

DOCK AND MOORING LAW
Town of Huron
Local Law No. 5 of 2005

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1.0 Title.

This law shall be known and may be cited as the “Dock and Mooring Law of the Town of Huron.”

2.0 General Intent.

Acting for the common good, the Town of Huron herein exercises its authority to enact and enforce a law addressing issues relating to the placement, construction and use of structures in and/or on any public waterway bounding or within the Town to a distance of fifteen hundred (1500) feet from shore as authorized by the New York State Navigation Law §46-a (2), the Municipal Home Rule Law and the Town Law, in a manner to protect the interests of waterfront property owners and the general public.

3.0 Applicability of this Law.

On and after the *effective date*, this law shall apply to all waterfront property in the Town, and to all *docks, piers, boathouses, boat hoists*, or other *structures* or *moorings* in or on waters within or surrounding the Town to a distance of 1,500 feet from shore. This law does not abrogate the regulatory authority of the New York State Department of Environmental Conservation (hereinafter referred to as the DEC), New York State Office of General Services (hereinafter referred to as the OGS) or the U.S. Army Corps of Engineers (hereinafter referred to as the Corps of Engineers), nor does it release anyone from compliance with regulations issued by these or other Federal or State agencies having jurisdiction over the use of public waterways as hereinafter set forth. All docks, piers, boathouses, boat hoists, and other structures and moorings shall comply with this and all other applicable laws and regulations of the Town, DEC, Corps of Engineers and any other New York State and federal laws , agencies and authorities having jurisdiction.

(Terms appearing in *bold italics* are described or defined in Section 13.: Glossary of Terms.)

4.0 Residential Waterfront Parcels.

4.1 **New Construction.** A seasonal or permanent *dock, pier* or *boat house* for private use in association with a *residential waterfront parcel* (including *rights-of-way* granted in conjunction with residential parcels) shall be constructed in conformance with the existing regulations of the DEC and Corps of Engineers. In addition:

4.1.1 **Set-back.** A *dock, pier*, or other *structure* shall be constructed no closer than ten (10) feet from an adjacent property line projection. The projection of *Riparian Zone* lot lines over the water shall be determined in accordance with OGS Regulations, Part 274.

Information regarding the method of determining *riparian zone* lot lines is available from the office of the Dock and Mooring Inspector.

- 4.1.2 **Height.** No portion of a *dock, pier* or other *structure* extending over the water shall be higher than five (5) feet above the *mean high water level*, except an uncovered, open wall structure *boat hoist*. Information regarding the method of determining height is available from the office of the Dock and Mooring Inspector.
- 4.1.3 **Other Specifications.** A *dock, pier* or other *structure* shall, at all times, be maintained in safe and sound condition in conformity with generally accepted standards. All new construction of *docks, piers* or other *structures* on and/or in the water shall meet the following construction standards and criteria:
- (A) All *docks* and *piers* shall be constructed of sturdy, durable and stable materials capable of maintaining position and location, supporting pedestrian traffic and resisting reasonable lateral loads resulting from wind, wave and impact forces.
- (B) *Dock* and *pier* surfaces shall be parallel to the water surface except for a gangway from the shoreline onto/or between such dock or pier.
- (C) *Docks* and *piers* shall be constructed, where possible, in a manner that permits the free circulation of water, reduces the effects of fluctuating water levels and prevents adverse modification of the shoreline.
- 4.1.4 **Repair or Removal.** A *dock, pier, boathouse, boat hoist* or other *structure* that falls into disrepair must be repaired or removed within one (1) year from the date cited as a hazard by the Dock and Mooring Inspector.
- 4.1.5 **Permit.** A permit shall be required from the Town, issued by the Dock and Mooring Inspector, for construction of a *dock, pier, berth, boat hoist* or other *structure* in conformance with Sections 4.1.1 - 4.1.4 for private residential use in association with a *residential waterfront parcel*. See Section 7.: Permits.
- 4.1.6 **Boathouse, Boat Station, Boat Accessory Structure and Mooring.** Construction of a *boathouse, boat station* or *boat accessory structure* above a deck or in connection with a *dock, pier* or other *structure*, or installation of a *mooring or dolphin*, shall only be permitted by variance issued by the Board of Appeals. See Section 9.: Appeal.

