

WEYMOUTH HARBOUR BYELAWS

The Borough Council of Weymouth and Portland in exercise of their powers under Section 41 of the Weymouth and Melcombe Regis Corporation Act 1887 and of all other powers enabling them in that behalf hereby make the following byelaws.

1. TITLE

These Byelaws may be cited as the Weymouth Harbour Byelaws 1976.

2. COMMENCEMENT

These Byelaws shall come into operation on the expiration of fourteen days after the date of confirmation thereof by the Secretary of State for the Environment as from which date the Byelaws made by the Mayor, Aldermen and Burgesses of the Borough of Weymouth and Melcombe Regis, acting by the Council of the said Borough, on the 24th day of April 1896, and confirmed on the 30th day of April 1896, are hereby revoked.

3. APPLICATION

These Byelaws shall apply to all parts of the Harbour as defined in Byelaw 4.

4. INTERPRETATION

In these Byelaws, unless therein otherwise expressly provided or unless the context otherwise requires,

- (1) The Interpretation Act 1889 shall apply for the interpretation of these Byelaws as it applies for the interpretation of an Act of Parliament and as if for the purposes of Section 38 of that Act these Byelaws were an Act of Parliament and the Byelaws revoked by Byelaw 2 were an Act of Parliament thereby repealed.

- (2) The following expressions shall have the meanings hereby respectively assigned to them, viz,

"By Day" means between sunrise and sunset.

"By Night" means between sunset and sunrise.

"the Collision Regulations" has the meaning assigned to that expression by Section 418 of the Merchant Shipping Act 1894.

"the Council" means the Borough Council of Weymouth and Portland or their successors as harbour authority for the harbour.

"Deep water channel" means a channel which is navigable by vessels the draught of which exceeds 2.5 metres.

"Dredger" means a Vessel fitted with plant or apparatus for dredging, excavating or rock breaking or for eroding or dispersing sand or other material. "Fairway" means a channel which is navigable by all Vessels including Small Vessels.

"Goods" means cattle, livestock, animals, wares, merchandise, articles or things of any description whatsoever.

"the Harbour Master" means the Harbour Master for the time being appointed by the Council and shall include his duly authorised deputies and assistants.

"the Harbour" means (except where otherwise indicated) the tidal inlet of the sea known as Weymouth Harbour and so much of the area seaward thereof as is referred to in Section 8 of the Weymouth and Melcombe Regis Corporation Act 1887 as shown on the map annexed to these byelaws.

"the Inner Harbour" means that part of the Harbour which lies west of the Lifting Bridge as shown on the map annexed to these byelaws.

"Length" in relation to any Vessel means the length overall.

"Master" when used in relation to any Vessel means the Master or any person whether the Owner, Master, Agent or other person either lawfully or wrongfully for the time being having or taking command, charge or management of such Vessel, and, in the case of a seaplane, includes the pilot, and any other person having or taking command, charge or management of a seaplane.

"Owner" when used in relation to goods shall include any con-signor, consignee, shipper or agent for the sale, custody or control of such goods, and when used in relation to any Vessel shall include any part owner, charterer to whom the Vessel is demised, or mortgagee in possession of a Vessel and any agent acting for or on behalf of any such owner, part owner, charterer or mortgagee in possession of a Vessel, and any other person for the time being entitled to possession of a Vessel.

"Person" shall include a corporation whether aggregate or sole.

"Petrol Vessel" means a Power Driven Vessel the motive power of which, whether principal or auxiliary, is supplied by petroleum spirit.

"Petroleum Spirit" has the same meaning as in the Petroleum (Consolidation) Act 1928.

"Pleasure Pier" means the pier on the north side of the entrance to the landward part of the Harbour

"Power Driven Vessel" means any Vessel propelled by machinery.

"Pier Heads Area" means the area of the waters of the Harbour lying between the Pleasure Pier and the Stone Pier.

"Prolonged Blast" means a Whistle blast of from four to six seconds' duration.

"Quay" shall mean any quay, pier, wharf, breakwater, landing place or steps within the Harbour, and shall include all erections, buildings, machinery, cranes, weighing machines, works or things of any kind whatsoever belonging to the Council therein whether on or attached to a Quay as hereinbefore defined or floating in the waters of the Harbour.

"Rubbish" includes ballast, ashes, filth, cinders, chalk and all other waste materials and substances of any kind whatsoever.

"Short Blast" means a Whistle blast of about one second's duration.

"Small Vessel" means any Vessel the length of which between perpendiculars does not exceed 20 metres and the draught of which does not exceed 2.5 metres.

"Stone Pier" means the pier on the south side of the entrance to the landward part of the Harbour.

"Under Way" when used in relation to a Vessel means a Vessel when not at anchor or moored or made fast to the shore or aground and for this purpose a Vessel dropping up or down the Harbour with her anchor on the ground shall not be regarded as at anchor.

"Vessel" means any vessel, ship, lighter, keel, wherry, barge, boat, raft, hulk, pontoon, floating or submersible container, houseboat or craft of any kind whatsoever however navigated, propelled or moved.

"Visible" when applied to lights means visible on a dark night with a clear atmosphere.

"Whistle" means any appliance capable of producing the prescribed short and prolonged blasts.

MANAGEMENT OF VESSELS WHILE ENTERING,
LEAVING OR WITHIN THE HARBOUR

5. SIGNALS ON PLEASURE PIER.

(1) The Masters of Vessels shall, whilst the Vessels are Under Way within the Harbour, obey the instructions signified by any such Signal as is specified in Paragraph (2) of this Byelaw, as and when displayed from time to time by the Harbour Master from the flagstaff on the Pleasure Pier PROVIDED that the compliance by a Master of a Vessel with the requirements of this Byelaw shall not relieve such Master of his responsibility for the safety of his Vessel, or his need to comply with the provisions of any enactment for the time being applying to the Harbour (including any Regulations or Byelaws made under such enactment) .

