


Town of Harwich
Harbormaster's Office
715 Main Street – PO Box 207
Harwich, MA 02646
Phone (508) 430-7532
Fax (508) 430-7535

Memo

To: Chairman, Board of Selectmen
Via: Joseph F. Powers, Town Administrator
From: John C. Rendon, Harbormaster 
Date: January 10, 2022
Subject: Class R Offloading Permit

Ref: (a) Harbor Management Plan

As outlined in reference (a), a Class R permit authorizes a permit holder who has a Coast Guard 6-pack license to trailer his/her boat for the day and carry passengers for hire. Class R trailered day charters are only authorized to operate from Saquatucket Harbor public boat ramp. The Class R permit is categorized as an offloading permit, but does not allow the permit holder to take fuel from the bulkhead. In addition to the cost of a Class R permit, permit holders are required to pay for the use of the boat ramp by purchasing either a daily or seasonal ramp pass. The cost of a Class R permit is \$475.00. Class R permits are issued by the Harbormaster.

Per Section 8.3 of reference (a), ten (10) Class R permits are authorized to be issued. Prior to the marina upgrade, this office on average issued 4 or 5 permits annually. However, each year since we have seen an increase in Class R permit applications. Last year all 10 permits were assigned and a waitlist was established due to the demand. There has not been an increase in the number of Class R permits since the permit was established, and therefore I request to add 2 additional Class R permits. The only real impact on the facility is the parking of two additional vehicles. The permit limits the permit holder to the towing vehicle and boat trailer plus one car. Those on the waitlist likely already use the boat ramp for recreational purposes, so there won't be an increased demand on the ramp or trailer parking area.

Enclosure: (1) Harbor Management Plan, Section 8.3 and 8.4

Copy: (1) Chairman, Waterways Committee

designated thereon, or as directed by the Harbormaster. Class C Unattached permits may only be issued to boats having possession of full season dockage (town or private) or mooring in the Town of Harwich. Class C Unattached assignments are awarded from the unattached waitlist by the Harbormaster.

Class C- Unattached Sail: This permit will authorize boats, home based in Harwich, licensed to carry up to six (6) passengers for hire to take on fuel from an authorized tank wagon as directed by the Harbormaster. The Class C Unattached Sail permit may only be issued to boats having possession of full season dockage (town or private) or mooring in the Town of Harwich. Class C Unattached Sail assignments are awarded from the Unattached waitlist to persons that have previously indicated their intent to conduct Sailing Charters; persons on the waitlist without the sail designation will be by-passed. A person on the waitlist with a sail designation is not prohibited from accepting an offer for a non-designated Class C Unattached permit.

Class D: Passenger Boats. This permit authorizes boats licensed to carry more than six (6) passengers for hire (up to a limit set by the Board of Selectmen) to take on fuel from an authorized tank wagon and at the town-owned facility designated by the Harbor Master and noted on the permit. The permit holder is also required to provide their own ticket booth/shed and will be responsible for paying the required town facility fee per Appendix B and necessary utility costs. Class D assignments are awarded by the Board of Selectmen. Class D permits that are forfeited from charter slips shall be awarded to persons that are on the passenger waiting list only.

Class F: This permit authorizes the Ferry to take on fuel from an authorized tank wagon at the town-owned facility designated by the Harbormaster and noted on the permit. The permit holder is also required to provide their own ticket booth/shed and will be responsible for paying the required town facility fee per Appendix B and necessary utility costs. Grandfathering of overnight parking rights in the case of re-assigned slips with a Ferry Permit is not allowed. It requires the new slip assignee satisfying off-site parking requirements for overnight parking in an advertised public hearing.

8.3 **Limitation on Number of Permits Issued:** In order to ensure public safety by avoiding overuse of town facilities, the following limits are placed on fueling/off-loading permits as follows:

Class A permits:	28
Class B permits:	20
Class C (Attached) permits:	9
Class C (Unattached) permits:	3
Class C (Unattached Sail) permit:	1
Class D permits:	3
Class E permits:	13
Class F permits:	1
Class R permits:	10
Class T permits:	100

