

# Boating in Mashpee

## Rules and Regulations

Updated 2005

Boat operators are expected to know and abide by these rules as well as all other applicable laws and regulations.



All motorized boats, including personal watercraft, must have **registration numbers** visible and a **registration certificate** on board at all times.

See the Massachusetts Boater's Guide for added details.

## Equipment Requirements:

### Personal Flotation Devices-

- ALL boats, canoes, and kayaks must have a Coast Guard approved wearable life preserver, or buoyant vest, for each person on board.
- Boats 16 feet or longer must also have one Type IV throwable life buoy (a boat cushion may be used).
- In canoes, life vests **MUST** be worn from September 15 to May 15.
- Children 12 and under **MUST** wear life vests at all times.

### Fire Extinguishers-

- Required on all mechanically propelled boats, including personal watercraft, and all enclosed boats, but not open outboard boats less than 26 feet long.

### Light-

- If operated at night, a bright white light aft is required to show all around the horizon.
- Lights or a combined light forward showing green to starboard and red to port is required.

### Sound Devices-

- All motorboats shall carry a horn, whistle, bell, or other sound device.

### Other Equipment-

- All motorboats shall carry, an **anchor, line, bailer, paddle, and flashlight or lantern.**

### Ski Boats-

- Must have a ladder or steps or similar means so a person can be taken from the water.

### Boat Cushions-

- Personal flotation devices must now be wearable. **Boat cushions no longer qualify**, but are OK as the Type IV throwable flotation device as long as they are in good condition.

**Note: Sailboards are considered sea vessels and are required to obey all laws pertaining to vessels.**

## Operators:

- No person under 12 years of age may operate a motorboat unless accompanied and supervised by a competent person 18 years of age or older.
- Operators between 12 and 15 years old must have a valid state "boating safety certificate" from the department of fisheries, wildlife, and environmental law enforcement in their possession when boating.

## Abandonment:

- No vessel, mooring, or other object shall be abandoned, sunk, or otherwise placed where it may constitute a danger to navigation.
- Any vessel so placed may be removed by the Harbormaster, after due notice, at the expense of the owner.
- Call the Harbormaster at 508-539-1450 if you see a sunken or abandoned boat.

## Moorings:

- The location, type, and adequacy of every mooring must be approved by the Harbormaster before placement and must be registered annually by May 1.
- Any mooring may be inspected, removed, or relocated whenever the safety of other vessels or properties or optimal use of the area requires such an action.
- Each buoy shall be painted white with a blue band and the owner's mooring numbers must be clearly visible at all times.
- Winter buoys (sticks) must be removed by May 31.



## Divers and Diving:

- Anyone skin or scuba diving shall display a red diver's flag at least 12 inches square with a diagonal white stripe on a float holding the flag upright and high enough to be seen from passing boats. The diver must stay within 150 feet of the flag and float or tow it while submerged and surface near it.

## Speeding:

- Speed shall be SLOW, NO WAKE within 150 feet of shore, swim areas, bathers, divers, posted areas, vessels propelled by means other than motors, vessels not under way or docking, and mooring areas.
- No vessel on ponds in Mashpee may exceed 45 m.p.h. surface speed.
- On ponds, speed shall not exceed "**slow, no wake**" from 1 hour after sunset until 1 hour before sunrise, except on Mashpee-Wakeby Pond.
- Headway speed only within 300 feet of a shoreline used as a bathing area (state law).
- Ockway Bay is very shallow—USE CAUTION.
- The following are "**slow, no wake**" areas all year: Great River, Little River, Waquoit Bay entrance, Mashpee River, Simon's Narrows (Santuit River), Popponesset Creek, entrance to Popponesset Bay, narrows between Mashpee and Wakeby Ponds.

