

Persons with dogs in their vehicles shall park in areas to be designated by the Conservation Commission.

(iv) All persons shall remain on designated trails as marked by the Conservation Commission.

(v) All persons walking dogs shall endeavor to remain on designated trails as marked by the Conservation Commission.

(vi) No more than three (3) dogs may be walked by a person on any open space area.

(vii) No domestic animals, including dogs and horses, are permitted in the Metro Center Conservation easement.

**Section 15** – Luminaries or sky lanterns are not permitted.

## MARINAS

South Benson Marina

471 Turney Road

Ye Yacht Yard

985 Harbor Road, Southport

Perry's Green

701 Harbor Road, Southport

**Section 16** – (a) South Benson Marina boat slips/Ye Yacht Yard dock space will be issued only to permanent residents of the Town of Fairfield. No family residing in one dwelling may have more than one boating assignment in the water until all on the waiting list are satisfied. The Marina Manager will make dock space available at Ye Yacht Yard to all boaters with a Southport Harbor mooring permit.

(b) Applications for boat slips in Town marinas shall be submitted only by permanent residents of the Town of Fairfield. Renewal applications along with, non-refundable payment and the following documents, Vessel Registration, Liability Insurance, Proof of Residency must be received in the Parks & Recreation Office by the close of business on the third Wednesday of February. If any items, other than the check and application, are missing from the packet a \$250 late fee will be assessed. Any application packet that is not complete and received in the office by the close of business on April 15 will result in the loss of slip. No slips or stickers will be made available until all fines are paid. If payment is not received as stated above, the Parks & Recreation Commission or its designee reserves the right to allocate slip to the next eligible applicant on waiting list. The penalty for falsifying any documents shall result in the loss of slip. Appeals can be heard by the standing Appeals Committee.

(c) The Parks & Recreation Commission or its designee shall approve applications for boat slips from holders of slips in the preceding year. Marina slips will not be renewed until all previous fees and fines are collected. When vacancies occur, the Commission or its designee shall approve applications drawn from appropriate waiting lists compiled by the Commission or its designee from approved applicants on a first-come, first-served basis. The Commission or its designee shall allow a one-time deferral for anyone who is on the waitlist as of September 16, 2015. Anyone who is placed on the waitlist after September 16, 2015 will have twelve (12) months from the date they are notified to put a boat in the water, with the requirement that they pay the pro-rated portion of the year left within ten (10) business days and pay by the renewal time the following year. The pro-rated portion will be based upon the minimum size for the category applied for. Anyone on the waitlist as of September 16, 2015 may take advantage of the policies in effect as of that date.

(d) Commercial fishing vessels owned and operated by a Fairfield resident (not to exceed 36 feet in length with a draft not to exceed four feet), are permitted to load and unload their catch at the South Benson Marina during the off-season, as is determined by the Parks & Recreation Department. Under no circumstances shall any commercial fishing or boating activities be permitted during the boating season as is determined by the Parks & Recreation Department. No exceptions. An annual fee for this permit will be charged and set by the Parks & Recreation Commission. Payment of such fees shall be made within 30 days of due date prescribed by the Parks & Recreation Commission. Failure to do so and violation(s) of relevant Commission rules and regulations pertaining to proper use of those Town facilities shall result in prohibition of use of those facilities and/or fines and/or impounding of the offending vessel.

(e) No motorboat shall be launched from Town property, except in areas designated by the Parks & Recreation Commission.

(f) No person shall anchor, moor, or launch any vessel in the South Benson Marina, Ye Yacht Yard, or Perry's Green without a valid sticker or plate issued annually by the Parks & Recreation Commission. Such sticker or plate shall be placed at the upper left corner of the transom.