(2) The Signals mentioned in Paragraph (1) of this Byelaw are set out in Column A hereunder (indicating the Signals which will be shown by Day) and in Column B hereunder (indicating the Signals which will be shown by Night); each Signal vertically displayed shall convey the meaning and instruction respectively assigned to it in Column C hereunder:-

A	B	C
A red flag over a green flag.	Two red lights over a green light	No Vessel may enter the Pier-heads Area which is fouled.
Two red flags	Three red lights	A Vessel is leaving or about to leave the Pier-heads Area and no other Vessel may approach the Pierheads Area in such a way as to obstruct the Pierheads Area.

6. SIGNALS TO BE GIVEN BY POWER DRIVEN VESSELS ABOUT TO
TURN

When a Power Driven Vessel is about to turn round By Night or By Day she shall sound four short blasts on her Whistle in rapid succession, followed after a short interval, if turning with her head to starboard by one short blast, and if with her head to port by two short blasts, and whilst turning shall

repeat such signal to any approaching Vessel, which shall take action to avoid collision.

7. SIGNALS TO BE GIVEN BY POWER DRIVEN VESSEL NOT UNDER COMMAND ETC.

When a Power Driven Vessel Under Way in the Harbour By Night or By Day is for any reason not under command or is unable to manoeuvre as required by these Byelaws or when it is unsafe or impracticable for a Power Driven Vessel to be kept out of the way of a Vessel under sail or a Small Vessel, she shall sound three blasts in succession on her Whistle namely, one prolonged blast followed by two short blasts and thereupon all other Vessels shall take action to avoid collision.

8. SIGNALS TO BE GIVEN BY VESSELS (OTHER THAN POWER DRIVEN VESSELS) NOT UNDER COMMAND.

If a Vessel not being a Power Driven Vessel is not under command, or for any reason the Master of such Vessel cannot perform his duty to give way to any approaching Vessel, or it is unsafe or impracticable for him to keep out of the way of such Vessel, the Master shall signify same by one prolonged blast followed by two short blasts on his Vessel's Whistle, and thereupon it shall be the duty of the Masters of all approaching Vessels to keep out of the way of that Vessel.

9. SIGNALS TO BE GIVEN BY POWER DRIVEN VESSEL UNDER WAY WHEN SHE TAKES THE GROUND

When a Power Driven Vessel Under Way in the Harbour takes the ground she shall immediately sound on her Whistle four blasts, prolonged, short, prolonged, short in succession and shall repeat such signal at short intervals until she shall have exhibited the lights or day marks prescribed by the Collision Regulations.

10. SIGNALS TO BE GIVEN BY CERTAIN VESSELS WHEN AGROUND IN OR NEAR FAIRWAY.

A Vessel other than a Small Vessel aground in or near a Fairway in fog, mist, falling snow, or heavy rain storm, whether By Day or By Night, shall at intervals of not more than one minute give four blasts, prolonged, short, prolonged, short on her Whistle.

11 . SIGNALS TO BE GIVEN BY CERTAIN VESSELS WHEN LEAVING QUAY

A Power Driven Vessel or any other Vessel exceeding 14 metres in length leaving a Quay shall signal this movement by sounding a prolonged blast on her Whistle. In the case of a Vessel under tow or about to be towed, the tug in attendance shall make the foregoing signal.

12. NO PERSON TO TAKE VESSEL INTO OR OUT OF PIERHEADS
AREA IN DISOBEDIENCE TO DIRECTIONS OF HARBOUR
MASTER

No person shall take, or attempt to take, any Vessel into or out of the Pierheads Area in disobedience to the directions of the Harbour Master. Any person taking, or attempting to take, any Vessel into or out of the Pierheads Area shall do so only in the proper order and succession appointed by the Harbour Master, having regard to other Vessels about to enter or leave the Pierheads Area.

13. VESSELS TO OBEY SIGNALS ON WORKING DREDGERS

All Vessels, when passing dredgers or other craft employed in works connected with the preservation, maintenance or improvement of the Harbour, on or near which dredgers or craft there is exhibited in some conspicuous position By Day a white flag and By Night two white lights vertical, shall-

(a) keep well clear of such dredgers or craft, and

(b) go dead slow from a point at least 90 metres before reaching and for 45 metres after passing such dredgers or craft.

14. SIGNALS ON DREDGERS WHEN WORKING CHAINS TAUT

While dredgers are in such a situation that any of the working chains are taut so as to be dangerous to passing Vessels, the Master of the Dredger shall By Day hoist a red flag and By Night a red light on the side of the dredger where the danger is, as a warning to passing Vessels and such Vessels shall pass on the opposite side of the dredger. These red signals shall be hoisted where they can best be seen on the dredger, and be not less than 1.5 metres clear of the side of the dredger, and be taken down whenever the danger has ceased.

15. SIGNALS ON VESSELS FITTED WITH BOW RUDDERS WHEN
NAVIGATING STERN FIRST

(1) The Master of a Vessel fitted with Bow rudders, when navigating the Vessel stern first, shall display the following signal to indicate for the time being that the Vessel is navigating stern foremost, viz,

(i) Two balls, each 60 centimetres in diameter, to be carried at the ends of a horizontal jackyard on the mast, or if the Vessel has more than one mast, on the main or after-mast.

(ii) The jackyard to be placed in a thwartship direction, at least 2 metres higher than the funnel top, and to project at least 1.25 metres on either side of the mast, so that the distance between the centres of the two balls will be at least 2.5 metres.

(2) A Power Driven Vessel, during such time as she is exhibiting the signal described in paragraph (1) of this Byelaw, shall follow and obey the Collision Regulations as if such Power Driven Vessel were being navigated bow foremost, and for this purpose the starboard side shall be regarded as the port side.

16. APPLICATION OF THE COLLISION REGULATIONS

(1) Except as otherwise provided by these Byelaws, the Collision Regulations shall apply to the Pierheads Area and so much of the Harbour as lies west of the Pierheads Area as they apply to the remainder of the Harbour.

(2) Except as otherwise provided by these Byelaws, Masters of Vessels shall obey the Collision Regulations, and shall not carry or exhibit any other lights, or use any fog signals, than such as are required or permitted by those Regulations.

