



HARBOR MANAGEMENT COMMISSION

Amended to June 22, 2004

RULES AND REGULATIONS¹ FOR MOORING AND ANCHORING VESSELS

1. Mooring Permits Required

(a) In order to provide for adequate access for recreational and commercial vessels, for the safety of persons and property, and for the optimum use of Norwalk Harbor,² the Norwalk Harbormaster must approve the location of all moorings — including individual-private moorings and commercial moorings as defined by the U.S. Army Corps of Engineers and the Connecticut Department of Environmental Protection — within Norwalk Harbor. The Harbormaster shall issue a permit for each approved mooring location or area.

(b) It shall be a violation of the Norwalk Code for any person to place any individual-private or commercial mooring in Norwalk Harbor without a permit from the Harbormaster.

(c) The location of all commercial moorings must be approved by the Department of Environmental Protection and the Corps of Engineers. Permits issued by the Harbormaster for these commercial moorings shall be issued in coordination with commercial mooring permits issued by the Department of Environmental Protection and the U.S. Army Corps of Engineers.

(d) No provision contained in these Rules and Regulations shall limit the power of the Norwalk Harbormaster to station and remove vessels as provided in Sections 15-8 and 15-9, and Section 22a-113r of the Connecticut General Statutes.

¹ These rules and regulations are prepared and adopted in accordance with Section 69-22 of the Norwalk Code and Sections 22a-113k through 22a-113t of the Connecticut General Statutes, and in furtherance of the provisions of the Norwalk Harbor Management Plan as adopted by the City of Norwalk and approved by the State of Connecticut. In those instances where there may be conflicts between these rules and regulations and the provisions of the Harbor Management Plan, the rules and regulations shall take precedence.

² For the purpose of these Rules and Regulations, Norwalk Harbor is defined as that part of Norwalk Harbor consisting of the Inner and Outer harbors subject to the jurisdiction of the Norwalk Harbor Management Commission as defined in the Harbor Management Plan. Excluded from this definition is the Five Mile River Harbor which is under the jurisdiction of the Five Mile River Commission.

2. Mooring Records

- (a) The Harbormaster shall keep a detailed record of each mooring, its location, and the owner's name, home address, evening and day-time telephone number, date mooring was set, and name, length, registration number or documentation, and type of vessel to be attached thereto.
- (b) The information shall be maintained in such a manner that information can easily be obtained with regard to any individual mooring, vessel or owner and also with regard to all moorings within a particular Harbor location.
- (c) The Harbormaster shall maintain in the Norwalk City Hall a waiting list for mooring space in Norwalk Harbor, as necessary, and a list of current assignments of mooring spaces, and both lists shall be updated annually.

3. Allocation of Moorings

- (a) In allocating mooring locations, the Harbormaster shall give first priority to those persons applying for the renewal of permits granted in the preceding year, second priority to relocation requests in order of application, and third priority to new applicants in order of application.
- (b) In allocating mooring locations, the Harbormaster shall, to the extent possible, assign priority for mooring allocations to riparian or littoral property owners who apply for moorings offshore of their property. When considering the assignment of mooring locations to riparian or littoral property owners, the Harbormaster may limit the priority granted to owners who have established or are planning to establish docks, piers or other structures providing access to navigable water.
- (c) In allocating mooring locations, the Harbormaster shall, to the extent possible, assign priority for mooring locations to licensed commercial fishermen. Up to 10% of the available mooring space in mooring areas not designated as "commercial" mooring areas in permits issued by the U.S. Army Corps of Engineers and Connecticut Department of Environmental Protection may be reserved for the use of licensed commercial fishermen.
- (d) In allocating mooring locations, the Harbormaster shall give consideration to size, draft, type, and use of vessels.
- (e) In allocating mooring locations in accordance with these Rules and Regulations, the Harbormaster shall not discriminate on the basis of City residence or any other factor.
- (f) Mooring permits shall be issued by the Harbormaster only to those applicants owning a vessel properly registered in accordance with laws of the State of Connecticut.
- (g) Within the limits of size and type of vessels, available mooring locations shall be offered to the senior applicant on the mooring waiting list, subject to the requirements of these Rules and Regulations. If an available mooring location is not suitable to accommodate the senior applicant's vessel or specific needs, it shall be offered to the next senior qualified applicant. The senior applicant shall retain his place on the waiting list in this case. The Harbormaster shall

