



Town of Sunapee

BOAT LAUNCH & TOWN DOCK ORDINANCE

SECTION 1. PURPOSE.

The purpose of this ordinance shall be to promote harmonious use of the Town boat launches and docking facilities by everyone who visits them. This includes Town residents, taxpayers, visitors, commercial users, recreational organizations, and organized tournament users. It is important to the Town of Sunapee that we maintain a positive relationship with everyone that regularly launch from the Town boat launches and/or that utilize the Town docks. It is equally important to create a positive relationship with new users. It is for both purposes that we offer this ordinance.

SECTION 2. DEFINITIONS. In this ordinance:

- A. *Boat Launch* means real property abutting the waters of Lake Sunapee and owned and maintained by the Town of Sunapee for the purpose of launching boats.
- B. *Boat* shall mean any craft or vehicle which is used for travel on water.
- C. *Light Commercial* shall mean any marina conducting business for financial gain or benefit by reason of the sale of goods or services (i.e. loading and unloading boats).
- D. *Heavy Commercial* shall mean any barge company, septic pumping or construction contractor conducting business for financial gain or benefit by reason of the sale of goods or services (i.e. loading and unloading barges).
- E. *Dock* shall mean any Town-owned structure or other facility used in connection with water access including but not limited to all dock structures, the boat launch ramp and the boat launch loading/unloading areas.
- F. *Operator* shall mean any person that shall have physical control of a motorized vehicle, boat, boat trailer or construction equipment.
- G. *Parking Lot* shall mean any facility used for the convenience of motor vehicles (including boats and boat trailers) to provide for non-permanent storage, temporary abandonment, stationary visitation or operator access to nearby boat launches and docks.
- H. *Power Loading* is a term used to describe using the motor to load and unload a boat or vessel onto and off a boat trailer at a boat launch.

SECTION 3. HOURS OF OPERATION.

- A. Residents, taxpayers, and visitors may use the boat launches and/or Town docks for pleasure boating purposes only in accordance with Section 3 of the Recreation Area Ordinance.
- B. The boat launches and/or Town Docks are open daily from 6:30AM to 10:00PM for light commercial use.
- C. Burkehaven and Georges Mills Boat Launches are open daily from 6:30AM to 10:00PM for heavy commercial use.
- D. The Harbor Boat Launch and Town Docks shall be open from Memorial Day to Labor Day, 6:30AM to 8:00AM for heavy commercial use. Prior to and after the aforementioned holidays, the Harbor Boat Launch and Town Docks shall be open daily for heavy commercial use from 6:30AM to 10PM.
- E. Heavy commercial businesses may request the use of the boat launches, Town docks and adjacent parking areas during closed times from the Board of Selectmen or their designee. Approval may be issued by the Board of Selectmen or its designee when it is in the public interest to do so.

SECTION 4. ACTS REQUIRING A BOAT LAUNCH & DOCK USE PERMIT.

No permit is required for residents, taxpayers, or visitors to launch or haul out pleasure boats at the Town's boat launches.

- A. Heavy commercial operators seeking to use the boat launches, Town docks, or adjacent parking areas shall submit a Boat Launch & Dock Use Permit to the Board of Selectmen or its' designee and shall submit a Certificate of Insurance with the Town named as additionally insured prior to use of the facilities.

- B. Light commercial operators seeking to use the boat launches, Town docks, or adjacent parking areas, for the purposes of launching and/or hauling out pleasure boats, shall not be required to obtain a Boat Launch & Dock Use Permit. However, light commercial companies shall submit a copy of their insurance certificate with the Town named as additionally insured to the Town of Sunapee annually and prior to the use of the facilities.

SECTION 5. BOAT LAUNCH & DOCK USE PERMIT APPLICATION INSTRUCTIONS.

