

# **HARBOR ORDINANCE of the TOWN OF HARRINGTON MAINE**

## **ARTICLE 1 – INTRODUCTION**

### **1. AUTHORITY**

This ordinance is adopted under the authority granted by the State of Maine through M.R.S.A. in Titles 12, 17, 30 and 38. Maine is a “home-rule” state and therefore municipalities have authority to adopt regulations within its jurisdiction, to include anything not expressly prohibited or limited by the State of Maine (hereinafter “Maine”).

### **2. PURPOSE**

This ordinance establishes regulations for ALL maritime activities occurring within ALL tidal waters (which include all areas below mean high water mark, piers, docks, structures, beaches, parking lots, or other public facilities) of Harrington, Maine. The ordinance is expressly enacted to ensure safety to persons and property, to protect a valuable public resource, and to create a fair, equitable and efficient administrative framework.

### **3. JURISDICTION**

This Ordinance shall govern ALL maritime activities on and within the tidal waters (hereinafter “waters”) of Harrington, Maine (hereinafter “Harrington”).

### **4. REPEAL**

All previous MARITIME OR HARBOR RELATED ORDINANCES of Harrington are hereby repealed.

### **5. SEVERANCE**

If any part of this Ordinance is held or found invalid, it shall be severable from the remainder of the Ordinance and not affect the validity of any other provision(s).

## **6. CONFLICT**

This Ordinance shall heed control to all existing Federal, State, or municipal laws governing like subject matter when required. If any part(s) of this ordinance conflict with another governing document, the provision imposing the greater restriction shall control.

## **7. ENACTMENT & AMENDMENT**

This ordinance will become effective only after enactment at a properly held Harrington Town Meeting. In addition, to comply with Maine law, any amendment to this ordinance shall be adopted by the appropriate legislative body in the same fashion by which it was enacted. Any material change to the Ordinance by other means shall be deemed invalid. Nonmaterial changes may be addressed by the guidelines of the Ordinance.

## **8. DEFINITIONS**

Any word or term used in the Ordinance shall be construed by its most prevalent common meaning and any interpretation will be based in such meaning.

## **9. TOWN LIMITED LIABILITY**

Pursuant to Maine law, municipalities are granted immunity in certain situations and circumstances per statute, these statutes apply to the municipal entity that is the town and subsequently to the waters of Harrington. Any and all person(s) operating within the jurisdiction covered by this ordinance, regardless of the reason (whether recreation, work, or other) shall assume ALL risk of injury, damage, or loss to his or her person or property. Harrington assumes and accepts no liability for anything that it is not statutorily required to.

# **ARTICLE II - HARBOR OFFICERS & OFFICIALS**

The Harrington Board of Selectmen (hereinafter Selectmen) shall appoint a Harbor Committee (hereinafter Committee) and a Harbor Master to oversee Harrington waters pursuant to the laws of the United States of America, Maine, Harrington, and the provisions of this Ordinance. The Harbor Committee shall work with the Harbor Master to promote, protect, and

proliferate the highest and best use of the waters of Harrington. The Committee and the Harbor Master shall do all in their respective powers to support any law, statute, or Ordinance established for the managing and caretaking of Harrington waters.

## **1. OFFICE OF THE HARBOR MASTER**

The Office of the Harbor Master, acting under the direction of the Selectmen shall have full authority (pursuant to Maine statute) to enforce all regulations affecting the Harrington waters to the fullest extent permitted by law as provided by Maine and this Ordinance. This authority extends to all parameters of the jurisdiction of the Ordinance. The Harbor Master works independently, serves as a first responder for local, state, and federal agencies, and supports the Committee in the promotion of the safety and wellbeing of all persons and entities associated with the waters.