4.1.7 **Rental.** Apart from rental properties which include access to the water by way of an existing structure, no private *dock, pier, berth, boathouse, boat hoist* or *floating accommodation for living* may be rented or offered for hire separately without a special permit from the Town. See Section 7.: Permits.

4.1.8 **Anchorage and Mooring Restrictions.** No *houseboat, boat* or *barge* or other *floating accommodation to be used for residential living* may be moored or anchored within a residential *littoral zone* or any waters surrounding or within the Town of Huron within a distance of 1,500 feet from the shoreline **for more than three (3) days** without a special permit. The permit shall clearly state any limitations on the length of time such anchorage or mooring is permitted.

4.2 **Existing Structure.** A *structure, dock, pier, boat hoist, boat house* or *mooring* for private residential use existing on the *effective date of this law*, which is verified in writing to the Dock and Mooring Inspector, as provided by Section 4.2.1 below, either (A) in writing within one (1) year of the *effective date* of this law, or (B) by pictography created in 2006, shall be exempt from the requirements of Sections 4.1.1 - 4.1.5 of this law, provided it is not located in a *public access area (public right-of-way)* and does not extend into the waterway so as to constitute a hazard to safe navigation.

4.2.1 **Verification.**

(A) Written verification identifying the waterfront parcel and any *dock, pier, boat hoist, boat house, mooring* or other *structure* or facility, permanent or seasonal, existing on the *effective date of this law*, must be received by the Dock and Mooring Inspector within one (1) year of the *effective date* of this law. Verification forms are available from the Dock and Mooring Inspector.

(B) The written verification of a *dock, pier, boat hoist, boat house* or other *structure* must identify the owner of the parcel or the person having a legal *right-of-way*, the parcel number with street address, a description including dimensions and a recent photograph clearly showing the *structure* as it appears.

(C) The written verification of a *mooring* must include the information specified in (B) above and in addition, a copy of the permit or verification received from all other authorities having jurisdiction.

(D) As an alternative to written verification as set forth above, any structure, dock, pier, boat hoist, boat house or mooring shown on pictography created in 2006 on file with the Town shall be determined

by the Dock and Mooring Inspector to be existing on the effective date of this law.

(E) Any structure or facility which is not verified as herein required, will upon inspection, be required to conform to the requirements of Section 4.1 above, regardless of when it was constructed or installed.

4.2.2 **Repair and Replacement.** Any non-conforming *dock, pier, boathouse, boat hoist* or other *structure* may be repaired or replaced within two (2) years of the *effective date* of this law and remain exempt from the provisions of Sections 4.1.1 – 4.1.5 above. Thereafter, a damaged or destroyed *structure* shall be reconstructed in compliance with the provisions of Section 4.1 above, when the value of the work to repair or replace is more than fifty percent (50%) of the *structure's* value.

4.2.3 **Removal.** A *dock, pier, boathouse, boat hoist* or other structure that falls into disrepair and has not been repaired or removed within two (2) years from the *effective date* of this law, shall be cited by the Dock and Mooring Inspector for removal within ninety (90) days from the date the citation is issued.

4.2.4 **Alteration or Expansion.** Any alteration or expansion of an existing permanent *dock, pier, boathouse, boat hoist* or other *structure* must be constructed in conformance with the provisions of Section 4.1 above.

4.2.5 **Rental.** Apart from rental properties which include access to the water by way of an existing structure, no private *dock, pier, berth, boathouse, boat hoist* or *floating accommodation for living* may be rented or offered for hire separately without a special permit from the Town. See Section 7.: Permits.

4.2.6 **Anchorage and Mooring Restrictions.** No *houseboat, boat* or *barge* or other *floating accommodation to be used for residential living* may be moored or anchored within a residential *littoral zone* or any waters surrounding or within the Town of Huron within a distance of 1,500 feet from the shoreline **for more than three (3) days** without a special permit. The permit shall clearly state any limitations on the length of time such anchorage or mooring is permitted.