- A. Boat Launch & Dock Use Permit applications are available for pickup at the Town Office and can be downloaded from the Town's website at: www.town.sunapee.nh.us
- B. Heavy Commercial operators shall complete all the information required in the permit application before a permit can be issued and shall submit a copy of their insurance certificate with the Town named as additionally insured with the Permit application.
- C. Heavy commercial operators shall notify the Board of Selectmen or their designee in writing (e-mail preferred) 24-hours in advance of the use of a Town boat launch, Town dock or associated parking area.
- D. Upon being notified, the Board of Selectmen or their designee shall provide written approval for the proposed use. The heavy commercial operators name with the date and time of the proposed use will be posted on the Boat Launch & Town Dock Use Calendar on the Town's website.
- E. Light commercial operators are not required to submit a Boat Launch & Dock Use Permit Application. However, they shall submit a certificate of insurance with the Town name as additionally insured on the certificate, and the light commercial operator's current business contact information.
- F. Permit applications shall be submitted to the Board of Selectmen at the Town Office at 23 Edgemont Road Sunapee, New Hampshire 03782, prior to use of the boat launches, Town docks or adjacent parking areas.
- G. Approved Boat Launch & Dock Use Permits will be posted on the Town's website. and a hard copy must be in the commercial operator's possession before using the boat launches, Town docks or adjacent parking lots.

SECTION 6. ACTS PROHIBITED

- A. Heavy commercial operators shall not preclude others from using the Town's facilities for a prolonged period of time, and they shall not exceed the time limit that is approved by the Board of Selectmen or their designee.
- B. No motor vehicles wheeled or tracked construction equipment, construction materials or supplies, skateboards, bicycles, scooters, roller blades shall be permitted on Town docks.
- C. Power loading of boats onto boat trailers is prohibited. Damage that is caused to Town boat launch ramps or associated components thereof, as a result of power loading by any person(s) shall be repaired by the person(s) causing the damage at no expense to the Town.
- D. No boats shall be docked in the areas that are reserved for the MV Mount Sunapee or MV Kearsarge boats.
- E. No boats shall dock in the slip closest to any public launching ramp except that docking for a period not to exceed 20 minutes shall be allowed for purposes of loading and unloading only.
- F. No overnight docking shall be permitted.

SECTION 7. PENALTIES

- A. Violation of any provision of this ordinance shall constitute a violation, and anyone so convicted may be required to pay a fine of one hundred dollars (\$100) for the first offense, two hundred fifty dollars (\$250) for a second offense and five hundred dollars (\$500) for the third offense. Future or repeated violations of any provision of this ordinance may result with additional fines and/or being denied use of the boat launches and Town docks. All appeals shall be to the Board of Selectmen.

SECTION 8. ENFORCEMENT.

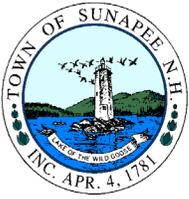
This ordinance shall be enforced by the Board of Selectmen, its designees, and by the Town of Sunapee Police Department or any other police agency having jurisdiction within the Town of Sunapee in the manner prescribed for enforcement of violations of law by New Hampshire Statute.

Adopted by Board of Selectmen August 12, 2019 and Effective January 1, 2020

SECTION 9. EXCEPTIONS

The Police Department, Fire Department and Highway Department shall be exempt from this ordinance for the purpose of conducting routine Town business and/or for responding to emergencies.

Verbal exceptions from this ordinance may be granted by the Board of Selectmen, Town of Sunapee Police Department or the Town of Sunapee Highway Department for emergencies that involve and/or that require the use of Town boat launches or Town docks.



Permit # - _____

Town of Sunapee, NH Boat Launch & Dock Use Authorization Form

Name of Applicant: _____

Business Name: _____

Address: _____

Telephone Number: _____ Cell Phone Number: _____

Description of Proposed Use: _____

Start Date of Proposed Use: _____ End Time of Proposed Use: _____

Anticipated Impacts on Other Users (i.e. delays/shutdown/etc.): _____

I, the above applicant, have received, read, and understand the Boat Launch & Town Dock Ordinance. I shall be responsible for repairing, at no cost to the Town, any damage that I, any of my employees and/or subcontractors, may cause to the boat launches, docks or adjacent parking infrastructure while using the premises. I will abide by said ordinance, a copy of which is attached, and have attached a copy of my company's insurance certificate with the Town named as additionally insured.

Applicant's Signature

Date

Recommended

Action: Seasonal Approval: _____ Single Use Approval: _____ Denial: _____

Conditions: Contact Chief E. Neill Cobb via e-mail at e.neill.cobb@sunapeepd.com or Highway Director Mike Martell at michaelm@town.sunapee.nh.us 24-hours in advance of the proposed work involving the facility for approval.

Approving Authority's Signature

Date

Based on the ordinance governing the use of boat launches and town docks this Authorization Form will be kept on file at the Town Office and will be posted on the Town's website for the year in which it was submitted to the Town.

Signatures of the Board of Selectmen:
