



Harbor Master
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Other Things You Should Know About Moorings

1) A mooring permit authorizes you to place your privately owned anchor and chain on publicly owned bottom and obstruct the public waters above it. This permission is granted annually by Harbormaster Approval of a [Town of Cape Elizabeth Mooring Registration/Permit](#) they are available at the Police Department, the Town Hall, on the Town website, or by [email](#). (They will no longer be mass-mailed.) and may be revoked for due cause. It does not provide you with any title to the space or authorize you to transfer, rent, or sublet the permit without the approval of the Harbormaster.

2) The town ordinance follows state and federal recommendations that all mooring buoys must be **White with a Blue horizontal band** clearly visible above the waterline. The mooring number must be painted above the blue line.

All buoys must comply with these requirements.

All buoys must be numbered

Red and Orange balls are Not allowed!

Red or orange balls are indistinguishable from lifesaving equipment to search and rescue aircraft and frequently delay searches when not occupied. This is particularly an issue on the Cape where so many moorings are not in identifiable harbors and near lanes of heavy boating traffic.

Moorings constructed of unprotected foam block that can fracture and shed plastic particles are **Not allowed!**

Metal Barrels or Balls, Metal Wheel Rims with Tires are Not Allowed as they create hazards to Navigation.

Winter Sticks shall be constructed of either Flexible or Frangible material.

3) Painting your Vessels name and/or the Owners Name or both on your buoy will make it less likely to be picked up by a transient boater whose vessel may be larger than yours and which could drag or damage the gear. This can also save you the unpleasantness of having to ask someone to move when you return to find your mooring occupied.

4) You will occasionally see ads for boats or houses “with deepwater mooring”. You may advertise a house or boat “with mooring” but, if you should make it clear before signing a sales contract that the phrase covers the gear only. If you fail to do this it may potentially become a problem when the new owner finds out that he does not actually have a permit for the mooring spot. If you would like the new owner of your house or vessel to have your mooring spot, you should have them submit an application before the sale (and after signing a sales contract, if any). If there is no waiting list and the vessel is appropriate for the gear and the spot, this request likely will be accommodated. If there is a waiting list for moorings in that area or other restrictions due to various reasons the new permit may not be issued. You may not make the price of the house or vessel contingent on a successful transfer of permit or realize any financial gain from it.

In cases where a mooring lies within the frontage of a dwelling that is being transferred within a family, the Harbormaster will make every effort to maintain the continuity of use. This cannot be assumed however and should be discussed with the Harbormaster in advance of the transfer.

5) Moorings permits are specific to the vessel named at the time of application. It is a violation of the town ordinance to permit another vessel to use your mooring without permission from the Harbormaster. This permission may be assumed for friends, guests, or renters using your mooring while visiting if your vessel is elsewhere. In the case of renters, you may not charge a separate fee for use of the mooring unless it is registered as a rental mooring.

If visiting vessels are to be unattended for more than 24 hours and are larger than the vessel assigned to the mooring, you should check with the harbormaster. Be cognizant of the liability of permitting use of your mooring by a vessel larger than it was designed for especially if the weather is bad.

All use of a recreational mooring by a another vessel for a period longer than two weeks must be cleared in advance with the Harbormaster.

Commercial fisherman with moorings listed as primarily commercial on the mooring application may put any vessel that is being used by them on their mooring without prior permission, provided that it is not substantially larger than the vessel originally assigned.

All additional commercial vessels expected to routinely use a specific mooring should be registered with the Harbormaster.

6) Any mooring not used for 30 consecutive days in a year may be considered abandoned. The Harbormaster will not be tracking or verifying mooring usage. However, if it is brought to the Harbormaster’s attention that someone is being denied the opportunity to moor their vessel by the presence of an unused mooring, or one that is being held by loaning to another vessel, the permit holder may be presented with a choice between using or surrendering the permit.

7) You may not rent, lease, or accept any compensation for use of your mooring unless permission to do is specifically given and recorded by the Harbormaster.

8) Mooring tenders/Skiffs/dinghies: must have owner's name, telephone # and mooring number on the transom. Mooring tenders/Skiffs/dinghies should not exceed 20' overall length. Mooring tenders/Skiffs/dinghies must be secured when left onshore.

9) **Speed and Wake**

No person shall drive or operate any boat or vessel in the mooring areas, for which a mooring plan has been established, in such a manner as to cause a wash, wake or wakes that disturb or damage any wharf, float, anchored or moored dock, boat or vessel or at any speed that endangers any person or property.

Water Skiing

No person shall operate a boat towing a surfboard, water skis, inflated inner tube, or similar device within a mooring area.

Alcohol

It is against Maine law to consume intoxicating liquor in any public place. This pertains to all facilities belonging to the Town, including but not limited to, all properties, docks, floats and picnic areas.

Title 38 Section 284 (Operating Under the Influence of Drugs or Liquor):

Whoever operates any watercraft, vessel, water skis, surfboard, similar device or motorboat, however propelled, upon the tidewaters of any municipality or upon any of the offshore waters within the jurisdiction of the State while intoxicated or under the influence of any narcotic, shall be guilty of a Class E crime.

[Maine Title 38: Waters and Navigation](#)

In case of Emergency, Dial 9-1-1 if on landline, (207) 846-3112 by cellular phone, OR hail the [United States Coast Guard](#) on VHF Marine Radio Channel 16 (156.800 MHz).

Recognized