## Pollution:

Waquoit Bay and its Tributaries are a federal

### No Discharge Area!

\*\*For your convenience, there are pump-out facilities (Channel 9) at Little River Boat Yard, Edwards Boat Yard in Falmouth, and the Mashpee pumpout boat goes to Popponesset Bay once a week during the season.\*\*



- In Mashpee, the discharge or disposal of oil, dead fish waste, debris or sewage in the waters, shores, or foreshores is prohibited.
- There also is a "pooper-scooper" bylaw, so PLEASE clean up after your pet to preserve water quality.
- Federal law prohibits dumping plastic in any waters.
- **The fine for littering is \$50.**

## Enforcement and Penalties:

- Mashpee town bylaws as well as state and federal rules governing the use of waterways will be strictly enforced by the Harbormaster (508-539-1450) and his assistants, the Mashpee Police (508-539-1480), the Massachusetts Environmental Police Officers, and the Coast Guard.
- Town of Mashpee enforcement officers have full authority and may issue warnings or citations as needed.
- Violations of Mashpee bylaws carry a fine of \$50 for the first offense and \$100 for second and subsequent offenses. Violations of state law carry fines of up to \$500. Violators also risk having their registrations suspended.

## Drinking:

Boating under the influence of alcohol, drugs, or other controlled substances carries stiff penalties comparable to driving under the influence.

### For example:

- A drunken boater will lose his or her motor vehicle license if convicted or upon refusal to take a breath analysis test.
- An operator is considered to be drunk with a blood alcohol level of .08%.
- A first time conviction results in loss of motor vehicle license for 45 days to one year and includes a fine up to \$1000 and up to a 2½ year jail sentence.
- Repeat motor vehicle and boating offenses have a cumulative effect, and both can go on a person's record.
- At the discretion of the Director of Marine Law Enforcement, the Certificate of Number of the boat registration may be revoked in addition to revocation of a motor vehicle license.
- Appeals, motions for new trials, or exceptions are prohibited from staying the revocation of any motor vehicle license or Certificate of Number.

**Mashpee enforces these state laws!!!**



## Water Skiing and Personal Watercraft:

- NOT ALLOWED within 150 feet of shore, bathers, swim areas, divers, piers, docks, floats, or boats, including areas posted as "6 MPH," "No Wake," "Slow, No Wake," "Swim Area," etc.
- Ski starts and stops are NOT permitted from shore unless an area has been designated by the town.
- A life vest **MUST** be worn by anyone in a personal watercraft or being towed by a boat.
- An observer at least 12 years old must be on board facing each water skier.
- The following applies to freshwater ponds with the exception of Mashpee-Wakeby Pond: Water skiing and personal watercraft are permitted only between 10 a.m. and 7 p.m. No more than 2 water skiers can be towed from one boat at the same time. All turns shall be made in a **counter-clockwise** direction.
- For Mashpee-Wakeby Pond, personal watercraft are not permitted after 7 p.m. or sunset, whichever comes first.
- Water skiing is prohibited in all tidal rivers or inlets. This includes Jehu Pond, Great River, Little River, Hamblin Pond, Santuit River (Shoestring Bay), Mashpee River, and Ockway Bay.
- Personal watercraft are subject to all other operating restrictions that apply to the use of motorboats, and are prohibited at night.

## Boating Safety Tips

### While underway:

1. Look out for bathers, other boats, and debris.
  2. Reduce speed in crowded or narrow areas.
  3. Pass to the left (port) of red buoys when returning from the ocean. Remember: "Red on Right Returning."
  4. Do not leave large wakes in crowded areas.
  5. Do not overload your boat; have floatation devices handy.
  6. Remain seated and avoid horseplay.
  7. Inform someone on shore of where you are going and when you plan to return.
  8. Ventilate bilges before starting engine.
  9. Check your equipment—be sure that you have everything and that it is in good condition.
  10. Watch the weather—if you see clouds forming or the wind begins to pick up, head for shore.
- Above all else, **OPERATE YOUR BOAT SMARTLY**, and be courteous to others.

**IF YOU CAPSIZE, DO NOT PANIC:**

**\*THINK.**

**\*HANG ON TO YOUR BOAT.**

**\*WAIT FOR HELP.**



This brochure has been prepared for boaters in the Town of Mashpee by the Waterways Commission and the Harbormaster Department.