### **A. DUTIES, POWERS, AND RESPONSIBILITIES**

The Office of the Harbor Master consists of and shall:

1. Be annually appointed by the Selectmen.
2. Complete the required Maine Harbor Master training through the Maine Harbor Masters Association, within a year of hire date and maintain that certification.
3. The office of Harbor Master is a part-time position that will have salary determined at the annual Town Meeting.
4. Will serve at the leisure of the Selectmen and report directly to the Selectmen as required or as needed.
5. Investigate issues in Harrington waters and seek rightful enforcement utilizing all applicable Federal, State, and local laws, regulations, and ordinances.
6. Take appropriate legal action when required and as needed.
7. Collaborate and coordinate with various local, state, and federal authorities in marine law enforcement and environmental issues.
8. Assigns moorings, maintains records of all mooring applications and documents. Additionally, may oversee the placement of moorings if needed.

9. With the aid of the Committee, will assist any mooring applicant in defining ground tackle requirements to ensure minimum specifications (must be at the least to an industry standard) are maintained dependent on location, boat size and configuration.

10. Will respond to all requests from persons and vessels for information and/or assistance as needed.

## **B. ASSISTANT OR INTERIM HARBOR MASTER**

The Selectmen may appoint an assistant or interim Harbor Master as and if needed. The assistant or interim Harbor Master will have the same powers and responsibilities as the Harbor Master but will only serve in the absence of the Harbor Master, whether through absence or vacancy in the office. Further, the assistant or interim Harbor Master will only hold the position for a time period the Selectmen deem necessary.

## **2. HARBOR COMMITTEE OFFICIALS & BY-LAWS**

Members of the Harbor Committee shall be appointed by the Selectmen and directed by the provisions and guidelines of the Ordinance. The Committee's first and foremost goal is to promulgate the most advantageous path forward for the waters of Harrington and to ensure that the waters are developed and maintained at the highest use possible.

### **A. MEMBERSHIP**

1. Committee members will be appointed annually by the Selectmen.

2. There shall be no less five (5) and no more than nine (9) members appointed to the Harbor Committee, (there may also be two (2) alternate members). Additionally, the Harbor Master may serve on the Committee in an advisory capacity.

3. Committee members should represent the broadest and most diverse spectrum of the town as is possible and need not be a resident.

## **B. DUTIES & RESPONSIBILITIES OF THE COMMITTEE**

1. To conduct regular open public meetings.
2. To recommend policies, rules, and regulations for the waters.
3. To routinely review any existing and/or proposed rules, regulations, and ordinances for use in the waters and to recommend/propose changes.
4. To listen to public thoughts and concerns regarding the waters.
5. To advise as to and act towards the care, maintenance, and management of public areas, equipment, and facilities and to seek necessary or corrective measures as needed. (Selectmen approval is required before any action is taken, or monies expended).
6. To serve as a Hearing Board to any person who considers themselves to be aggrieved by a decision, order, rule, act, or failure to act of the Harbor Master. The Committee may affirm, modify, or set aside any decision, order, rule, act, or failure to act. An appeal from a ruling/decision of the Committee may be taken to the Harrington Board of Selectmen. Any further review shall be to the Maine Superior Court in accordance with the Maine Rules of Civil Procedure, Rule 80B.
7. To develop and make recommendations to the Selectmen regarding an annual budget (including appropriations and fees) and to give to the Selectmen an annual report on the state of the waters and its associated budget.
8. Whenever possible, seek funding opportunities/resources that benefit Harrington waters, and present these opportunities to the Selectmen for consideration.
9. Committee members represent the town, waters, and citizens; therefore, they are to conduct themselves with a level of decorum expected of an appointed official.

## **C. COMMITTEE BY-LAWS**

The committee by-laws are to be established by the committee and approved by the Selectmen. These by-laws are to be followed and maintained by the committee. Any amendment to the by-laws may only be done by a quorum of the committee (fifty percent plus one of the Committee) and subsequent approval of the Selectmen. This may be done as is needed and outside of the Ordinance enactment process.

## **ARTICLE III – PROHIBITED & LIMITED ACTS**

### **1. PURPOSE**

The purpose of this article is to set forth provisions for the safe and orderly operation of Harrington waters, to ensure safety to persons and property, and to minimize conflicts between various users.

