

ORDINANCE NO. 2019 - 10

**AN ORDINANCE TO AMEND
THE ORDINANCES OF THE TOWN OF BARRINGTON
CHAPTER 148
PUBLIC WATERS**

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ARTICLE II - HARBOR CONTROL

§ 148-3 - Appointment of Harbormaster.

The Town shall appoint and contract with a Harbormaster (HM) either singly or in conjunction with any municipality to serve at the pleasure of the Town Manager. The Harbormaster shall be paid in such an amount as the electors of the Town of Barrington shall fix at the annual Financial Town Meeting.

The Harbormaster and any Harbor Patrol working at the direction of the Harbormaster, shall be subject to the day-to-day oversight and supervision of the Barrington Police Department and the Barrington Chief of Police. However, the Harbormaster and the Harbor Patrol shall not be considered police officers of the Police Department for purposes of collective bargaining, but instead the Harbormaster and Harbor Patrol shall be considered independent contractors with the Town.

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§ 148-5 - Power and authority of Harbormaster.

- A. The HM, or his/her designee, shall have the authority within the jurisdiction provided by any applicable federal, state and Town law to enforce statutes, ordinances and regulations relating to the mooring, anchorage, management and control of all vessels within the waters of the Town of Barrington and pursuant to the provisions of Articles I and IV hereof.
- B. The HM may remove from any wharf in said waters any vessel not engaged in receiving or discharging cargo or passengers or any vessel not anchored or moored according to the regulations relating thereto, and he/she may also determine the time and manner of accommodations respecting the position of vessels which should be extended by the owners or masters thereof to each other and require such accommodation to be extended.
- C. The HM shall annually cause a map to be prepared designating the name and address of the owner of each vessel moored in the waters of the Town of Barrington and shall revise the same as may be necessary from time to time.

- D. The HM shall ensure that all mooring locations are in accordance with the Harbor Management Plan prepared by the Harbor Commission, and he/she shall designate the location of new moorings in accordance with said plan.
- E. The HM shall assign mooring locations in accordance with the rules and regulations promulgated by the Harbor Commission and approved by the Town Council.
- F. Acting with the Harbor Commission, the HM shall review the applications pending before the Coastal Resources Management Council or the United States Army Corps of Engineers relating to the waters of the Town of Barrington and advise the Town Council as appropriate.
- G. The HM shall serve as an ex officio member of the Harbor Commission and the Mooring Assignment Subcommittee.
- H. In exercising the authority and responsibilities enumerated in § 148-5(A) through § 148-5(G), the Harbormaster shall be subject to the oversight and supervision of the Barrington Chief of Police.

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ARTICLE VI – ENFORCEMENT, APPEALS, FEES & FINES

§ 148-31

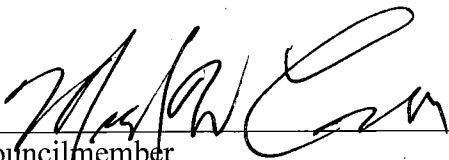
Enforcement.

- A. Each of the Harbormasters, Assistant Harbormasters and police officers of the Town of Barrington are hereby authorized to enforce the provisions of this chapter and, in the exercise thereof shall have the authority to stop any vessel subject to the provisions of this chapter within the waters subject to the jurisdiction of the Town of Barrington as provided in R.I.G.L. § 12-7-21.
- B. Unless otherwise specified herein, these rules and regulations shall be enforced by the HM or his representative, subject to the oversight and supervision of the Barrington Chief of Police, and in all proceedings of the Harbor Commission having as one of its purposes the function of hearing appeals from the actions of the HM or his representative(s), the enforcement of these rules and regulations shall be conducted in accordance with § 46-22-1 et seq. of the Rhode Island General Laws (as amended); provided, however, that the Harbor Commission shall not be required to cause a verbatim transcript to be made of the proceedings in such cases.

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This ordinance shall take effect upon passage.

This ordinance shall become effective upon passage.



Council member

Filed: March 5, 2019

Introduced: April 1, 2019

Amended:

Adopted:

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