17. AS TO ANCHORING OF VESSELS IN SEAWARD APPROACHES TO PIERHEADS AREA

The Master of a Vessel shall not anchor the Vessel in those parts of the seaward approaches to the Pierheads Area as lie within the Harbour in such a position as to obstruct the free passage of any other Vessel through the said approaches to or from the Pierheads Area.

18. AS TO ANCHORING OF VESSELS GENERALLY AND SLIPPING ETC. OF ANCHORS, CHAINS AND CABLES.

(1) No anchor shall be put down from any Vessel whether at moorings or in any other place in the Harbour except:-

- (a) in cases of emergency
- (b) for the purpose of swinging as part of a
- (c) with the previous consent of the Harbour Master

(2) Where an anchor is put down in the Harbour from a Vessel in the cases of emergency specified in the preceding paragraph of this Byelaw, the anchor shall be taken up as soon as practicable.

(3) For the purposes of the two preceding paragraphs of this Byelaw references to the Harbour shall be construed as meaning the Pierheads Area and so much of the Harbour as lies west of the Pierheads Area.

(4) The Master of a Vessel which has slipped, parted from or lost any anchor, chain or cable within the Harbour shall forthwith give notice thereof to the Harbour Master and of the position of such anchor, chain or cable, and, if the Harbour Master so directs, shall cause such anchor, chain or cable to be recovered as soon as practicable.

(5) Where the Harbour Master consents under paragraph (1) of this Byelaw to the putting down of an anchor from any Vessel, or where any Vessel slips, parts from or loses any anchor, chain or cable, the Harbour Master may direct the Master of such Vessel to buoy such anchor, chain or cable and the Master of such Vessel shall comply with any direction given to him by the Harbour Master under this paragraph.

19. VESSEL'S ANCHOR ETC. TO BE READY TO LET GO IN EVENT OF EMERGENCY

The Master of a Vessel within the Harbour shall have the Vessel's anchor and cable or chain ready to let go in the event of any emergency requiring their use for the safety of such Vessel or any other Vessel or any other property of any kind whatsoever whether real or personal, or any person.

20. NOTICE TO BE GIVEN TO HARBOUR MASTER WHEN VESSEL SINKS OR GROUNDS

The Master of a Vessel which has sunk or grounded within the Harbour shall forthwith give to the Harbour Master notice thereof, together with the position of such Vessel and such particulars as may be required by the Harbour Master for the safety of navigation or protection of amenities. The Master of a Vessel which is attached to another Vessel for the purpose of towing or manoeuvring the same, shall be bound to give the notice required by this Byelaw in the event of such other Vessel sinking through accident or other cause.

21. NOTICE TO BE GIVEN TO HARBOUR MASTER WHEN VESSEL IN DANGER OF SINKING OR FOUNDERING

If a Vessel is in danger of foundering or sinking from any cause the Master of the Vessel, if such Vessel exceeds 14 metres in length, shall inform the Harbour Master of the circumstances before entering the Harbour and shall only enter the Harbour with the Harbour Master's permission. If the Vessel does not exceed 14 metres in length the Master of such Vessel shall where practicable inform the Harbour Master of the circumstances before entering the Harbour or if this is not practicable as soon as possible after entering the Harbour and shall in any case on entering the Harbour conform with the directions given by the Harbour Master as to the navigation and berthing of such Vessel.

22. AS TO FASTENING OF VESSELS TO MARKING OR WARPING BUOYS AND TO COUNCIL PROPERTY GENERALLY.

(1) No person shall fasten any Vessel to a marking or warping buoy.

(2) If any Vessel be fastened to a marking or warping buoy, the Harbour Master may cast off the rope or chain with which the Vessel is fastened, or may direct the Master of such Vessel to so cast off, and no Master of a Vessel shall neglect or refuse to so cast off when directed to do so by the Harbour Master. Provided that before the Harbour Master shall take any steps to moor, unmoor or anchor a Vessel or to weigh anchor, or to place or move the Vessel, he shall ensure that there are sufficient persons on board to attend the Vessel during such operation.

(3) No person shall, without the permission of the Harbour Master fasten any Vessel to any property of the Council whether realty or personalty, or to anything on land within the Harbour other than the mooring buoys, dolphins, bollards and rings provided by the Council for that purpose.

23. AS TO SETTING FIRE TO OR BREAKING UP VESSELS AND WRECKS OF VESSELS

Subject and without prejudice to the powers and duties of Receivers of Wreck under the Merchant Shipping Act 1894 or any enactment for the time being replacing, re-enacting or amending the same, Owners, Masters or other persons shall not set fire to, break up or attempt to break up or cause to be set on fire or broken up any Vessel or wreck of a Vessel in the Harbour without the previous written permission of the Harbour Master.

24. AS TO VESSELS SUNK OR STRANDED

(1) The Owner of a Vessel sunk or stranded in the Harbour shall weigh and remove the same within a reasonable time of being requested to do so by the Harbour Master.

(2) The Master of a Vessel sunk or stranded in the Harbour shall carry out the directions of the Harbour Master as to lighting, buoying and removing such Vessel.

(3) The Master of every Power Driven Vessel towing another Vessel or attached thereto for the purpose of towing or manoeuvring the same, in the event of the Vessel being towed or about to be towed or manoeuvred sinking through accident or any other cause whatsoever, shall carry out the directions of the Harbour Master as to lighting and buoying the sunken Vessel.

25. VESSELS TO HAVE SUFFICIENT AND PROPER CABLES ETC.

The Owner or Master of a Vessel in the Harbour shall ensure that such Vessel has proper cables, ropes, chains or hawsers for the purpose of anchoring or fastening such Vessel.

26. AS TO REMOVAL OF ANCHORS FOR PURPOSE OF DREDGING
OR CLEANSING HARBOUR.

Whenever the Harbour Master shall deem it necessary for the purpose of dredging or cleansing the Harbour that any anchor lying in the bed of the Harbour shall be removed therefrom, the Master of any Vessel to which such anchor belongs or is attached shall within three days after notice in writing has been given to him by the Harbour Master remove such anchor from the bed of the Harbour.