5.0 **Non-Residential Waterfront Parcels; Commercial or Industrial Use.**

Commercial or industrial development, uses associated with *non-residential waterfront parcels*, and other uses not covered by Section 4.0, shall be in compliance with this and other laws and regulations of the Town of Huron, DEC, and the Corps of Engineers, and any other New York State and Federal laws or

regulations governing such development and use. Existing permanent *structures* shall be subject to an annual inspection and determination by the Town as to compliance. In addition:

5.1 **New Construction – Commercial or Industrial Use.** No seasonal or permanent *dock, pier, berth, boat hoist, boat house* or other *structure* for commercial or industrial use, used in association with a *non-residential waterfront parcel*, or used for any other use not covered by Section 4.0, shall be constructed without a special permit. See Section 7: Special Permit. Construction shall be in compliance with the following unless otherwise approved by a variance granted by the Board of Appeals:

5.1.1 **Setback.** A *dock, pier, berth, boat hoist* or other *structure* shall be constructed no closer than ten (10) feet from an adjacent property line projection. The projection of *Riparian Zone* lot lines over the water shall be determined in accordance with OGS Regulations, Part 274. Information regarding the method of determining *riparian zone* lot lines is available from the office of the Dock and Mooring Inspector.

5.1.2 **Height.** No portion of a *dock, pier* or other *structure* extending over the water shall be higher than five (5) feet above the *mean high water level*. Information regarding the method of determining height is available from the office of the Dock and Mooring Inspector.

5.1.3 **Other Specifications.** A *dock, pier* or *other structure* shall, at all times, be maintained in safe and sound condition in conformity with generally accepted standards. All new construction of *docks, piers* or other *structures* on and/or in the water shall meet the following construction standards and criteria:

(A) All *docks* and *piers* shall be constructed of sturdy, durable and stable materials capable of maintaining position and location, supporting pedestrian traffic and resisting reasonable lateral loads resulting from wind, wave and impact forces.

(B) *Dock* and *pier* surfaces shall be parallel to the water surface except for a gangway from the shoreline onto such dock or pier. A gangway shall be covered with a nonskid material.

(C) *Docks* and *piers* shall be constructed, where possible, in a manner that permits the free circulation of water, reduces the effects of fluctuating water levels and prevents adverse modification of the shoreline.

(D) Where appropriate, construction of *structures* shall include guard rails, hand rails, and adequate lighting.

5.2 **Existing Structures - Commercial.** A *structure, dock, pier, boat hoist, boat house* or *mooring* for commercial use existing on the *effective date of this law*, which is verified to the Dock and Mooring Inspector, as provided by Section 5.2.1 below, either (A) in writing within one (1) year of the *effective date* of this law, or (B) by pictography created in 2006, shall be exempt from the requirements of Sections 5.1.1 – 5.1.3 above, provided it is not located in a *public access area (public right-of-way)* and does not extend into the waterway so as to constitute a hazard to safe navigation.

5.2.1 **Verification.** Written verification identifying the waterfront parcel and any *dock, pier, boat hoist, boat house, mooring* or other *structure* or facility, permanent or seasonal, existing on the *effective date of this law*, must be received by the Dock and Mooring Inspector within one (1) year of the *effective date* of this law. As an alternative to written verification as set forth above, any *dock, pier, boat hoist, boat house, mooring* or other *structure* or facility, permanent or seasonal, shown on pictography created in 2006 on file with the Town shall be determined by the Dock and Mooring Inspector to be existing on the *effective date of this law*. Any structure or facility which is not verified as herein required, will upon inspection, be required to conform to the requirements of Section 5.1 above, regardless of when it was constructed or installed. Verification forms are available from the Dock and Mooring Inspector.

5.2.2 **Repair and Replacement.** Any non-conforming *dock, pier, boathouse, boat hoist* or other *structure* may be repaired or replaced within one (1) year of the *effective date* of this law and remain exempt from the provisions of Sections 5.1 – 5.1.3 above. Thereafter, a damaged or destroyed *structure* shall be reconstructed in compliance with the provisions of Section 5.1 above, when the value of the work to repair or replace is more than fifty percent (50%) of the *structure's* value.

5.3 **Repair or Removal.** A *dock, pier, boathouse, boat hoist* or other *structure* must be closed to public access immediately upon citation as a hazard by the Dock and Mooring Inspector, and repaired or removed within six (6) months from the date cited.

5.4 **Off-street Parking.** Off-street parking shall comply with requirements of the Town of Huron Zoning Law.

6.0 **Anchorage and Mooring.** Regulations for an overnight anchorage or *mooring* in public waterways are established by the Corps of Engineers, as well as other state and federal agencies. Overnight anchoring or *mooring* is allowed at permitted private moorings or within designated *mooring* areas only.

6.1 **Private Moorings.**

- (A) Use of private moorings, outside designated mooring areas, are permitted by special permit only. See section 7.2.
- (B) A boat moored or anchored outside a designated *mooring* area must have a mooring light as required by the New York State Navigation Law, section 43(2)(i).