continue efforts to provide a suitable mooring for the senior applicant. If the senior applicant refuses a mooring which is suitable for his or her vessel in the opinion of the Harbormaster, that applicant shall be moved to the bottom of the waiting list. In order to obtain the most effective utilization of existing mooring facilities, lists of applicants shall be maintained to include date of application and type or size of vessel. These lists will be available for public inspection at the Norwalk City Hall.

(h) In the interest of ensuring safe, efficient and equitable use of Norwalk Harbor, the Harbormaster may, at his discretion, limit the number of mooring locations that can be assigned to any one individual, household, corporation or other group. Only one mooring space shall be allocated to any one vessel.

4. Application for Mooring Permit

(a) Any person, association, corporation, or other group may apply for a mooring permit by completing in full the application provided for that purpose and submitting the completed application to the Harbormaster at any time.

(b) The Harbormaster shall make use of a mooring permit application form that allows for the collection of information on the vessel and the vessel's owner/operator as requested by the Connecticut Department of Transportation as well as any additional information considered necessary by the Harbormaster and the Harbor Management Commission.

(c) If the mooring permit application is approved, the Harbormaster shall send a copy of the approved permit to the applicant and one copy shall be retained for the Harbormaster's records.

5. Mooring Permits Valid for One Year Only

(a) In accordance with state regulations, all mooring permits shall be valid for a period not to exceed one year, unless renewed in accordance with the provisions of these Rules and Regulations. All mooring permits shall expire on the 31st day of December following the date of issuance.

(b) No vessels shall be stationed on moorings in Norwalk Harbor from January 1 to March 15 each year. Renewed permits will be valid from March 15 to December 31. Limited exceptions to the January 1 to March 15 exclusion may be granted under Section 17(a) of these rules. **[Added 12-27-94.]**

6. Renewal of Mooring Permit

(a) All mooring permits shall expire on December 31st of the year issued. To renew an expired permit an applicant must submit all required information and fees to the Norwalk Harbormaster, postmarked no later than January 31st of the following year. Renewal applications postmarked after January 31st but before March 1st must pay an additional Late Permit Fee. At least 30 days before the January 31st renewal date, notice of such date shall be published in a newspaper having circulation in the City. **[Amended 6-22-04.]**

(b) Renewal rights for mooring permits not renewed in accordance with paragraph 6(a) above shall expire on March 1st. In such case, the former permit holder must remove ground tackle from the water, and the mooring location may be assigned to the senior person on an existing waiting list or, if a waiting list does not exist, to any new applicant. **[Added 6-22-04.]**

(c) After removing ground tackle, a former permit holder may subsequently apply for a new mooring permit, under the provisions of the City of Norwalk's Mooring Permit Fee Schedule. **[Added 6-22-04.]**

(d) A former permit holder who fails to remove ground tackle from the water is not eligible for a new mooring permit but may apply for reinstatement, subject to the provisions of the City of Norwalk's Mooring Permit Fee Schedule. **[Added 6-22-04.]**

(e) The Harbormaster shall be responsible for administration of all mooring permit renewals. Renewal applications will be mailed to all current mooring permit holders during December. **[Amended 12-27-94.]**

(f) For vessels located in a controlled mooring field of at least 50 vessels subject to valid federal and state commercial mooring permits and/or operated under common management, a Preliminary Mooring List must be submitted by March 31. This list must be accompanied by a fee equal to one-half the amount of the prior year's total fee for the entire mooring field. The Final Mooring List with all information necessary to complete an application for each vessel in the field shall be submitted by April 30 with the balance of the fees due. **[Added 11-9-93.]**

7. Annual Mooring Permit Fee

(a) Any person, association, corporation or other group receiving a new or renewed permit for a mooring location in Norwalk Harbor shall pay an appropriate annual fee as established by the Norwalk Common Council from time to time as authorized by Sec. 22a-113s of the Connecticut General Statutes.