### **2. ENFORCEMENT**

In accordance with Federal and State Law, the Harbor Master has absolute authority to enforce all provisions of this ordinance that are necessary to carry out the duties of the office effectively and efficiently.

### **3. DISRUPTIVE CONDUCT**

It shall be a violation of this ordinance for any person(s) to disrupt safe and lawful activities, or in any way threaten public safety, in or around the docks, wharfs, moorings, floats, landings, or anywhere else within the waters of Harrington. Any conduct fitting this provision will be dealt with in accordance with Federal, State, local laws, and this ordinance.

### **4. ANCHORING**

Anchoring of boats is permitted in Harrington waters only if said vessel(s):

- A. Do not interfere with moored boats or moorings,
- B. Do not impede the movement of another watercraft.
- C. Do not interfere with or block or obstruct a Channel or Fairway or Clear Zone or Pier or Wharf.

### **5. HOUSEBOATS**

At the present time stationary permanent or semi-permanent houseboats are not permitted in the waters of Harrington. However, an exception is allowed for coastal cruising houseboats properly equipped to meet United States Coast Guard regulations that will be deemed a standard pleasure boat but must still satisfy all applicable Ordinance provisions.

## **6. FLOATING BUSINESSES**

Floating businesses may operate in Harrington if they:

- A. Attain and maintain any required permits from the Army Corp of Engineers, as floats and cars come under the purview of the ACOE.
- B. Pay all applicable fees for use of town facilities including the town pier and landing, and keep all other required documentation (permits, federal permits, insurance, licenses, etc...) current.
- C. Enter a lease that is consistent with the best interest of the business and of Harrington, the waters, and the town in general. Terms of any lease such as location, lease amount (figure will be determined by and be proportionately commensurate with the overall required budget of the town landing) and the tenure will be negotiated between the business and town.
- D. Provide for sufficient access and fairways to reach the business and for any of its equipment or other property, and to provide any other necessities for the proper safe operation of the business.
- E. Any proposed business must meet with the Harbor Master and Committee to make certain an overcrowding problem is not created by the existence of the business and that placement of the business does not generate a safety issue or concern. The process by which a proposed business will be reviewed will be done through a hearing that consists of a collective meeting of the Harbor Master and Committee, at a regularly scheduled time. The Harbor Master and Committee will determine whether or not a business is in the best interest of Harrington waters and report relevant findings and facts to the Selectmen for approval or denial of the proposed business.

## **7. NOISE AND LIGHTING**

It shall be known that Harrington waters are all part of a working waterfront that can generate noise and lights 24 hours per day and therefore the most deference as possible shall be given to those endeavoring in commercial activities. Nonetheless, any person that generates noise or produces light during their given activities, work or otherwise, will do their best to limit such noise and/or light to the lowest levels possible and for the shortest amount of time possible that still adequately allows for them to continue without creating an extended or profound nuisance.

## **8. UNSEAWORTHY VESSELS**

A person, firm, corporation or any other party shall not moor, anchor, tie up a vessel, watercraft or float of any kind whatsoever which is; not seaworthy or is in a badly deteriorated condition; is likely to sink or to damage docks, wharves, floats or other vessels; or is likely to injure persons or which may become a menace to navigation, except with the express written permission of the Harbor Master. However, this restriction shall not apply to vessels in immediate distress.

## **9. OPERATION OF VESSELS**

All things related to the operation of any vessel or watercraft shall be controlled as proscribed by Federal law, Maine law and this Ordinance.

### **A. Speed of Vessels & Watercraft**

1. It shall be unlawful for any person to operate any boat or vessel in a manner that will cause excessive wake in Harrington waters. In no event shall a vessel exceed a speed of five (5) mph in relevant areas.
2. No person shall operate any vessel in a reckless/negligent manner or under the influence of intoxicants/drugs or in any fashion to endanger the life, limb, or property of any person, or contrary to Maine law.