6.2 **Designated Mooring Areas.** To the extent that specific areas for overnight anchorage or seasonal moorings are officially designated on a navigational chart, overnight anchoring and mooring are permitted.

7.0 **Permits.** Beginning on the *effective date* of this law, permits shall be required as outlined below. A copy of permits or other documentation issued by the DEC and/or the Corps of Engineers shall be provided to the Dock and Mooring Inspector before he or she issues a permit.

7.1 **Permit.** A permit issued by the Dock and Mooring Inspector shall be required for the construction or installation of a seasonal or permanent *dock, pier, boat hoist* or any other *structure* in compliance with the provisions of Section 4.1. The application for such permit must be submitted by the owner of the parcel or an agent acting for the owner. Applications are available from the office of the Dock and Mooring Inspector. This shall be a “one time” permit with applicable fee for the life of the installation.

7.2 **Special Permit.** A special permit subject to a public hearing and approval by the Board of Appeals shall be required for the following:

- (A) Rental of private seasonal or permanent *docks, piers* or other *structures* on residential waterfront parcels.
- (B) Anchorage or mooring of a houseboat, or any other floating facility designed to provide residential living accommodations, on or within the waters of the Town of Huron.
- (C) Commercial development and use of waterfront property.

7.2.1 **Special Permit Procedures.** The Board of Appeals is authorized to grant a special permit for any *structure* or facility to be constructed for private use that does not conform to the requirements of Section 4.0 above.

7.2.1.1 **Application.** An application must be submitted to the Dock and Mooring Inspector’s office for a special permit with the applicable fee as determined by the Town of Huron. The

application shall include plot identification, a description of the proposed project and a plot plan drawn to scale, accurately dimensioned. The plan must show the following

- (i) the location of all existing *docks, piers, boathouses*, or other *structures* abutting or used in conjunction with the parcel in question, including off-street parking, if any;
- (ii) the location of the proposed *dock, pier, boathouse* or other *structure* on the parcel in question;
- (iii) the location of any *dock, pier, boathouse* or other *structure* within 200 feet of the existing or proposed *dock, pier, boathouse* or other *structure*; and
- (iv) the applicant's parcel lines and their extensions into the *riparian zone*.

The applicant shall provide such other information as the Board of Appeals may require, including but not limited to

- (v) filings with or permits from federal, state and county authorities;
- (vi) description of the manner of construction and materials to be used; and
- (vii) evidence of ownership or possessory right, by easement, license, right-of-way or other regarding the abutting shoreline, grants or leases pursuant to Article 6 of the Public Lands Law of the State of New York, regarding lands under water.

7.2.1.2 Hearing on Application. The Board of Appeals shall fix a reasonable time for the hearing of such application and, not fewer than 10 days prior to the hearing date, publish a notice at least of such hearing once in the official newspaper of the Town of Huron. The Board of Appeals shall give written notice of such hearing to the applicant, the property owners with adjoining property, the DEC and the Corps of Engineers.

7.2.3 Special Permit Determination. The Board of Appeals, after the public hearing, shall not grant the special permit unless it shall first determine that:

(A) The design and location of the proposed use will not adversely or unreasonably impact the public health, safety, welfare and convenience of the community.

(B) The proposed use will not cause substantial injury to the value or beneficial use of other property in the vicinity where it is to be located or infringe the riparian rights of other littoral parcels.

(C) The proposed use will be compatible with the adjoining property and require such conditions as may be necessary to afford protection for such adjoining property.

(D) The proposed use will not impair navigational safety or unduly burden the free and open use of the waters bounding or within the Town of Huron to a distance of 1,500 feet from the shoreline.

(E) The proposed use complies with all applicable requirements of town, state and federal laws, requirements, or the special permit is conditioned upon such compliance.

(F) The requirements of the State Environmental Quality Review Act have been complied with.

(G) The effect of the proposed use will not detrimentally impact upon the logical, efficient and economical provision of public services, such as police and fire protection, streets, water and sewer, public parking and public recreation facilities.

(H) Conditions have been imposed as may be necessary to ensure that the intent of town, state and federal laws are complied with. Such conditions may include modification of the design, size and location of the proposed use, the minimizing of noxious, offensive or hazardous elements, and adequate standards for parking, lighting and sanitation.