27. NO PERSON TO FASTEN OR ANCHOR VESSEL TO STEPS OR
LANDING PLACE WITHOUT PERMISSION OF HARBOUR MASTER

No person shall make fast or anchor any Vessel, or cause the same to be made fast or anchored, at any steps or landing place within Harbour without the permission of the Harbour Master.

28. VESSELS AT QUAYS TO GIVE PASSAGE OVER DECKS FOR
PERSONS AND STORES IN CERTAIN CIRCUMSTANCES

The Master of a Vessel occupying a berth alongside a Quay or alongside any Vessel already berthed within the Harbour shall, if reasonably required so to do by the harbour Master, give free means of passage over the deck of his Vessel for persons and stores to and from Vessels berthed alongside his Vessel.

29. AS TO VESSEL'S ANCHOR HOOKING MOORINGS OR ELECTRIC
CABLES

If at any time the anchor of a Vessel hooks any moorings or any electric cables within the Harbour the Master of such Vessel shall not proceed to unhook the same but shall forthwith give notice thereof to the Harbour Master in order that aid may be given for clearing such moorings or cables without doing damage to the same.

30. AS TO INFORMATION TO BE GIVEN TO HARBOUR MASTER
ABOUT ARRIVING VESSELS

(1) The Master of any Vessel arriving at the Harbour shall (if requested by the Harbour Master) make, subscribe and deliver to the Harbour Master a declaration in the form to be obtained from him giving a true statement of:-

- (a) the name and description of the Vessel
- (b) the draught of water of the Vessel
- (c) the tonnage of the Vessel
- (d) the name of the Master
- (e) the place from which the Vessel has arrived
- (f) the port or place to which the Vessel belongs
- (g) full particulars of the cargo
- (h) the name and address of the Owner

(2) Any information requested by the Harbour Master under paragraph (1) of this Byelaw shall be delivered to him by the Master of whom the request was made within twenty-four hours of the making of the request.

31. AS TO VESSELS ENTERING HARBOUR IN BALLAST (OTHER THAN WATER)

The Master of a Vessel entering the Harbour in ballast (other than water) shall within twelve hours after the arrival of the Vessel, deliver to the Harbour Master a true account in writing of the quantity of such ballast, and shall not discharge or cause or allow to be discharged any such ballast from the Vessel without the permission of the Harbour Master, or at any place within the Harbour other than a place specially appointed for the purpose.

32. VESSELS NOT TO BE BREAMED OR FUMIGATED SO AS TO CAUSE NUISANCE OR ANNOYANCE

The Master of a Vessel in the Harbour shall not bream or fumigate such Vessel or cause or permit the same to be breamed or fumigated so as to cause a nuisance or annoyance to any person within the Harbour.

33. GENERAL REGULATIONS AS TO NAVIGATION OF VESSELS

The Master of every Vessel within the Harbour shall navigate that Vessel:-

(1) with care and caution and at a speed and in such a manner as not to endanger the lives of, or cause injury to, persons, or endanger the safety of, or cause damage to, any other Vessel or any mooring or any other property of any kind whatsoever, whether real or personal.

(2) with special care and caution when passing any other Vessel, whether moored, anchored or Under Way.

34. AS TO WATER SKI-ING ETC.

(1) No person or persons shall engage or take part in water ski-ing or aquaplaning except with the permission of the Harbour Master and only in such areas as he may designate and in accordance with such reasonable conditions as he may impose.

(2). A Vessel towing a person water ski-ing shall have on board a lifebuoy or other sufficient form of life preserver and any other safety equipment which may be required under the Merchant Shipping (Lifesaving Appliances) Rules and two persons able to take charge of the Vessel and to give such assistance as may be reasonably required during the towage.

35. AS TO NAVIGATION OF SMALL VESSELS IN DEEP WATER CHANNELS

Small Vessels shall not navigate in a Deep Water Channel as to hamper large vessels that can only navigate in such channel.

36. AS TO DRIFTING OF VESSELS OUT OF CONTROL

A Vessel shall not be allowed to drift in any part of the Harbour. Provided that it shall be a defence to proceedings for an offence against this Byelaw if it is proved that such drifting was not caused wilfully or by any neglect or default on the part of the Master or of any member of the crew of the Vessel.

37. AS TO ATTENDANCE OF POWER DRIVEN VESSEL HAVING VESSEL IN TOW ON LATTER VESSEL

The Master of a Power Driven Vessel within the harbour having any Vessel in tow shall secure that such Power Driven Vessel shall attend upon such towed Vessel until the same is properly moored.

38. REGULATIONS AS TO ORGANISATION OF REGATTAS ETC

The organiser of any regatta or any other occasion when a number of small Vessels is expected to assemble on the waters of the Harbour, shall give not less than fourteen days' notice thereof to the Harbour Master. All regattas or championship races or similar event shall be conducted on courses and at times previously approved by the Harbour Master. Any alteration or cancellation required by the Harbour Master shall, if practicable, be notified to the organiser at least seven days before the proposed date of the event.

39. REGULATIONS AS TO BEHAVIOUR OF SMALL VESSELS AT REGATTAS ETC.

The Master of every Small Vessel in the Harbour on the occasion of any boat race, regatta, public procession or any other occasion when a number of Small Vessels is assembled therein shall not permit his Small Vessel to pass therein so as to obstruct, impede or interfere with the boat race, regatta or procession, or endanger the safety of persons assembling in the Harbour, or prevent the maintenance of order therein, and the Masters of Small Vessels shall observe the directions of the Harbour Master or other persons authorised by the Council to superintend the execution of this Byelaw. (Nothing in this Byelaw shall prevent the application of the Collision Regulations when any Vessels come within risk of collision).

40. NO PERSON UNDER 12 YEARS TO BE IN CHARGE OF VESSEL.

No person under the age of 12 years shall be in charge of, and no person shall cause or permit such a person to be in charge of, a Vessel (other than a rowing or sailing dinghy or canoe not exceeding four metres in length) navigating within the Harbour.

