areas at public access points and the type of vessel suitable for storage.

Section 30. *Registration.* Vessel owners using storage areas shall be required to register their vessels with the Town Clerk and purchase a vessel sticker at such fee as established by the Town Clerk to cover the administrative cost of such registration. The sticker will be numbered, with the number recorded with the Town Clerk. The vessel shall display the sticker so that easy identification can be made.

Vessel registration shall include the whole identification number as required by the United States Coast Guard and the Federal Code of Regulations, State Registration numbers (if applicable) and a description of the vessel to include model, length, color and other identifying characteristics.

Section 31. *Removal.* All vessels shall be removed from Bushnell Park and other designated storage areas by November 30<sup>th</sup> of each year. Vessels may be returned on or after April 1<sup>st</sup> of each year. Launching of vessels may be done throughout the year, but no vessel storage is allowed from December 1<sup>st</sup> through March 31<sup>st</sup> to allow for public access point maintenance and control.

Section 32. *Enforcement.* In addition to such other enforcement powers that The Harbor Management Commission may have under Section 5 of the Ordinance, vessels not removed from public access points may be removed by the Harbor Management Commission and impounded. Retrieval of said vessels by their owner shall be conditioned upon payment of such storage charges as shall be incurred by the Harbor Management Commission.

Section 33. *Emergency Removal.* Owners of vessels shall be required to remove their vessels in the event of an official NOAA hurricane warning.

Section 34. *Liability.* Neither the Town of Essex nor the Harbor Management Commission shall be responsible for the care, condition or security of vessels left in storage at public access points.

Section 35. *Signage.* Signage shall be displayed at Bushnell Park and at such other public access points as the Harbor Management Commission shall designate for boat storage.

This Amendment to the Harbor Management Ordinance shall be effective 15 days after publication in a newspaper having a circulation within the Town of Essex.

Adopted at a Special Town Meeting held January 21, 2009  
Published in the Hartford Courant – January 27, 2009