### **B. Infected Vessels & Watercraft**

Whenever a vessel arrives in Harrington waters having on board any person(s) afflicted with a contagious or potentially contagious disease or suspected of being afflicted with such disease, the master, commander, or pilot thereof, and the Health Officer Harrington shall comply with the provisions of Title 22 of the Maine Revised Statutes.

### **C. Abandonment of Vessels & Watercraft**

No person shall abandon any boat, vessel, fishing equipment, hulk, cradle, raft, float, lobster car, houseboat, or any other obstruction within the limits covered by this ordinance. Any property, which shall have been left unattended for a period of sixty days, shall be deemed abandoned. The Harbor Master may order



the owner to remove the same within fifteen days. In default of removal or if the Harbor Master is unable to identify the owner of any property after reasonable efforts, the Harbor Master may undertake its removal or destruction at the cost of the owner. The Town may also choose to sell off any property (of sellable value) acquired through this provision. Any monies gained through a sale will go into the Town Landing fund.

## **10. PUBLIC BEACHES, PUBLIC LANDINGS & PARKING LOTS**

A. On public beaches, landings, or associated public parking lots the following activities are not permitted:

1. Overnight camping of any sort.
2. Fueling, except in designated areas.
3. Disposal of litter and trash (except in appropriate trash container), if no trash containers are available or those available are full, it is the responsibility of the individual to properly dispose of his/her refuse.
4. Disposal of petroleum products, metals, liquids, gases, wood products, traps, fiberglass items.

B. On public beaches, landings, or public parking lots no boat, cradle, trailer, lobster car, float, vehicle, gear, or personal items may be:

1. Left on public areas over five (5) days. After such time, the items will be considered abandoned and may be removed.
2. Repaired, if such repair requires more than 72 hours, without approval by the Harbor Master. The location of any repair work must not interfere with the normal flow of traffic and/or use of the area.

C. On public beaches, landings, or parking lots all boat, cradle, trailer, lobster car, float, vehicle, fishing gear, or any other personal items must be:

1. Parked in such a manner as to take up minimum space.
2. Orderly positioned to keep boat launching areas clear.

D. Any extenuating circumstances (hazard, weather, etc....) which hinders or limits adherence to any of the above provisions should be reported to the Harbor Master in a timely manner.

## **11. DUMPING OF SEWAGE, OILS AND HAZARDOUS WASTE**

No person, firm, corporation, or other legal entity shall discharge, spill, or permit the discharge of sewage, trash, litter, garbage, gas, oil, bilge water containing gas or oil, or other pollutants from a vessel, vehicle, boat, float, lobster car, houseboat, or any other source into Harrington waters. If an accidental spillage or discharge does occur, the Harbor Master is to be notified in a timely manner.

## **12. TAMPERING OF ANY PERSONAL PROPERTY WITHOUT CONSENT**

A. It shall be a violation of this ordinance, for any person to willfully board, enter, break into, damage, move, or tamper with any vessel, mooring, lobster car(s), float(s), or other personal equipment belonging to another, or part thereof, located within Harrington waters, unless authorized by the rightful owner of the above as provided for in this ordinance or permitted under State or Federal Law.

B. An exception the previous provision exists in circumstances of imminent hazard to vessels and other moored or anchored property and for the purpose of investigating damage, ordinance violations, emergencies, or crime, the Harbor Master has the right to enter to investigate but will first take prudent measures to contact any owner(s) or their agent(s).

## **13. OBSTRUCTION OF CHANNELS, LAUNCH RAMPS, OR BERTHING SPACES, AND REMOVAL OF VESSELS.**

A. It shall be unlawful to tie up or anchor a vessel, lobster car, float, personal equipment, or other objects in violation of the mooring provision of this ordinance in such a manner as to obstruct mooring areas, ramps, channels or to permit or carelessly sink or allow to be sunk any vessel, lobster car, float, personal equipment, or other objects in any channel, mooring area, or berthing space, which shall impede navigation or cause damage to vessels therein.

