

§ 36-2. Title.

This chapter shall be known and cited as the "Dock Ordinance."

**CODE OF THE TOWN OF WOLFEBORO NEW HAMPSHIRE, v7 Updated 09-01-2009
/ PART I ORDINANCES AND BYLAWS / Chapter 36, DOCKS AND WHARVES /**

§ 36-3. Purpose.

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The purpose of this chapter is to promote the orderly, compatible and safe use of docks, wharves and ramps owned and maintained by the Town of Wolfeboro.

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§ 36-4. Definitions.

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As used in this chapter, the following terms shall have the meanings indicated:

TOWN DOCKS -- The docks owned and maintained by the Town of Wolfeboro and located at Dockside, at the Libby Museum in Winter Harbor, at Mast Landing in Crescent Lake and in Back Bay adjacent to the railroad station.

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§ 36-5. Limitations on use of Town docks, wharves and ramps.

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- A. No commercial vessel, floating dredge or barge is to use the Town docks or to anchor within 100 yards from said Town docks, unless the operator thereof first obtains a written permit from the Board of Selectmen. See Subsections O and P and § 36-7 or as otherwise provided for in this chapter. [Amended 3-7-2001]
- B. No motor vehicles, construction equipment, skateboards, bicycles, scooters, roller blades or the like shall be permitted on the Town docks. No permit is required to launch or haul out

pleasure boats at launching ramps.

- C. No equipment, supplies or material shall be stored or parked on the Town docks, wharves or parking areas adjacent thereto unless a written permit is first obtained from the Board of Selectmen, except that no permit shall be necessary when said equipment, supplies or material is placed for the purpose of immediate loading onto or unloading from a vessel.
- D. No vessels shall be docked in that area reserved for the vessel utilized by the contractor delivering United States Mail by water and the Town Fire Boat.
- E. No vessels or watercraft shall impede the path of the M.S. Mount Washington or the area directly in the rear of her stern. [Amended 6-3-1998]
- F. A commercial vessel landing permit issued by the Board of Selectmen pursuant to §§ 36-5O, 36-5P and 36-7 must be obtained prior to use of the commercial dock space (Dock A and Dock B) at Dockside as shown on the plan approved by the state for construction in 1994. All other docks shall be recreational except as provided by ordinance. [Amended 6-3-1998]
- G. No vessels shall dock in the slip closest to any public launching ramp except that docking for a period not to exceed 10 minutes shall be allowed for purposes of loading and unloading only.
- H. The area on the opposite side of the dock where the fire boat is located shall be designated as an area for loading and unloading of passengers; provided, however, that potential loading would not exceed 10 minutes.
- I. No person shall be allowed to swim or bathe in the area of the Town docks or to dive off the Town docks.
- J. Obstructing navigation. No vessel shall obstruct navigation in the Smith River. No vessel shall be docked at the wall on the southeasterly side of Smith River extending from the bridge on Main Street to the cluster at the northwesterly end of the commercial dock.
- K. Boat trailer parking.
 - (1) Boat trailer parking is limited to the Glendon Street Parking Lot at the end of Glendon Street and the Mast Landing parking area. There will be a penalty of \$15 for each boat trailer parked on Town roads or streets with an additional penalty of \$15 if the trailer is attached to the towing vehicle.
 - (2) Exceptions. A motor vehicle with a boat trailer may park temporarily for a maximum of 1/4 of an hour in any public parking space.
- L. Time limits on docking. Except as set forth below, docking of boats at all Town docks is

limited to four hours between the hours of 6:00 a.m. and 6:00 p.m. No docking of boats at said docks is permitted between 1:00 a.m. and 6:00 a.m.

M. Island resident parking.

- (1) The dock closest to the Main Street bridge in Back Bay and the outermost side of both docks at Mast Landing are restricted to boats displaying an island resident boat parking sticker. Boats displaying the island resident boat parking stickers are not subject to the four-hour limit set forth above when parked at these designated locations.
- (2) Island resident boat parking shall be permitted at the easterly most public dock at the public dock complex at dockside during periods of high water and low water when passage under the Smith River Bridge restricts passage; and further limited to the time frame between ice out and the day before Memorial Day weekend and from the day after Labor Day to the end of the fall boating season. [Added 3-7-2001]

N. Marinas. No overnight occupancy of boats docked or moored at a marina shall be permitted unless adequate toilet facilities, as approved by the Wolfeboro Health Officer, are available at the marina.

O. Commercial use. With the exception of the ramp and dock at the Libby Museum, there shall be no docking, loading or unloading of commercial barges at any dock, wharf, landing or right-of-way owned by or under the control of the Town of Wolfeboro. Commercial use of the dock and ramp at the Libby Museum shall be allowed by permit only, subject to the following conditions:

- (1) Hours of commercial use shall be from 7:00 a.m. to 7:00 p.m., Monday through Friday, and from 7:00 a.m. to 1:00 p.m. on Saturday, limited to two hours for loading and unloading.
- (2) No overnight docking shall be permitted.
- (3) Storage of materials is prohibited at all sites, including the Libby Museum.
- (4) Parking of construction vehicles is prohibited in the parking lots in front of and at the rear of the Libby Museum.
- (5) A flagman wearing a fluorescent vest shall be in attendance to direct traffic.
- (6) The fee for each permit issued pursuant to this section shall be \$25.
- (7) A bond, letter of credit, bank check or cash in the amount of \$1,500 in favor of the Town of Wolfeboro shall be posted prior to the issuance of a permit to cover the cost to repair any damages resulting from the commercial use pursuant to this section.

- P. Carrying passengers for hire. Any vessel engaged in the carrying of passengers for hire must obtain a commercial vessel landing permit from the Wolfeboro Board of Selectmen prior to docking at the Town docks. At Dockside, all vessels engaged in the carrying of passengers for hire must use the commercial dock slip, except as otherwise provided.
- Q. No boats, as defined in RSA 270:2, shall be docked in that area of the Town Docks designed as accessible docking (handicap docking), unless such boat displays a windshield placard issued under RSA 261:88 or displays the international symbol of access. Docking spaces designed as accessible (handicap) shall be marked in accordance with the provisions of RSA 265:73-a by affixing signs to posts, docks or other areas so as to be clearly visible to anyone approaching the area by boat. [Added 6-11-2008]
- (1) The accessible (handicap) docking area shall be utilized only if a person with a disability is being transported in or is operating a boat to or from the docking area.
 - (2) The same time limit restrictions will apply to accessible (handicap) spaces as stated in Subsection L above.
 - (3) Any person convicted under this subsection shall be fined not less than \$250.

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§ 36-6. Boat parking sticker.**

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The Board of Selectmen will issue a boat parking sticker to island residents, one per household, upon application and proof of island residency. Said sticker shall be affixed to the windshield, or, in the case of a boat which does not have a windshield, placed in a readily visible location.

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§ 36-7. Commercial vessel landing permit regulations and fees.**

§ 36-7. Commercial vessel landing permit regulations and fees.

- A. Except as provided in § 36-5O, all vessels using the Town docks for commerce of any kind must obtain a commercial vessel landing permit (CVLP) from the Board of Selectmen.
- B. The CVLP shall be valid under such conditions as determined by the Board of Selectmen.