- (g) No vessel shall occupy any dock within the Marina to include: boat slips, transient docks, or launch ramp docks without written permission from the Marina Manager.
- (h) No vessel may be operated within the confines of the South Benson Marina, Ye Yacht Yard, Pine Creek, Ash Creek, or Mill River with speeds in excess of six (6) miles per hour, or at a lesser speed which results in a harmful wake being created.
- (i) A legal spouse of a deceased holder of a boat slip or a waitlist member may retain it provided the spouse of the deceased is a permanent resident at the time of death. Upon divorce, slip/mooring holder may transfer slip to former spouse, provided that the former spouse remains a permanent resident.
- (j) Boat owners assigned slips/moorings at Town marinas, and who have not utilized same by July 15 in the year for which the slip has been assigned, shall be notified by the Parks & Recreation Commission or its designee that their use of the assigned slip/mooring is in jeopardy. Owners must respond within ten (10) days of the notification or forfeit the slip.
- (k) A permanent resident of Fairfield may purchase a ramp tag for South Benson Marina and Ye Yacht Yard for a fee to be determined annually by the Parks & Recreation Commission.
- (l) A non-resident of Fairfield who has a business establishment in Fairfield, but not corporations per se, and pays taxes on furniture, fixtures and/or inventory in Fairfield, may purchase a ramp tag for South Benson Marina in order to use the boat ramp to launch a motorized vessel. In addition, the first 50, per season, non-resident, non-Fairfield tax-paying individuals may purchase a ramp tag for launching at South Benson Marina. Non-Residents with non-powered vessels on a trailer may apply for a per-diem ramp tag to launch a vessel at Ye Yacht Yard.
- (m) A fifteen (15) minute time limit is established to launch a vessel from designated launch ramps at South Benson Marina and a thirty (30) minute time limit at Ye Yacht Yard.
- (n) All sailboats are required to be under power with sails lowered when entering and exiting the South Benson Marina Channel.
- (o) No craft, using sails or oars only as the sole means of propulsion, may be launched from flotation docks or ramps at South Benson Marina. They may be launched from Ye Yacht Yard.
- (p) South Benson Marina slip occupants must provide and sign for the names of their invited guests, repair, or service personnel at the guardhouse prior to their use of marina parking facilities or docks. Repair or service personnel will provide proof of general insurance to the Town of Fairfield for the amount to be determined by the Risk Management Department. Repair or service personnel must state destination, type of work to be performed, and sign out at guard shack. .
- (q) The consumption of alcoholic beverages is prohibited on Town marina gangways, platforms, and parking lots.
- (r) Slipholders who have not made arrangements for in-water winter storage at South Benson Marina must remove their vessels and portable floating docks/boat lifts by midnight of the third Sunday in November. Any slipholder whose vessel and/or portable floating docks/boat lift remains after the deadline will be fined \$100 per day and any slipholder whose vessel remains after the fourth Sunday of November will forfeit their slip.
- (s) Hovercraft and eFoils are prohibited in the South Benson Marina and Ye Yacht Yard.
- (t) Live-aboards on vessels in slips are permitted only during the boating season.
- (u) There shall be no heaters and/or air conditioners operating while the vessel is unattended.
- (v) Only Hubbell style 3-prong marine grade-shore power cords can be plugged into Shore power pedestal at large slips, unattended. No other electrical cords can be left plugged in, while unattended, at any time. Extension cords may not be left unattended between complimentary outlets on Small and Medium slip docks.
- (w) All persons 8 years of age and younger must wear a Personal Flotation Device on all Town Docks.
- (x) For the purpose of assigning slips, measurements are based on overall length from the factory installed attachment point on stern to furthest forward projection. In the "large boat" category the overall measurements stated as the (footprint) per application includes outboard motors in the "up" position. Dinghies at Ye Yacht Yard are measured from the forward most projection to the stern.
- (y) Private and permanent portable floating docks/boat lifts at the Town marinas will be permitted on a case by case basis as determined by the Director of Public Works or Director of Parks & Recreation or their designee. The

size of the vessel, the size and type of lift, and the particular slip location in the marina are some of the relevant factors in the decision process. A boat lift shall not require any additional utilities, storage space, or the use of stairs or plank to access the vessel. Boat lifts are not to exceed the permitted size of the slip or infringe upon neighboring vessels. The boat slip holder shall be responsible for any damage that the unit creates to the Town of Fairfield docks, pilings, or other vessels. The boat slip holder must remove the boat lift at the end of the boating season as determined by the Town of Fairfield, unless arrangements have been made for in-water winter storage. The Town of Fairfield reserves the right to have the boat lift removed, at the owner's expense, for any reason, should the boat lift begin to adversely affect the operations of the Marina or infringe upon the rights of other boat slip owners.

(z) The use of Town Facilities for private enterprise is prohibited without express consent from the Parks & Recreation Commission or their designee; all approved requests are subject to permit fees, indemnification and insurance requirements.

(aa) The Parks & Recreation Commission and/or police shall remove, or cause to be removed and stored at the expense of the owner, any vessel moored or anchored in violation of Section 16. Unpermitted trailers or trailers left beyond the permitted storage date will be fined \$50 a day and will be considered abandoned after 7 days.