41. MASTER OF VESSEL TO REPORT COLLISION CAUSING INJURY OR DAMAGE

The Master of a Vessel shall forthwith report to the Harbour Master any collision within the Harbour in which the said Vessel is involved and in which injury or damage shall have been caused to any other Vessel, or any other property of any kind whatsoever whether real or personal, or any person.

42. COMPETENT PERSONS TO BE LEFT IN CHARGE OF CERTAIN SEA-GOING VESSELS WHEN MASTERS ARE ABSENT

Except by permission of the Harbour Master the master of any Vessel within the Harbour (other than a Small Vessel having permanent berthing arrangements therein) shall not absent himself from such Vessel unless he leaves in charge thereof some person who shall continue in attendance on the Vessel while it is afloat and is qualified and competent to shift or move the Vessel and attend to the moorings of the Vessel as the Harbour Master may direct or as may be necessary. Such person shall carefully attend to the moorings of the Vessel and to the sufficiency thereof and shall cause them to be slackened or hove in from time to time as may be necessary on the rise and fall of the water to prevent damage being done to that or to any other Vessel or to any property (whether real or personal) within the Harbour.

43. REGULATIONS AS TO WORKING OF ENGINES OF POWER DRIVEN VESSELS

(1) Without prejudice to paragraphs (3) and (4) of this Byelaw no person shall work the engines of a Power Driven Vessel in the Harbour for trial or cause the same to be so worked without the previous consent of the Harbour Master.

(2) For the purposes of the preceding paragraph of this Byelaw the expression "trial" does not include the normal warming through of engines preliminary to moving of Vessels.

(3) No person shall work the engines of a Power Driven Vessel in the Harbour in such a manner that injury or damage is caused to the bed of the Harbour or to any Quay or to any other Vessel or to any other property of any kind whatsoever whether real or personal.

(4) No person shall work the engines of a Power Driven Vessel over 9 metres in length or having a draught in excess of 1.25 metres when such Vessel is attached to any Quay except either

- (a) for the purpose of navigating to or from a berth or
- (b) with the previous consent of the Harbour Master.

44. SEA-GOING VESSELS NOT AGROUND TO BE CAPABLE OF BEING SAFELY MOVED.

Every sea-going Vessel when not Lying aground shall be kept at all times so loaded or ballasted or in such condition as to be capable of being safely moved.

45. CARGO TO BE LOADED AND PASSENGERS EMBARKED OR DISEMBARKED AS SOON AS CONVENIENTLY MAY BE AFTER VESSEL ENTERS HARBOUR.

(1) The Master of every Vessel, which shall enter the Harbour for the purpose either solely or in common with any other purpose, of being loaded with cargo or of embarking or disembarking passengers, shall cause it to be so loaded or its passengers to be embarked or disembarked (as the case may be) as soon as conveniently may be after entering therein.

(2) If any such Vessel as is referred to in paragraph (1) of this Byelaw remains at a Quay for more than one hour after the completion of the loading of cargo or the embarking or disembarking of passengers (as the case may be) the Harbour Master may direct the Master of such Vessel in writing to remove it to such part of the Harbour as the Harbour Master shall specify and any such direction of the Harbour Master as aforesaid shall be obeyed by the Master within twenty-four hours of the time of service thereof upon him.

46. VESSEL BEING REPAIRED OR SCRAPED TO HAVE SAIL OR TARPULIN TO PREVENT SUBSTANCES FALLING INTO HARBOUR WATERS

The Master of a Vessel in the Harbour shall during all the time the Vessel is being repaired or scraped, cause a proper sail or tarpaulin to be provided to the satisfaction of the Harbour Master in order to prevent any substance of any kind whatsoever from falling into the waters of the Harbour.

47. AS TO SAFETY PRECAUTIONS ON PETROL VESSELS

Whilst any Petrol Vessel is in the Harbour, the Master of such Vessel shall cause all due precautions to be taken for the prevention of accident by fire and explosion and shall see that strict cleanliness is observed in everything appertaining to the motive power and surrounds, that all cocks and fittings are tight so that there is no leakage of oil and that the bilges and woodwork are kept free from oil and oil refuse.

48. AS TO GANGWAYS AND STAGES USED FOR ACCESS TO OR
EGRESS FROM VESSELS

The Master of a Vessel in the Harbour shall cause all gangways and stages used for the purposes of access to or egress from such Vessel to be placed in a safe position, duly protected and securely fastened, and to be so maintained at all times when in use.

49. AS TO LIGHTS OVER HATCHWAYS AND GANGWAYS

The Master of a Vessel in the Harbour shall by Night:-

- (a) provide a sufficient light over any hatchway at which work of loading or discharging is proceeding, and
- (b) provide two sufficient lights at any gangway, one light to be fixed at the ship end of the gangway and the other light to be fixed at the quay end of the gangway.

50. NO VESSEL LYING IN HARBOUR TO HAVE PROJECTIONS
OUTSIDE HER HULL

No Vessel lying in the Harbour shall have accommodation ladders, side ladders, boats hanging in davits or any other projection of any kind whatsoever outside her hull except that nothing in this Byelaw shall prohibit the use of stern davits or stern-mounted engines.

LANDING AND SHIPPING CARGO

51. AS TO PERSONS TO SUPERINTEND LOADING OR DISCHARGING
OF VESSELS

The Master of a Vessel in the Harbour shall during all the time employed in loading or discharging the Vessel remain on board or leave some other person on board competent to superintend the Loading or discharging.

52. AS TO REMOVAL OF GOODS, TIMBER AND WOOD FROM QUAYS
ETC.

All goods landed or placed upon a Quay by any person, and also all timber and wood discharged, floated or put into the water of the Harbour, shall be removed therefrom respectively by the Owner or person in charge of such goods, timber or wood, with all due diligence and (unless the Harbour Master shall otherwise expressly require or permit) at latest within forty-eight hours (exclusive of Sundays and Bank Holidays) after the same respectively shall have been landed or placed upon the Quay or discharged, floated or put into the water.