B. The Harbor Master may in the interest of safety and clear navigation order any such vessel, lobster car, float, moorings, personal equipment (fishing gear) or other objects to relocate.

C. If the Harbor Master receives a complaint from an owner or operator of any vessel, that another vessel, lobster car, float personal equipment, or object(s) is obstructing free movement or safe anchorage, he shall investigate the situation and order such other vessel or mooring to move if necessary.

D. If the Harbor Master should observe a condition in which a vessel, mooring, lobster car, float, personal equipment, or other object(s) are obstructing the free movement or safe anchorage of any vessel, lobster car, or float, he may order the other vessel, lobster car, float, personal equipment, or object to move.

#### **14. ACTIVITIES WITHIN TOWN LANDING MOORING AREA LIMITED**

A. In the Town Landing Area, the following activities are prohibited/limited:

1. Water skiing, jet-skiing, or any other related activities.
2. Dragging for shellfish or unauthorized setting of nets.
3. Fishing in a reckless manner.
4. The use of harpoons/spears from any boat, wharf, pier, or land.
5. No vessels over 50 feet will be allowed a mooring in the Town Landing Area.
6. Placement of a mooring or moorings for rental purposes.
7. Operating a personal watercraft, however the launching of personal watercraft is allowed.

#### **15. MOORING TO OR INJURING BUOY OR BEACON**

No person shall moor, or cause to be moored, any vessel, boat, scow, float, raft, or fish/lobster car to any buoy or beacon placed by the town (via the Harbor Master or otherwise), the State of Maine, or a United States Government Agency, or willfully destroy or injure a buoy or beacon.

#### **16. VESSELS PER MOORING**

No person shall permit or place more than one vessel (watercraft of any kind) at or on a mooring in Harrington waters, with the exception that boats may temporarily tie up to a float and be attended by the owner in the performance of an activity.

## **ARTICLE IV - MOORINGS**

All moorings within the waters of Harrington are subject to the provisions of the Maine Revised Statutes, Title 38, Chapter 1. These statutes encompass all mooring related matters such as authority, assignments, placements, waiting lists, transfers, rentals, forfeitures, and riparian rights. The Town may at its leisure create, enact, and implement procedures, policies, and guidelines that are necessary for ensuring all relevant provisions are followed and adhered to.

### **1. AUTHORITY OF HARBOR MASTER**

In accordance with Federal and State Law the Harbor Master has authority over all moorings and mooring locations.

### **2. MOORING REGISTRATION**

Persons seeking to place a mooring in Harrington shall apply for mooring assignment/permit. Applications for a mooring assignments/permits are available from the Town Clerk. All applications MUST be signed by the Harbor Master before submittal and must include any other necessary documentation such as proof of insurance and proof of residency. Once a permit is approved, it will need to be renewed annually by June 1<sup>st</sup>, including all necessary documentation.

All applicants will apply for mooring privileges based on their residency status and type of mooring assignment they desire. Which are as follows:

#### **A. Residency Status**

1. Resident – anyone who currently resides in Harrington and where they reside is their primary residence.
2. Taxpayer Nonresident – anyone who currently owns property in Harrington that they are required to pay taxes on.
3. Nonresident – anyone who does not reside in or own real property in Harrington.

#### **B. Type of Mooring**

1. Commercial – for use in the pursuits of commercial fishing
2. Recreational – for mooring a personal or recreational vessel or watercraft.

C. Cost of Mooring (revenues go to the betterment of Harrington waters and may be raised or lowered by the town as needed)

1. Resident Commercial Fisherman - \$50 fee
2. Taxpayer Non-resident Commercial Fisherman - \$75 fee
3. Non-resident Commercial Fisherman - \$100 fee
4. Recreational Resident - \$30 fee
5. Recreational Taxpayer Non-resident - \$60 fee
6. Recreational Non-resident - \$90 fee

### **3. MOORING CONSTRUCTION**

All moorings will be constructed from and consist of materials that adhere to industry standards at the very minimum. If any questions arise regarding proper construction of a mooring or materials utilized, a party shall seek the Harbor Master's advisement.