**Section 17** – (a) Swimming at South Benson Marina and Ye Yacht Yard is prohibited.

(b) Fishing from the docks, ramps, and banks bordering the South Benson Marina is prohibited, except that area posted for fishing.

(c) Fishing from the docks at Ye Yacht Yard is prohibited.

(d) No person shall engage in the cleaning of fish at South Benson Marina and Ye Yacht Yard, including the docks and floats of said Marina and Yard, including any vessels while located within said Marina or docked at said Yard, except at designated fish cleaning stations. The throwing of fish entrails into the water is prohibited.

(e) The storage of lobster pots is prohibited on the docks or floats of the South Benson Marina and Ye Yacht Yard.

(f) The discharge of waste of any vessel while docked/moored at any Town marina is prohibited.

(g) The use of outdoor grills, hibachis, or ovens on any vessel while said vessel is within the confines of the South Benson Marina or Ye Yacht Yard is prohibited.

(h) No person shall add, remove, modify, or relocate any fitting, fixture, or material to any dock or piling, without authorization of the Parks & Recreation Commission, or its designee.

(i) Docks must be kept completely free of gear. Skiffs, dinghies, windsurfers, and any additional watercraft are not allowed in allocated slip space.

(j) There will be no filling of vessel fuel tanks from vehicles or containers brought to the marina.

(k) There is no overnight tie up at the fuel dock or launching ramp dock except for emergency situations. The marina manager or concessionaire must be advised of the emergency situation at the time of the tie up.

(l) Regulations for the Sailing Center at Ye Yacht Yard will follow the same regulations as Penfield and Jennings Beach as set forth in Section 19.

## WATERFRONT RECREATION

**Section 18** – (a) Sailboats and unpowered sailing craft 15 feet in length or less may be only launched west of the jetty at Sasco Beach.

(b) Sailboats more than 12 feet in length and not more than 22 feet in length may only be launched at the designated area at the easterly end of Jennings Beach. Sailboats 15 feet in length or less may be launched by special permit on the westerly end of Jennings beach, the number of which may not exceed twenty (20).

(c) Sailboards may only be launched outside designated swimming areas at any Town beach .

(d) No sail craft or boat trailer may be left overnight on Town beaches, except in designated areas and only with the permission of the Parks & Recreation Commission.

(e) The use of watercraft, except those used by Town agents in performance of their duties or approved in writing by the Conservation Commission, is prohibited on Lake Mohegan.

(f) Permits for using the Beach Road launch site are restricted to owners of sailfish who are residents within one 1 mile of the launch site. No small vessels may be brought in by car or truck.

**Section 19** – *Sailing Centers at Penfield Pavilion, Jennings Beach, and Ye Yacht Yard*

(a) Catamarans shall be properly secured in assigned storage areas at Jennings Beach.

(b) Catamarans shall have identification tags placed on the mast.

(c) Halyards shall be properly tied off.

(d) Sails stored in the sail house must be tightly furled and confined to the assigned space.

(e) No power boats, including personal watercraft and jet skis, are allowed inside the sailing areas for any reason, including but not limited to anchoring, beaching, launching, or picking up or dropping off of passengers.

(f) (1) There must be a Parks & Recreation approved identification on each vessel.

(2) Only one boat may be permitted in any rack at Ye Yacht Yard. No more than two “boats” will be permitted per rack in Penfield and Jennings Beach racks. Boats shall be defined as paddleboards, kayaks, canoes, sailboards, and sailboats. For safety purposes, no more than one sailboat may occupy a rack.

(g) All sailfish, sunfish, windsurfers, catamarans, and other craft stored in the racks or on the beach beyond the termination date of the contract will be removed by the Town. They will be considered abandoned vessels after thirty (30) days and disposed of at the discretion of the Town of Fairfield which will file vessel liens in accordance with State Statutes.

(h) Sails stored in the sail house will be removed after the termination date and will be considered abandoned after thirty (30) days and disposed of at the discretion of the Town of Fairfield.

(i) Transient launching is only permitted Monday through Friday at Penfield Beach.

(j) Sailfish, sunfish, canoe, or kayak size may not be more than 16 feet long or weigh more than 130 pounds.

(k) No catamarans may be stored on “over the road” trailers while on the beach. Trailers must be removed from the beach.

The Town of Fairfield is not responsible for damage to sails as noted above. A minimum of \$30.00 or \$5.00 per day beyond the termination date of the contract, whichever is larger, will be charged sail owners who claim their sails after the sail abandonment date 30 days later.