7.2.4 **Special Permit Duration.** A special permit granted and issued under this law shall be for an indefinite duration, unless the Board of Appeals specifies an expiration date. Notwithstanding, the Board of Appeals may modify, suspend or revoke a permit for cause.

7.2.4.1 The Board of Appeals may reevaluate the circumstances and conditions of any permit issued under this law on its own motion, upon request of the grantee, a third party, or the Dock and Mooring Inspector.

7.2.4.2 The Board of Appeals may modify, suspend for a definite duration or revoke a permit as may become necessary in

consideration of public interest. Among the factors to be considered are

- (i) the extent of the compliance by the grantee with the terms and conditions of the permit;
- (ii) whether or not circumstances relating to the authorized activity have changed since issuance of the permit and the continuing adequacy of the permit conditions;
- (iii) whether or not there are significant objections to the authorized activity that did not exist earlier;
- (iv) revisions of applicable statutory or regulatory authorities; and
- (v) the extent to which modification, suspension or revocation would adversely affect plans, investments and actions the grantee has reasonably made or taken in reliance on the permit.

7.2.4.3 The Board of Appeals shall not modify, suspend for a definite duration or revoke any permit granted pursuant to this law until after a public hearing is held on such proposed action pursuant to Section 7.2.1.2. However, the Board of Appeals may order suspension of any permit prior to the public hearing where immediate action is required in the interest of navigational or public safety, health or welfare.

7.3 **Permit and Inspection Fees.** The Town Board shall set all fees relating to permit application and inspection.

8.0 **Office, Power and Duties of the Dock and Mooring Inspector.** The office of Dock and Mooring Inspector is hereby established. The Town Board shall appoint a Dock and Mooring Inspector, who shall serve at the pleasure of the Town Board, and who shall be responsible to enforce the provisions of this law.

8.1 **Inspections.** The Dock and Mooring Inspector shall periodically inspect all *structures* and *moorings* in any waters bounding or within the Town of Huron within a distance of 1,500 feet from the shoreline. The Dock & Mooring Inspector shall inspect all new construction, and altered (modified) or reconstructed structures for compliance with this Law and/or the conditions of any permit issued for such construction.

8.2 **Complaints.** The Dock and Mooring Inspector shall investigate all written, signed complaints received alleging violations of this law, within thirty (30) days of receipt. The Inspector will notify the complainant in writing of the

findings of the investigation of the complaint and corrective actions taken, if any.

- 8.3 **Intervention.** The Dock and Mooring Inspector may order that activity cease on any construction site where there are reasonable grounds to believe that the activity being undertaken fails to comply with the conditions of the permit issued for the work in question. Such notice shall be in writing to the persons actually engaged in the activity or to the person(s) responsible for engaging the activity, ordering immediate stoppage of work and shall remain in force until rescinded. Such notice will be conspicuously posted at the construction site with a copy hand delivered or sent by registered mail to the landowner.
- 8.4 **Records and Reporting.** The Dock and Mooring Inspector shall maintain records of all applications for a permit, with accompanying plans and documents, all verifications received, and all permits granted and issued, which become matters of public record. The Inspector shall make such reports as the Town Board requires and shall report to the Town Board all problems that arise in the administration of this Law.
- 8.5 **Permits.** The Dock and Mooring Inspector may issue permits as provided by this law. The Dock and Mooring Inspector shall receive and examine special permit applications and appeals for submission to the Board of Appeals.

9.0 **Appeal.** Any person aggrieved by any action of the Dock and Mooring Inspector, any officer, department, board or bureau of the Town of Huron, taken pursuant to the provisions of this law may appeal to the Board of Appeals. Such appeal shall be in the same manner as prescribed in the Town of Huron Zoning Law and in accordance with the rules and regulations of the Board of Appeals. The Board of Appeals shall hear the appeal and decide any question involving the interpretation of this law. The Board of Appeals may grant a variance from the requirements of this law, in accordance with the procedures and standards set forth in the Town of Huron Zoning Law.

10.0 **Enforcement.** The Dock and Mooring Inspector or any law enforcement officer, is empowered to enforce this law. Criminal action may be commenced against any person, firm, corporation or other entity who owns, places, locates, constructs or maintains any *dock, pier, boathouse, structure* or *mooring* buoy in violation of this law, or any other person who knowingly commits, takes part or assists in such violation.