53. AS TO LEAVING OF GOODS, WAGONS ETC., ON QUAYS.

- No person shall
- (a) place or leave or cause to be placed or left on a Quay any wagon, truck, carriage, vehicle or goods without the permission of the Harbour Master, or
 - (b) place or leave any goods, or cause the same to be placed or left, on a Quay within a space of one metre from the edge or coping of a Quay without such permission, or
 - (c) deposit any goods on a Quay to a greater height than that specified by the Harbour Master.

54. NO GOODS TO BE PLACED OR STORED SO AS TO OBSTRUCT ETC., FIRE APPLIANCES

No person shall place or store goods in any part of the Harbour in such manner as to obstruct or delay the free access to, or the use of, any hydrant or other appliance of any kind whatsoever for the prevention or fighting of fire.

55. MASTERS AND OWNERS OF VESSELS AND SHIPPERS ETC. TO OBEY ORDERS ETC. OF HARBOUR MASTER AS TO LOADING ETC, OF GOODS AND REGULATION OF TRAFFIC.

The Masters and Owners of Vessels in the Harbour and all receivers and shippers of goods, carters and others engaged in and at the Harbour shall obey all such orders and directions of the Harbour Master in regard to the loading and unloading of goods and of traffic generally.

56. AS TO PRECAUTIONS TO BE TAKEN TO PREVENT CARGO ETC., FALLING INTO HARBOUR

The Master of every Vessel and the Owner of the cargo thereof shall use proper means to the satisfaction of the Harbour Master for the prevention of any part of any cargo, ballast or other material from falling into the Harbour and they, if so instructed by the Harbour Master, shall not commence to discharge or take in any cargo or ballast or other material before the Harbour Master has had the opportunity of satisfying himself that such precautions have been taken.

FIRE

57. AS TO PERSONS SMOKING IN HARBOUR

No person shall smoke within or near to any of the offices, warehouses, stores, buildings or sheds within the Harbour, or near to or amongst any goods on a Quay, nor elsewhere within the Harbour if requested by a servant of the Council not to do so.

58. AS TO ACTION TO BE TAKEN ON OUTBREAK OF FIRE ON
BOARD VESSEL IN HARBOUR

In case of an outbreak of fire on board a Vessel within the Harbour the Master of the Vessel shall take immediate action with the Vessel's fire fighting equipment and ensure that the Fire Brigade and the Harbour Master shall be notified at the earliest possible moment, and also give warning by the continuous sounding of the Vessel's whistle.

59. AT LEAST ONE PERSON TO BE ON BOARD VESSEL AT QUAY
WHEN LIGHT OR FIRE USED ON BOARD SUCH VESSEL

Whilst any light or fire shall be used on board a Vessel at or alongside a Quay, the Master of such Vessel shall provide and keep at least one person continually on board who shall be specially charged with the care of such light or fire.

GENERAL

60. WITHOUT COUNCIL'S CONSENT NO PERSON TO BRING ETC.,
GOODS, RUBBISH, OR ARTICLES WITHIN HARBOUR ETC.

No person shall without the permission of the Harbour Master bring, place or leave or permit to be brought, placed or left any goods, rubbish or article of any description within the Harbour or at or upon any part thereof including the Quays.

61. AS TO VEHICLES PLACED OR LEFT ON QUAYS

(1) No person shall without first obtaining the written authority of the Harbour Master place or leave or cause to be placed or left any vehicle upon a Quay not being a highway provided always that such authority shall not be required in respect of a vehicle engaged in the business of the loading, unloading or carriage of goods.

(2) No vehicle placed or left on a Quay not being a highway shall be placed or left in a position which interferes with the free and uninterrupted passage of any other vehicle.

62. AS TO POLES AND IMPLEMENTS USED IN HARBOUR

No person shall place or use or cause to be placed or used within the Harbour any pole or implement so as to damage or injure any wall, bridge or any other property therein, or place, hold, use or cause to be placed, held or used, against any wall, bridge or any other property therein, any pole or implement shod or pointed with metal, or use as a fender anything that will not float on the surface of the water.

63. AS TO USE OF QUAYS, STAGES, CRANES. ETC., IN HARBOUR

No person shall use or attempt to use any Quay, stage, tip, crane, machine, weight or measure erected or provided by or

belonging to the Council in the Harbour except by permission of the Harbour Master, and in accordance with the terms and conditions and during the time allowed in that behalf by such permission. Nor shall the Master of a Vessel in the Harbour cause or allow her to stop at any Quay, stage, tip, crane, or berth or cause or allow any such machine, weight or measure to be used after the time appointed or allowed in that behalf by the Harbour Master.

64. AS TO OBSTRUCTION ETC., OF HARBOUR MASTER

No person while within the Harbour shall obstruct, impede, molest, threaten, or interrupt the Harbour Master or any other officer, workman, agent or person whomsoever employed by the Council in the performance of his duty, or in the execution of any of the work, matters or things to be done by him.

65. AS TO THROWING OF STONES ETC., IN HARBOUR

No person shall within the Harbour throw stones or other missiles or discharge any catapult, or have or discharge any loaded gun or other firearm, nor, without the permission of the Harbour Master, use or ignite any firework or other explosive substance.

66. AS TO WILFUL OR NEGLIGENT DAMAGE ETC., TO NAVIGATION LIGHTS, PLANT ETC.

(1) No person shall wilfully or negligently damage or interfere with any navigation light, or any other light exhibited on the property of the Council within the Harbour or any chain, lifebuoys, machinery, plant, equipment or other material belonging to the Council and within the Harbour.

(2) Without prejudice to the generality of paragraph (1) of this Byelaw, no person shall, without being duly authorised by the Harbour Master, open or shut any fire-hydrants or taps, or move or interfere with any fire appliances used or being in or about the Harbour.

67. AS TO HARBOUR MASTER'S POWER TO BOARD VESSELS

The Master of any Vessel in the Harbour shall permit the Harbour Master to board such Vessel at such time as the Harbour Master may desire for the purpose of inspecting such Vessel and any goods therein and shall not obstruct or permit the Harbour Master to be obstructed whilst on board such Vessel.

68. NO PERSON UNDER INFLUENCE OF DRINK ETC., TO NAVIGATE VESSEL ETC.

A person shall not navigate any Vessel within the Harbour whilst under the influence of drink or drugs to such an extent as to be incapable of taking proper control of the Vessel.