(b) When the Harbormaster determines that a suitable mooring location exists for an applicant for a new or renewed mooring permit, the applicant will be notified and must pay the appropriate annual fee, payable to the City of Norwalk, before the permit shall be issued. This fee shall be nonrefundable.

(c) All fees collected pursuant to this section shall be deposited into the Norwalk Harbor Management Fund, as authorized by Section 22a-113s of the Connecticut General Statutes, and used exclusively for the maintenance and improvement of Norwalk Harbor for the public and for expenses for personnel and equipment directly related to the function of the Harbor Management Commission and the Harbormaster or Deputy Harbormaster.

8. Transferal of Mooring Permits and Vessels

(a) A mooring permit authorizes use of a mooring location only for the single vessel indicated on the permit. The use of a mooring for any other vessel is prohibited and will be grounds for

revocation of the mooring permit. However, mooring permits shall not be transferable with the transfer of vessels. Whenever the holder of a mooring permit transfers the title or interest in or otherwise parts with possession of the vessel identified in the mooring permit to another person by any arrangement whatsoever, the new vessel possessor, transferee or owner shall have no vested right to use the mooring space covered by the mooring permit. **[Amended 6-22-04.]**

(b) The holder of a mooring permit may, upon written application to and approval by the Harbormaster, retain the mooring space assigned under the mooring permit for a replacement vessel provided that vessel is owned by the holder of the permit and is moved onto the mooring within sixty days (unless the period is extended by the Harbormaster because of special circumstances). If the replacement vessel is significantly smaller, larger or of different draft or type, the Harbormaster shall have the right to relocate the vessel to another, more suitable mooring.

(c) In the event of a permit holder's death, the terms and conditions of a currently valid permit shall be transferable to the surviving spouse, in accordance with these Rules and Regulations, and in coordination with any local mooring field management sanctioned by the Harbormaster. **[Added 6-22-04.]**

9. Mooring Location and Placement

(a) When a permit is issued for a mooring, the Harbormaster shall assign a specific location for that mooring. No mooring shall be placed or maintained in any part of Norwalk Harbor until the location of that mooring has been approved by the Harbormaster.

(b) Moorings shall under no circumstances be located within navigation channels or fairways or otherwise interfere with the safe and free use of navigation channels and fairways.

(c) In accordance with Conn. Gen. Stat. Section 26-157a (e), no mooring shall be placed on any oyster bed without the permission of the owner or lessee of such bed.

(d) Moorings located within designated anchorages identified in the Harbor Management Plan should be placed in accordance with specific mooring plans designed to provide safe and efficient mooring of vessels.

10. Transient Mooring and Anchoring

(a) The Harbor Management Commission may designate transient mooring and anchoring areas for the exclusive, short-term use (not to exceed 14 days in any calendar year) of recreational vessels. This space shall be available on a first-come, first-served basis. **[Amended 6-22-04.]**

(b) No vessel shall anchor in Norwalk Harbor with the uses of the ship's anchoring equipment for a period greater than 14 days in any calendar year, unless expressly approved by the Harbormaster, in accordance with state statutes. **[Added 6-22-04.]**

(c) No vessel shall ride on its ship's anchor unattended for more than 24 hours without the expressed permission of the Harbormaster. **[Added 6-22-04.]**

(d) The Harbormaster may require any person anchoring in the Harbor to display for inspection the anchors, chains, and other equipment used at such anchoring for soundness of condition.