8.4 Eligibility

- A. Class A permits may only be issued to licensed commercial fishing boats having berthed in Harwich at least six (6) months during the calendar year and actively engaged in commercial fishing for a minimum of five (5) months during the calendar year. For all new Class A permits (effective date August 1st 2013), permit holders who fail to show proof of a minimum of five (5) months of commercial fishing activity will be in violation and may be subject to a monetary fine or revocation of permit. Proof of commercial fishing activity shall be documented by either Trip/Catch reports or Federal Tax Returns that indicate at least 51% of employment income was earned from commercial fishing by the individual permit holder.
- B. Class B permits may be issued to any duly licensed commercial fishing boat whether home based in Harwich or elsewhere.
- C. Class C (Attached and Unattached) permits may only be issued to boats licensed to carry up to six (6) passengers for hire, operating out of the port of Harwich a minimum of five (5) months per year and having possession of a full season dockage or mooring permit.
- D. Class D permits may be issued to boats carrying more than six (6) passengers for hire, operating out of the port of Harwich.

- E. Class E permits may only be issued to licensed commercial fishing boats having a year-round mooring or private dockage within Harwich which are berthed in Harwich at least six (6) months during the calendar year and actively engaged in commercial fishing for a minimum of five (5) months during the calendar year. For all new Class E permits (effective date August 1st 2013), permit holders who fail to show proof of a minimum of five (5) months of commercial fishing activity will be in violation and may be subject to a monetary fine or revocation of permit. Proof of commercial fishing activity shall be documented by either Trip/Catch reports or Federal Tax Returns that indicate at least 51% of employment income was earned from commercial fishing by the individual permit holder.
- F. Class F Permits may only be issued to vessels licensed as a commercial operation to transport people across a body of water on a regular schedule.
- G. Class R permits authorize trailered day charter boats only, utilizing the Saquatucket Harbor boat ramp and having a United States Coast Guard issued license to carry up to six passengers for hire, to operate as a paid passenger carrying boat from Saquatucket Harbor. Class R assignments shall be awarded by the Harbormaster. Parking in the case of a trailered day charter boat shall be limited to the towing vehicle and trailer plus one car, which may pay for additional parking as required. No trailered day charter boats shall use the Allen Harbor ramp and Town Landing while conducting charter business in any form. Further, Class R vessels are subject to any restrictions imposed by the Public Access Board while operating in the boat ramp area. Class R vessels must carry a minimum of \$500,000.00 Legal Liability and Protection and Indemnity Insurance coverage, which shall name the Town Of Harwich as loss payee. Class R permits are not a fueling permit. Class R permits that become forfeited shall be awarded to persons that are on the charter/passenger trailer boat waiting list only. Class R permit vessels are further restricted in carrying no less than two fewer crew and passengers than the limit set by the capacity plate of the vessel as set in 323 CMR 2.07(7). Class R permit vessels are restricted from landing tuna. Vehicles with trailers are not allowed to park in the west side parking lot of Saquatucket Harbor.

8.5 The Harbormaster shall, pursuant to applicable provisions of the General Laws, have the power to adopt rules and regulations to reasonably regulate and exercise of the rights granted pursuant to one of the several classes of off-loading permits. Waiting lists and harbor regulations shall apply to all Town owned facilities.

8.6 Fuel Vendor Permits

- A. The Board of Selectmen may issue permits for the purpose of dispensing diesel fuel by tank.
- B. Prior to any fuel vendor delivering fuel to the fish pier, a valid permit for the current fishing season must be obtained from the Town of Harwich.
- C. Authorized fuel vendors shall pay the Town of Harwich a per gallon fee for fuel sold during the previous month as set forth in Appendix B of these regulations and as stated in the provisions of any contract(s) awarded to said vendor(s).
- D. Authorized vendors must commence their fueling operations in a neat, orderly manner, taking care to prevent fuel spillage or leaking either onto the dock, the surrounding ground area, or into the waters of Wychmere Harbor, Allen Harbor, and Saquatucket Harbor, bearing sole responsibility and expense for any damages or costs incurred by anyone as a result of any such spillage or leakage.
- E. Authorized vendors shall at all times carry and cover a full, in-force liability insurance policy of not less than one million dollars (\$1,000,000.00) and shall hold harmless and indemnify the Town of Harwich against any and all claims pertaining to the management, delivery, and operations relevant to the sale of fuel and related products.
- F. Fueling will be limited to authorized vessel eligible in accordance with section 8.____.
- G. All fueling vehicles will comply with 527 CMR 8.00 and 527 CMR 15.00.