69. NO DREDGING OR GRAPPLING FOR ARTICLES ETC., TO TAKE PLACE WITHOUT PERMISSION

Dredging or grappling for any article or thing shall not take place within the Harbour without the previous written permission of the Harbour Master.

70. AS TO SILENCERS ON CERTAIN VESSELS

No Master of a Vessel propelled by means of an internal combustion engine which can reasonably be fitted with a silencer or other contrivance suitable and sufficient for reducing as far as may be reasonable the noise caused by the escape of the exhaust gases from the engine shall navigate or operate such Vessel in the Harbour unless such engine is so fitted.

71. NO PERSON TO OPEN ETC., ANY SLUICE OR BRIDGE WITHOUT PERMISSION

No person shall, without being duly authorised by the Harbour Master open, draw or shut, or cause to be opened, drawn or shut any sluice or bridge within the Harbour.

72. NO PERSON TO USE LOUDHAILERS ETC., IN HARBOUR SO AS TO CAUSE NUISANCE OR ANNOYANCE

Except in case of emergency no person shall use or sound loudhailers or amplifiers within the Harbour so as to cause nuisance or annoyance to any other person.

73. PASSENGERS NOT TO BE LANDED OR EMBARKED EXCEPT AT AUTHORISED BERTHS

Passengers shall not be landed from or embarked upon any Vessel at berths other than those berths which shall be authorised by the Harbour Master for the landing or embarking of passengers.

74. PASSENGERS ETC., NOT TO LOITER ON ANY QUAY ETC.

Passengers or other persons shall not loiter or linger on, or obstruct the proper use of, any Quay. Any person so loitering, lingering or obstructing shall, on the request of the Harbour Master or any servant of the Council, give a satisfactory account of himself and his business and in default may be forthwith removed and excluded from such Quay.

75. AS TO USE OF WHISTLES IN HARBOUR

Except for the purpose of complying with any Byelaw of the Council or the Collision Regulations, Whistles shall not be used within the Harbour so as to cause nuisance or annoyance to any person.

76. AS TO BERTHING OF VESSELS AT QUAYS FOR OTHER THAN CERTAIN SPECIFIED PURPOSES

(1) Except for the purpose of loading or unloading cargo, or embarking or disembarking fare paying passengers, no Vessel may berth, or continue to berth, at any Quay within the Harbour unless the Master or Owner of the Vessel has previously obtained the permission of the Harbour Master (which permission may be limited by reference to such period of time not exceeding three months as the Harbour Master shall appoint). Any permission given by the Harbour Master under this Byelaw may be given subject to the condition that such Master or Owner pay to the Council in advance such charges as the Council are entitled to levy under the Harbours Act 1964 or any enactment for the time being re-enacting or amending the same in respect of such Vessel for berthing at such Quay by reference to such period of time not exceeding three months as the Harbour Master shall appoint.

(2) Any permission given by the Harbour Master under paragraph (1) of this Byelaw which is given subject to any such condition as is therein mentioned shall be of no effect unless and until such condition has been satisfied in full.

(3) No permission given by the Harbour Master under paragraph (1) of this Byelaw shall be valid for more than three months from the date when it was given howsoever the permission may be expressed.

(4) Any permission given by the Harbour Master under paragraph (1) of this Byelaw shall be effective only in respect of the person to whom it is given and only so long as such person remains Master or Owner of the Vessel (as the case may be).

77. AS TO PAYMENT OF HARBOUR DUES

The Master of every Vessel which enters, remains in or leaves the Harbour and thereby becomes chargeable with any due under the provisions of the Harbours Act 1964 or any enactment for the time being re-enacting or amending the same shall pay such due to the Council at the latest within one hour of the Vessel entering the Harbour or immediately prior to the Vessel leaving the Harbour as the case may be according to the tenor of the due, and, on failure so to do, shall, if the Harbour Master gives at least three hours notice to the Master that the due is unpaid, remove the Vessel from the Harbour and not re-enter or attempt to re-enter the Harbour until the due is paid to the Council or the Harbour Master gives his permission for that purpose.

78. AS TO SERVICE OF NOTICES ETC., ISSUED OR GIVEN BY
HARBOUR MASTER

Any notice, direction, consent, permission or other document of any kind whatsoever, which may be issued or given by the Harbour Master under the authority of any of the foregoing Byelaws and is in writing, may, if personal service is impracticable, be served on the person to whom it is addressed, provided that such person is the Master or Owner of the Vessel to which such notice, direction, consent permission or document relates, either by affixing it to some prominent part of such Vessel or by posting it on the noticeboard outside the offices of the Harbour Master.

79. AS TO RESPONSIBILITY OF MASTERS, OWNERS AND PILOTS FOR
OBSERVANCE OF BYELAWS

The Master of every Vessel and the Owner thereof shall severally be responsible for the due performance and observance as regards such Vessel of such of the foregoing Byelaws as shall apply to such Vessels and when any Vessel shall be under the direction of any pilot, such pilot shall also be responsible for such performance and observance but without relieving the Master and Owner of their responsibility.

80. AS TO PENALTIES FOR OFFENCES AGAINST BYELAWS

Every person who shall make default or breach in the performance or observance of or offend against or contravene any of the foregoing Byelaws shall for every such default, breach, offence or contravention be liable to a fine not exceeding the sum of £20.00_ and it is expressly declared that the infliction and payment of any penalty shall not affect the liability of any person or Vessel to answer in damages for any injury to any property or person arising from such default, breach, offence or contravention as aforesaid.

THE COMMON SEAL of the)
BOROUGH COUNCIL OF)
WEYMOUTH AND PORTLAND)
was hereunto affixed this)
Eighth day of)
June 1976)
in the presence of:)

(LS)

(Sgd.) JOHN D. BLACKBURN
Mayor

(Sgd.) EJ. JONES
Chief Executive

The Secretary of State for the Environment hereby confirms the foregoing Byelaws.