(e) The City of Norwalk accepts no responsibility for the safety of transient moorings during periods of extreme weather including, but not limited to, gale winds, hurricanes, and extreme high water. **[Added 6-22-04.]**

(f) To help promote the City of Norwalk, the Harbor Management Commission may provide visitors' moorings in the Inner Harbor for the use of visiting boaters. With the Harbormaster's permission, a visiting boater may attach a vessel to one of these moorings free of charge for a period of up to 72 hours. After that time, that same vessel may not use a visitors' mooring for a period of 96 hours after which time the owner/operator of that vessel may reapply to the Harbormaster for permission to use a visitors' mooring again. Anyone not complying with these provisions shall be subject to fines in accordance with Section 18 of these Rules and Regulations. **[Added 3-10-98.]**

11. Abandonment of Mooring Tackle

(a) Any permitted mooring not used for a period of one year may be considered abandoned and subject to removal or relocation. Any mooring not authorized by a current permit from the Harbormaster may be considered as abandoned and subject to removal at any time. No mooring may be left unused for more than one calendar year without written permission of the Harbor Management Commission.

(b) Any registered owner who owns mooring tackle and is abandoning his or her mooring space may offer to sell the tackle occupying such space to the next person assigned that space. Failure of the registered owner to remove such tackle shall constitute the abandonment thereof, and such tackle may be removed by the Harbormaster at the expense of such registered owner.

12. Mooring Inspection

(a) The Harbormaster shall require that all new moorings, anchors, chains, and other equipment used in connection with moorings in Norwalk Harbor be submitted to the Harbormaster or to an inspector designated by the Harbormaster or Harbor Management Commission for inspection to determine soundness of condition and compliance with minimum guidelines established by the Harbor Management Commission.

(b) It is required that all mooring tackle be inspected for soundness of condition no less than once every two calendar years. The Harbormaster may require any person who holds a mooring permit in Norwalk Harbor to display for inspection the anchor, chains, and other mooring equipment for soundness of condition. Each mooring shall be subject to inspection by the Harbormaster, or by an inspection service acceptable to the Harbormaster, at the discretion of the Harbormaster. A list of mooring inspection services shall be made available to the mooring

permit holder by the Harbormaster. An official inspection form provided by the Harbormaster shall be filed by the mooring owner with the Harbormaster once every two years.

(c) The Harbormaster shall maintain a record of each inspection for a period of three years. If, as the result of such inspection it shall be determined that any chain, shackle, swivel or other piece of mooring tackle has become unsafe or otherwise inadequate, such chain, shackle, swivel or other piece of mooring tackle shall be replaced accordingly. Failure to make such replacement shall be grounds for revocation of the mooring permit by the Harbormaster.

13. Secure Mooring and Anchoring of Vessels

(a) The owner of any vessel moored or anchored within Norwalk Harbor shall be responsible for causing such vessel to be tied, secured, or anchored with proper care and equipment and in such manner as may be required to prevent breakaway and resulting damage, and shall thereafter provide for periodic inspection of mooring or anchoring equipment as the Harbormaster deems necessary.

(b) All mooring tackle shall comply with minimum standards established by the Harbor Management Commission and adjusted, as necessary, by the Harbormaster. The holders of all mooring permits shall recognize that requirements for mooring tackle will vary in different locations and that some locations and conditions may require mooring tackle that exceeds the minimum standards.

(c) The minimum standards for mooring tackle shall be provided by the Harbormaster to each person, corporation, organization or group applying for a mooring permit.

14. Identification of Approved Mooring Locations

(a) The Harbormaster may, from time to time, establish and amend reasonable standards for the marking of all mooring buoys used in Norwalk Harbor. Notice of standards and requirements for marking approved moorings shall be provided in writing to all approved mooring permit holders. **[Amended 3-10-98.]**

(b) All mooring buoys (including temporary “winter buoys”) must be clearly identified at all times with the assigned mooring permit number. **[Added 3-10-98.]**

(c) In accordance with Sec. 15-121-A3(a) of the Regulations of Connecticut State Agencies, all anchorage and mooring area buoys shall be white with a clearly visible horizontal blue reflectance band around the circumference of the buoy centered midway between the top of the buoy and the water line. **[Added 3-10-98.]**

(d) Substitute mooring buoys (“winter buoys”) used during the winter months to mark approved mooring locations may be used only during the period of October 15 through May 15; such buoys are not permissible at any other time. Any substitute buoy must be permanently identified with the assigned mooring permit number clearly visible. **[Added 3-10-98.]**

15. Removal of Moorings

(a) The Harbormaster may require any mooring or vessel to be removed to a new location whenever, in his judgement, the safety of any other vessel or optimum use of the mooring area so requires.