- 10.1 **Penalties.** Any person found guilty of violating any provision of this Law, shall be liable for a fine up to but not exceeding \$150.00 (one hundred fifty dollars) or imprisonment not to exceed fifteen (15) days, or both. Each day's failure to comply with the provisions of this law shall constitute a separate violation. The Town of Huron Justice Court is vested with jurisdiction to hear and determine actions brought pursuant to this law.

10.2 **Other Remedies.** The Town of Huron may initiate an action or proceeding in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of any provision of this law. The Town may also undertake procedures, including a public hearing, under the Town of Huron Building Law for removal of an unsafe *dock* or *structure*.

11.0 **Disclaimer.** Nothing contained in this law shall impute responsibility or liability to the Dock and Mooring Inspector and/or the Town of Huron for any damage to person or property by reason of an inspection authorized herein or failure to inspect, as required by this law or a permit issued under this law. Nor shall there be any liability for damage to persons or property for the discretionary exercise of duty by the Dock and Mooring Inspector, as provided in this law.

12.0 **Language.** The language used in this law shall not be limited in application by the tense used, i.e., past, present or future. The use of the word “shall” wherever it appears, sets forth a mandatory condition. All text is understood to be gender neutral.

13.0 **Glossary of Terms.** The terms used in this law are defined as follows:

Berth – A waterside area adjoining any structure, dock or pier, used to provide wet storage of a boat, yacht or any other floating craft.

Berthing and Mooring Facility – A waterside area consisting of one or more structures, docks, piers or moorings or combination thereof, used to berth or moor boats, yachts or any other floating craft.

Boat Accessory Structure – An enclosed structure used to store boating accessories.

Boat Hoist – Any portable mechanical device used to lower a boat into or lift a boat out of the water.

Boathouse – A permanent enclosed structure that provides storage of boats with or without water access by hoist or rail, wholly or partially supported or constructed below the Mean High Water Level: A roof and one or more enclosed sides is characteristic.

Boat Station – A permanent open-sided boat hoist structure in the water, with a mechanical device to lower a boat into or lift a boat out of the water for storage.

Dock – A dock, wharf, structure or fixed platform extending out over the water, built on or supported by floats, columns, open timber, piles or similar supports.

Easement – A right or privilege a person may have in another’s land, such as a right-of-way or passage through or over.

Effective Date – The date this law becomes effective.

Floating Accommodation for Living – Houseboat, boat or barge or other floating facility designed to provide living accommodations.

Littoral Zone – (Littoral meaning “shore”) - the area bounded by the lot lines extended out over the water, measured from the Mean High Water level of a waterfront lot, for a distance of 1500 feet from the shore.

Mean High Water Level – *247.3 feet above sea level.

Mean Low Water Level – *243.3 feet above sea level.

Mooring or Dolphin– A place or structure to which a vessel is made fast.

Non-Residential Waterfront Parcels – Any waterfront parcel used for commercial or industrial purposes.

Pier – A structure extending out over the water built upon fill, which shall include but shall not be limited to, earth, clay, silt, sand, gravel, stone, rock, shale, concrete (whole or fragmentary), ashes, cinders, slag, metal: Framed, whether or not enclosed, by cribbing, crib work of wood, timber, logs, concrete or metal, bulkheads and cofferdams of timber sheeting, bracing or piling - steel sheet piling or steel H piling, separate or in combination.

Public Access Area – Public Rights-of-way – Streets or rights-of-way open to the public which allow access from land onto any waters bounding or within the town of Huron. These parcels may or may not be publicly owned.

Residential Waterfront Parcel – Any waterfront parcel with or without a structure used for dwelling, or used as a right of way for other parcels used for dwellings, and not used for commercial or industrial purposes.

Right-of-way – A right, license, easement, or lease allowing persons who are not owners or occupants of a waterfront lot to use the waterfront lot for access to the water. Such parcels are not typically municipally owned.

Riparian Zone – (Riparian meaning “bank”, such as riverbank) – the land area adjacent to the shoreline of a waterfront parcel.

Structure – Any facility, obstacle or obstruction located below the Mean High Water Level including but not limited to a pier, wharf, dolphin (buoy), dock, weir, boom, davits, breakwater, bulkhead, revetment, jetty, permanently moored dwelling, boathouse, boat station, permanently moored floating vessels, pilings, or aids to navigation.

* Water levels are those published by the Army Corps of Engineers.