



Office of
Board of Health

Town of Marshfield

Board of Health
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TOWN OF MARSHFIELD

MARINA AND BOATING GUIDANCE ORDER

1. Marinas:

a. General Closure Order.

All marinas within the limits of the Town of Marshfield remain closed through May 18, 2020 as per Governor Baker's extension of the stay at home and essential business orders.

Marinas are defined as "any water area with a structure (docks, basin, floating docks, etc.) which is: (a) used for docking or otherwise mooring vessels to a dock or pier; and (b) constructed or maintained to provide temporary or permanent docking space for more than ten (10) boats." For clarification purposes, the definition of marina shall not include a boat at a properly licensed and approved single mooring or a floating dock for less than ten (10) boats that is meaningfully separated from fixed-in-place marina slips on property owned or controlled by a marina.

Marina owners and operators shall be directly responsible for monitoring compliance with the Governor's orders, this order and enforcement on their properties of these restrictions.

b. Exceptions:

- i. Marinas may permit only boat owners with active, in season* commercial fishing licenses to use slips or otherwise mooring vessels to a dock or pier. (For example, a recreational boater may not claim that they are a commercial fisherman if they are a holder of a seasonal striped bass commercial permit or any other type of fishing commercial permit until and unless the season for that particular type of fish is in open season). * as determined by National Marine Fisheries and National Oceanographic Atmospheric Administration.
- ii. Commercial lobster or other commercial ground fishing vessels owned by persons and entities that are principally and primarily devoted to wholesale and retail sales of fish are exempted from this order.
- iii. Marinas may allow boats that must be safety inspected in the water by the United States Coast Guard to be docked or moored in a marina for the express purpose of a required safety inspection; however, this exception shall not be construed as permitting use of said slips or mooring to docks in a marina following the completion of the inspection.
- iv. Marinas may continue to provide essential services authorized under the Governor's essential services orders, provide fuel for vessels, and perform through its own staff or outside licensed technicians necessary maritime repair services; however, marinas shall not then permit

recreational boats or out of season commercial fishing vessels to use the marinas before or after said repairs as a convenience.

- v. Public safety and governmental vessels are exempted from any restrictions on marinas.
- vi. Boats that were installed in the water by April 30, 2020 shall be allowed to remain; however, marinas shall not allow any new boats to be placed in marinas unless excepted.

Under no circumstances shall marina owners or operators permit recreational boat owners to perform in-water, cleaning or annual maintenance on any vessels docked at a marina under the guise of the marine repair exception.

Maritime transportation workers, including dredgers, port workers, mariners, ship crewmembers, ship pilots and tugboat operators, equipment operators (to include maintenance and repair, and maritime-specific medical providers), ship supply, chandler, and repair companies have all been deemed essential services under the Governor's order and may use marinas.

2. **Boat ramps and launches:**

The following regulations shall apply to boat ramps and launches:

a. **Coastal boat ramps:**

Coastal boat ramps and launches on town and marina property shall remain open for use by boats being launched by vehicles registered in the Commonwealth of Massachusetts, except where the access has already been closed due to parking restrictions or other restrictions. Parking for the purpose of accessing coastal beaches is prohibited.

b. **Inland boat ramps and canoe launches:**

Inland boat ramps and canoe launches within town and state parks, forests, wildlife management areas, boating access facilities and other town and state owned properties managed by the Town of Marshfield and/or Commonwealth of Massachusetts remain open for use by boats being launched by vehicles registered in the Commonwealth of Massachusetts, except where the access has already been closed due to parking restrictions or other restrictions.

c. **User Guidelines for all boat ramps and launches:**

- i. Ramps remain open subject to available parking. A ramp will be considered closed if all parking is full. Illegally parked cars will be ticketed and may be towed.
- ii. All boat ramp and canoe launch users shall practice social distancing. Users should allow appropriate space for users of the boat ramp or launch and clear the ramp when users launch is complete.
- iii. Users should ensure they are ready to depart quickly from the ramp or dock as soon as their boat is put into the water. Users not actively launching their boat should clear the launch area.

- iv. Upon return to ramp, users should load their boat as quickly as safely possible and then clear the launch area.
- v. Use of ramps and parking areas for organized fishing tournaments, derbies, or any other type of gathering is prohibited.
- vi. Loitering on ramps or use of ramps for any activity other than launching boats is prohibited. Parking at ramps for activities other than launching boats is prohibited.
- vii. Masks or face-coverings should be worn in public in accordance with the Department of Public Health's advisory when social distancing is not possible.

3. Recreational boating (other than from marinas):

The safe operation of recreational boats is permitted under the following guidelines:

- * Only persons from the same household should be together on a boat at one time.
- * No gathering or groups of persons from multiple households will be permitted on boat ramps, docks, piers etc., and all users shall practice strict social distancing.
- * All recreational crafts shall remain a safe distance apart. Tying boats or other crafts together is prohibited.
- * All recreational boating is subject to the discretion of local officials, harbor masters, and law enforcement.
- * All other local rules, regulations, laws and Coast Guard requirements still apply.

4. For Hire Boating (at marinas or otherwise):

For hire boating is not be permitted while the Governor's stay at home advisory and essential services order is in effect. This includes:

- * Charter and head boat fishing
- * Sailboat rentals and lessons
- * Canoe, kayak, and stand-up paddleboard rentals
- * White water rafting and river tubing rentals
- * Whale watches and other pleasure cruises
- * Any other operation or use of a vessel that is not registered to the passenger.

5. Violations.

This marina and boating guidance emergency order issued pursuant to MGL c. 111 §§ 95-105, 310 CMR 11.05, 105 CMR 300.200 and all other authorizing statutes and regulation shall be effective beginning Friday, May 1, 2020 at 6:00AM and remain in effect through the later to occur of May 18, 2020 or to such other date pursuant to the Board of Health's judgement that the Public Health Emergency no longer exists, this order is superseded by order of the Governor.

To the extent necessary, this Order shall be enforced by Board of Health officials, Code Enforcement and Building Inspectors, the Marshfield Police and the Harbormaster.

All marinas and yacht clubs must post a copy of this Order at all entry points to all docks.

Boat owners and marina owners and operators not adhering to the requirements shall face fines for a First Offense – Written Warning, Second and Subsequent Offense - \$300 per violation. Every boat or slip that is used in violation of this order shall constitute a separate offense and each day of any such violations shall constitute a new day of violations.

Tyler W. Nims, Chairman
Mark W. MacDonald, Vice-Chairman