(b) If directions given by the Harbormaster with respect to removing unauthorized moorings, removing moorings not properly identified in accordance with Section 14 of these Rules and Regulations, changing the location of existing moorings for the purpose of ensuring safety and optimum use of the mooring area, or replacing mooring tackle determined to be inadequate are not taken by the owner, if known, within fourteen days after notification, or, if not known, after notice has been posted for that period on the vessel or mooring, the Harbormaster may cause such moorings to be removed or changed, or may drop same to the bottom of the Harbor. The expense of such mooring removal or relocation and any liability arising from injury to person or property incurred thereby shall be the responsibility of the mooring permit holder. **[Amended 3-10-98.]**

(c) Nothing above shall prevent the Harbormaster or his designee from taking measures with or without notice if, in the judgement of the Harbormaster, it is necessary in order to provide for the safety of persons or property.

16. Designation of Channels or Fairways to be Kept Free of Moorings

(a) In order to provide safe navigation in all parts of Norwalk Harbor, the Harbor Management Commission, with the advice of the Harbormaster, is empowered to designate the location of channels or fairways within which approved moorings shall not be located and to make changes in such designations when conditions or needs require.

17. Suspension of Requirements and Imposition of Emergency Requirements

(a) The requirements of these Rules and Regulations pertaining to a specific mooring area and/or vessel may be modified by the Harbormaster if, in the judgement of the Harbormaster, such modification is necessary to provide for the safety of persons or property or if the imposition of the requirements would result in an unreasonable hardship on the person or persons so affected.

(b) In order to most effectively respond to any emergency as may be caused by a severe storm or other natural or man-made conditions, the Harbormaster is empowered to suspend the requirements of these Rules and Regulations and/or impose additional requirements in the interest of public safety.

18. Violations

(a) These Rules and Regulations have been adopted and approved in accordance with Section 22a-113r of the Connecticut General Statutes and Section 69-22 of the Norwalk Code. In accordance with Section 69-22D of the Norwalk Code, any person who shall violate any of these

Rules and Regulations shall be fined not more than ninety dollars (\$90.00). Each day such violation continues after the time for correction of the violation has been given in any written order shall constitute a continuing violation and shall be subject to a fine of ninety dollars (\$90.00) per day for each day said violation continues.

(b) Fines levied for violations of these Rules and Regulations as authorized by the Norwalk Code shall be collected by the City of Norwalk and deposited into the Norwalk Harbor Management Fund.

19. Revocation of Mooring Permits

(a) The Harbormaster shall have the authority to revoke a mooring permit if the permit holder fails to maintain the moored vessel in a seaworthy condition or fails to comply with any permit condition or provision of these Rules and Regulations.

20. Review of Decisions

(a) Any party aggrieved by any decision pertaining to the application of these Rules and Regulations may request the Harbor Management Commission to review that decision with respect to these Rules and Regulations and with respect to the goals, objectives, policies and guidelines established in the Norwalk Harbor Management Plan. The Harbor Management Commission must respond with a decision or action within 60 days of receipt of a request for review.

(b) While State law requires the State-appointed Norwalk Harbormaster to act in a manner consistent with the Norwalk Harbor Management Plan, City ordinances, Rules and Regulations can not alter the Harbormaster's duties and powers which include primary authority regarding mooring assignments. As a result, the Harbor Management Commission may not over-ride the Harbormaster's mooring assignments, as long as such assignments are consistent with the Harbor Management Plan and these Rules and Regulations.

RULES AND REGULATIONS FOR MOORING AND ANCHORING VESSELS
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