### **4. MOORING PLACEMENT**

The Harbor Master (with the Committee's assistance) will decide the number of moorings available in Harrington waters taking into consideration the ease of access, mooring field location, vessel sizes and any other applicable factors, such as availability of space and longevity of mooring use. If proper mooring space is not available, mooring applicants will be assigned a place on a Mooring Waiting List to be administered by the Harbor Master accordingly with Maine law.

### **5. LOBSTER CARS, FLOATS, AND ANY OTHER LIKE STRUCTURE**

Lobster cars, floats and like structures require federal permits, local mooring applications, payment of fees, and be insured and registered yearly. \* NOTE – it is the responsibility of the party seeking to have such a structure to attain/maintain all necessary permits, documents, and approvals at both the state and federal levels. It is not the responsibility of the Harbor Master or the Town. \*

### **6. MOORING INSPECTIONS**

It is the responsibility of the mooring holder on an annual basis to check, or have checked, and report to the Harbor Master, that the mooring is in safe condition and suitably sized for its intended use. Proof and a summary of the inspection is to be submitted to the Harbor Master.

## **7. TERMINATION OF MOORING PRIVILEGE**

All persons who had been assigned a mooring the entire previous year whose mooring assignment is to be terminated by the Harbor Master for any reason will receive written notification from the Harbor Master no later than June 1<sup>st</sup>, this notice shall state the reason(s) and state the facts regarding the termination and inform the applicant of his/her right to appeal the decision of the Harbor Master by the means proscribed in this Ordinance.

## **ARTICLE V - MARITIME FACILITY USE PERMITS**

Commercial shellfish buyers, fuel dealers, or other entities (rentals, sight-seeing, or fishing cruises, etc.) wishing to conduct business at or within the Harrington Town Landing Area must apply for and be issued a Maritime Facility Use Permit. Additionally, any others seeking use of the Town's facilities must obtain a Town Pier Use Permit.

### **1. COMMERCIAL BUSINESSES**

A. Maritime Facility Use Permit applications may be obtained at the Town Office and all fees paid to the Town of Harrington. In addition to the application and fee the applicant will provide proof of liability insurance and of residency. If the application is denied the permit fees will be returned.

B. Those seeking a permit must first get the review, approval, and recommendation of the Committee and the Harbor Master & subsequent approval by the town. The permits will be valid for one (1) year, June 1<sup>st</sup> to May 31<sup>st</sup> of each year. Denied permits may be appealed.

C. Depending on the size, scope, and impact of the Maritime Business being proposed, the town may require the business to enter a lease. Additionally, an existing business may be required by the town to enter a lease if it is determined that it is in the best interest of the town to do so. Parameters and terms of any lease will be negotiated between the business and the town. For businesses requiring a lease, it will be signed by the Selectmen with a negotiated monetary amount and the term. Lease holders are not required to purchase a use permit.

D. FEES - The annual Maritime Facility Use Permit fees for commercial shellfish buyers are:

- \$500 for resident commercial buyers,
- \$750 for taxpayer non-residents, and
- \$1000 for nonresident commercial buyers.

The annual Maritime Facility Use Permit fees for fuel dealers are:

- \$300 for resident fuel dealers,
- \$450 for taxpayer non-resident fuel dealers, and
- \$600 for nonresident fuel dealers.

The annual Maritime Facility Use Permit fee for all other types of business(es):

- shall be determined and set by the town as the need arises.

