

SENATE No. 414

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to mooring permits assigned to entities for rental or leasing purposes..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 10A of Chapter 91 of the General Laws, as appearing in the 2004
2 Official Edition, is amended, after the 2nd paragraph, by inserting the following new paragraph:-

3 The harbormaster may issue mooring permits to any individual or entity,
4 including to public or private facilities, and to for-profit or non-profit entities for rental or leasing
5 purposes on an annual basis. Any individual or entity which leases or rents permitted moorings
6 shall annually provide the harbormaster with a list of vessels moored on the permitted mooring.
7 Mooring permits assigned to entities which lease or rent moorings shall be renewed annually
8 absent demonstration of cause pursuant to a due process hearing. Mooring permit holders which
9 lease or rent permitted moorings shall also be responsible for fair and equitable assignment of
10 any vacant moorings. Methods of fair and equitable assignment for all moorings may include
11 but are not limited to one or more of the following: (1) date of application; (2) physical
12 characteristics of the vessel; (3) purpose of the vessel; and (4) renewal or issuance of a mooring
13 assignment to individual members, patrons, or customers, including but not limited to members,
14 patrons and customers of a for profit or non-profit facility.