Signed on behalf of the Secretary of State this 12th day of August 1976

(Sgd.) F.A. OSBORN

An Assistant Secretary
of the Department of the Environment

NOTES

WP/219

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Scale 1/10560

WEYMOUTH

Weymouth Inner Harbour

Lifting Bridge

Pleasure Pier
(North Pier)

Stone Pier
(South Pier)

North
Fort

29 28' West

27'

26'

25'

24'

37'

37'

WEYMOUTH HARBOUR LIMITS

2.0 Nautical Miles

WEYMOUTH BAY

1.7 Nautical Miles

600 36'

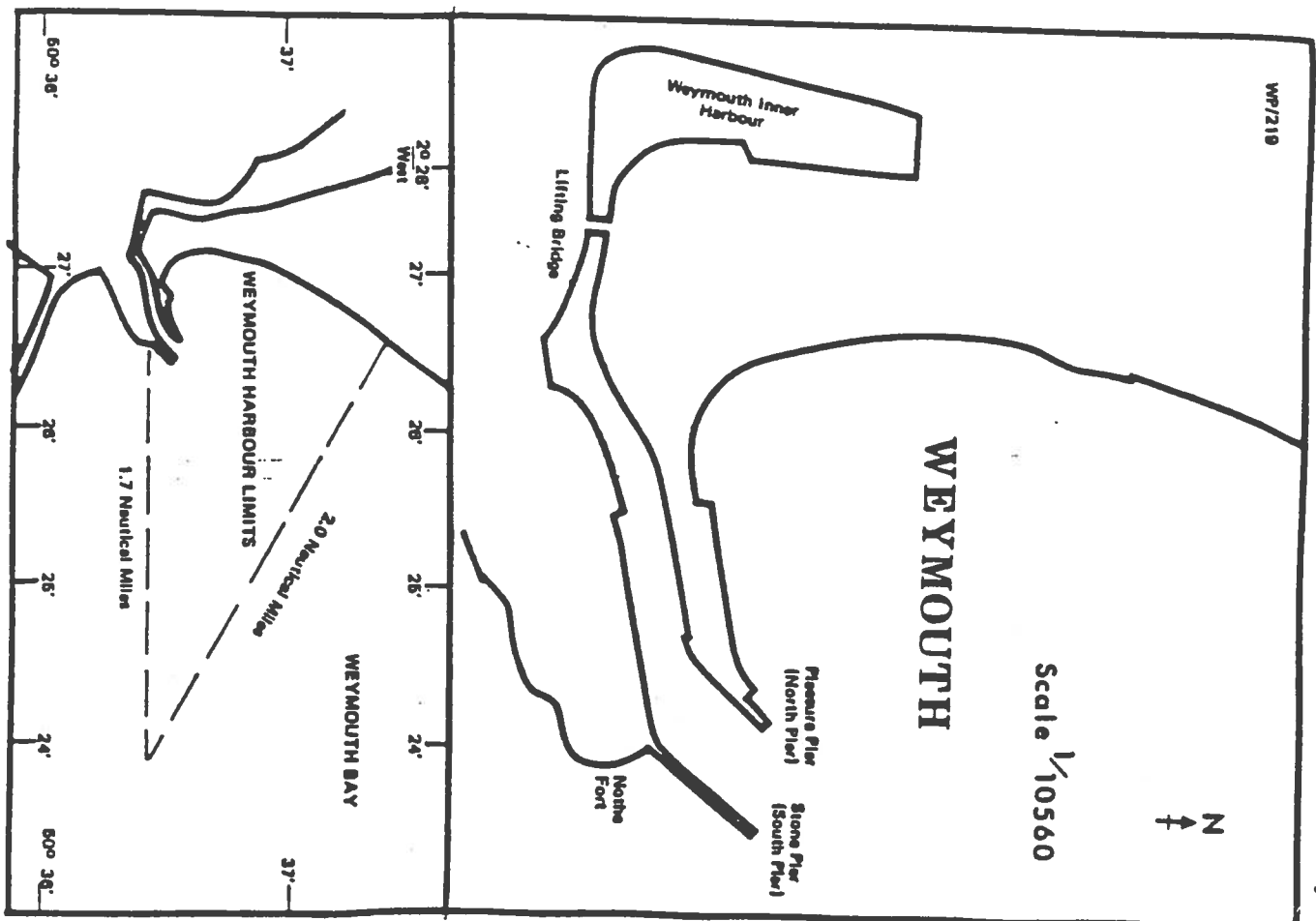
27'

26'

25'

24'

600 36'



gwp/harbbbye

WEYMOUTH HARBOUR BYELAWS

AMENDMENT NO 1

BYELAWS made by the Weymouth and Portland Borough Council by virtue of powers conferred on the Council by Section 41 of the Weymouth and Melcombe Regis Corporation Act 1887 and all other powers enabling them in that behalf.

The series of Byelaws relating to Weymouth Harbour made under Section 41 of the Weymouth and Melcombe Regis Corporation Act 1887 by the Weymouth and Portland Borough Council on 8th June 1976 and confirmed by the Secretary of State on 12th August 1976 are hereby amended by the renumbering of the present Byelaw 65 to be Byelaw 65(1) and insertion of a new Byelaw 65(2) as follows:

65(2). AS TO DIVING ETC INTO HARBOUR

No person or persons shall at any time enter the water or launch any vessel into the water from the Town Bridge or its abutments or from any of the quays or buildings in the Council's ownership.

Provided that this Byelaw shall not apply to any person when taking part in an event organised by the Weymouth and Portland Borough Council or by any other person with the consent of the Council in writing, or to the safe launching of vessels from designated launching points in the Harbour or in accordance with the requirements of the Harbour Master.

THE COMMON SEAL of THE BOROUGH)
COUNCIL OF WEYMOUTH AND)
PORTLAND was hereunto affixed)
this *sixth* day of June 1994)
in the presence of:-)

MAYOR *[Signature]*

[Signature]
CHIEF EXECUTIVE



The Secretary of State hereby confirms the foregoing byelaws.

Signed on behalf of the Secretary of State for Transport on the
twenty seventh day of *July* 1994

[Signature]

An Assistant Secretary
In the Department of Transport