## **2. TOWN FACILITIES USE IN GENERAL**

Any person seeking to utilize the Town Pier and equipment (which include the dock/pier, town floats, gangways, and crane/hoist, BUT NOT INCLUDING THE RAMP OR PARKING LOT AREA), must get a Town Pier Use Permit (this includes ALL uses whether they be commercial, recreational, or otherwise). This permit will allow for the privilege of using the town facilities and equipment while indemnifying the town as the holder assumes and accepts ALL responsibility, risk, and liability while using the facilities and/or equipment. **Any person who is NOT a holder of a Town Pier Use Permit (lessees & Maritime Use Permit holders not included) is NOT permitted to use or be on the pier (in their physical person or their personal property, i.e., a vehicle or equipment) and is further prohibited from use of the crane/hoist.** In addition, the holder of a Town Pier Use permit is permitted to tie/secure and leave tied/secured one (1) tender/skiff/dingy as needed to the town facilities to access their mooring, vessel, or watercraft. This permit must be renewed annually on the same schedule as the Maritime Facility Use Permit. The FEES for a Town Pier Use Permit are as follows:

- \$50 for a Resident
- \$75 for a Taxpayer Non-resident
- \$100 for a Non-resident

### **3. REVENUE FROM FEES**

Fees established by this ordinance may be increased or decreased by a recommendation of the Harbor Master and the Committee and after approval by the Selectmen. All Maritime Facility Use and Town Pier Use permit fees accrue to the Town of Harrington for all upkeep and operation of the town the Town Landing facilities.

## **ARTICLE VI – PENALTIES**

### **1. OVERVIEW**

The provisions of this ordinance are enforceable by the Harbor Master or any other law enforcement officer whose jurisdiction includes the Town of Harrington. Violation of any provision of this ordinance not already directly classified as a crime under Federal Law or the laws of the State of Maine shall be deemed a civil violation. Any person who violates any part of this ordinance shall be liable to the Town of Harrington for the following penalties:

- A. The minimum penalty for a specific violation shall be \$25.00 and the maximum penalty shall be \$2,500.00. Each day that the penalty exists shall be a separate violation.
- B. In addition, the offender shall pay the Town of Harrington an amount equal to reasonable attorney's fees, expert witness fees, and other expenses of any proceeding to enforce the provisions of this ordinance.
- C. The Harbor Master with the Committee will recommend what the fines forgiven infractions are to be and forward them to the Selectmen for approval.

### **2. TERMINATION**

Any person(s) who use the waters of Harrington for any reason, commercial or otherwise, are subject to restriction, removal, eviction or termination dependent on their respective conduct, actions, or behavior. No person(s) shall be dismissed or relieved of any legal relationship with the town of Harrington without just cause. If a person(s) are to be removed or evicted from Harrington waters or are to have their permit(s) or lease(s) terminated it must be in writing, it must give adequate notice, and provide a detailed description of the reason(s) for their removal, eviction, or termination.



**3. APPEALS**

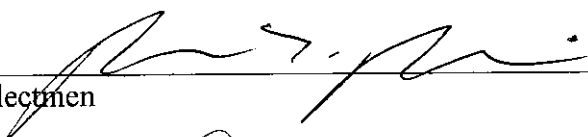
Any person(s) seeking to appeal a decision of the Harbor Master may do so in accordance with the process found in this Ordinance. Any person(s) seeking to appeal a decision of the Selectmen may do so in accordance with the laws of the State of Maine and the Maine Rules of Civil Procedure.

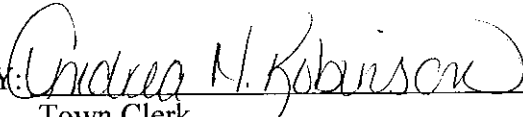
**ARTICLE VII – APPROVAL**

EFFETIVE DATE: This Ordinance was voted upon and approved by the registered voters of Harrington, Maine, at a duly scheduled Town Meeting dated March 15<sup>th</sup>, 2023 and this Ordinance shall take effect on that date.

  
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Selectmen

  
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Selectmen

  
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Selectmen

CERTIFIED BY:   
Town Clerk

Date March 16, 2023