

THE URBAN DISTRICT OF HAVANT AND WATERLOO

BYELAWS

made by

THE URBAN DISTRICT COUNCIL OF HAVANT AND WATERLOO

By virtue and in pursuance of the provisions of the Emsworth Harbour Order, 1896, and of Section 83 of the Harbours, Docks and Piers Clauses Act, 1847, and of all other powers enabling them in that behalf do hereby make the following byelaws to be observed in Emsworth Harbour.

B. R. W. Gofton,
Clerk of the Council.

TOWN HALL,
HAVANT.

1. These byelaws may be cited as the Emsworth Harbour Byelaws, 1963.

Commencement of Byelaws.

2. These byelaws shall apply to those parts of the Harbour of Chichester that are within the jurisdiction of the Council under the Emsworth Harbour Order, 1896, and shall come into operation on the expiration of fourteen days after the date of their allowance and confirmation by the Minister of Transport.

Interpretation.

3. "The Council" means the Urban District Council of Havant and Waterloo.

"Harbour" means the harbour the limits of which are defined by the Emsworth Harbour Order, 1896, and are shown on the map in the Appendix hereto.

"Harbour master" means the harbour master appointed by the Council and includes his duly authorised assistants.

"Hover vehicle" means a vehicle designed to be supported on a cushion of air.

"Master" when used in connection with a vessel means any person, whether the owner or not, having or taking the command, charge or management of the vessel for the time being.

"Person" includes a corporation, whether aggregate or sole.

"Seaplane" includes a flying boat and any other aircraft designed to float or manoeuvre on water, but does not include a hover vehicle.

"Vessel" includes any vessel, ship, lighter, keel, barge, pontoon, raft and craft of any kind howsoever navigated, propelled or moved, any hover vehicle, and a seaplane on the surface of the water. Seaplanes taking off from or alighting on the water shall be deemed to be on the surface of the water whilst in contact therewith.

Private Moorings.

4. No person shall lay down or retain a private mooring in the harbour without having first obtained the written consent of the harbour master.

Anchoring.

5. The master of a vessel shall not, except in an emergency, anchor in the harbour in such a manner as to obstruct navigation.

Mooring.

6. The master of a vessel shall moor or berth his vessel at such part of the harbour and shall from time to time remove the same to such situation within the harbour as the harbour master may direct.

Charge of Moored Vessels.

7. The master of a sea-going vessel shall, if reasonably required by the harbour master so to do, cause at least one responsible person to be on board at all times while such vessel is moored in the harbour, and for the purpose of this byelaw "sea-going vessel" shall include any vessel, other than a seaplane, which is capable of going outside the harbour and keeping at sea during average weather conditions.

Making Fast.

8. No master of a vessel shall make fast to any other vessel or her moorings without the permission of the master of such other vessel.

Obstruction.

9. The master of a vessel shall not permit her to be placed in any position that may obstruct or interfere with the access by another vessel to any pier, jetty, wharf, landing steps, landing place, hard or grid without the permission of the harbour master.

Change of Anchorage.

10. The master of any vessel lying within the harbour shall if reasonable required by the harbour master, take up the anchor or anchors of such vessel.

Sunken and Grounded Vessels.

11. The master of every vessel which through accident or other cause has sunk or become grounded in the harbour shall without undue delay give to the harbour master notice thereof and of the position of such vessel,.

Timber or similar Obstruction.

12. No person shall permit any timber or similar obstruction to go into or pass along the harbour so as to cause or to be likely to cause damage or injury to any vessel or goods in the harbour. Provided that it shall be a defence to proceedings for an offence under this byelaw if it be proved that the entry into or passage along the harbour of the timber or similar obstruction was not caused wilfully or by any neglect or default on the part of the person against whom the proceedings are brought.

Landings.

13. No person shall tie any vessel to any landing steps, landing stage, pier, jetty, railings or other property at which a notice prohibiting such action is displayed by or with the authority of the Council.

Lights.

14. The master of any vessel moored or anchored in the harbour shall, if ordered to do so by the harbour master, provide and maintain between one hour after sunset and one hour before sunrise such lights as may reasonably be considered necessary by the harbour master.

Vessels to be Navigated with Care.

15. The master of every vessel navigating the harbour shall navigate the vessel with care and caution and in such a manner as shall not cause danger or

interference to the occupants of any other vessel or to any person or cause damage or interference to any moorings or other property.

Speed.

16. The master of any power-driven vessel shall not, subject to the requirements of maintaining adequate steerage way and control, suffer or cause her to be navigated or driven in the harbour at a speed exceeding ten knots through the water except in an emergency, unless the consent in writing of the harbour master has previously been obtained. This byelaw shall not apply to a seaplane on the surface of the water.

Dangerous or Offensive Matter.

17. No person shall without the consent of the harbour master dispose, pour, pump or wilfully or carelessly allow to escape into the harbour any dangerous or offensive matter, unless such action is necessary for the purpose of securing the safety of the vessel or preventing damage to the vessel or saving life, and it is not reasonably practicable to obtain such consent.

Disorderly Persons.

18. Any person engaged in navigating or employed on or using or being in upon or about the harbour who shall be intoxicated or make use of obscene, scandalous, abusive, indecent or improper language or behaviour to the annoyance of any person who shall be in upon or about the harbour or who shall obstruct any officer of the Council in the execution of his duty shall be deemed to have committed a breach of these byelaws and be liable to the penalty hereinafter mentioned.

Inspection.

19. The master of any vessel in the harbour shall when so required by the harbour master afford every reasonable facility to enable the harbour master to ascertain whether these byelaws are duly observed.

Regulation for Preventing Collisions.

20. The Regulation for Preventing Collisions at Sea now in force, or as amended from time to time, made by Orders in Council in pursuance of the Merchant Shipping Act, 1894, shall apply to the Harbour and to the vessels navigating and being therein, except as provided in Byelaw 14.

Penalty.

21. Every person who shall offend against any of the foregoing byelaws shall be liable to a penalty not exceeding forty shillings for each offence.

