

## Mooring Buoy FAQ's

### Q1: What federal regulations cover the placement of mooring buoys and private docks?

**A1:** The *Private Buoy Regulations*, established pursuant to the *Canada Shipping Act*, prescribe the mandatory marking, lighting, size, and placement requirements for mooring buoys. Under the *Navigation Protection Act*, buoys are a “work” and may require authorization from Transport Canada. The only buoys that do not require authorization before being placed are those that are built or placed in accordance with the criteria listed in the Minor Works Order, under the class of works called “Mooring Systems”.

Private Buoy Regulations – <http://laws-lois.justice.gc.ca/eng/regulations/SOR-99-335/>  
Minor Works Order - <http://www.tc.gc.ca/eng/programs-675.html>

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### Q2: What are the markings requirements for Mooring Buoys?

**A2:** Mooring buoys must be placed and marked in compliance with the *Private Buoy Regulations*. These include requirements for the owners name and contact information, standard colour requirements and location requirements. The full text is available at <http://laws-lois.justice.gc.ca/eng/regulations/SOR-99-335/>

The *Private Buoy Regulations* specify that buoys must also comply with the requirements set out in the *Canadian Aids to Navigation System* (TP 968), which directs that a mooring buoy is coloured white and orange, with the orange colour covering the top one third of the buoy above the waterline. A mooring buoy must have a yellow light, if lighted. The light must conform to the standards and guidelines in the *Canadian Aids to Navigation System* (TP 968). Retroreflective material, if used, must be yellow.

Canadian Aids to Navigation System - <http://www.ccg-gcc.gc.ca/aids/Canadian-Aids-To-Navigation-2011>

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### Q3: Who can place a mooring buoy?

**A3:** Any person or entity may install a mooring buoy, provided the buoy meets the requirements of both the *Private Buoy Regulations*, and the *Navigation Protection Act*. If the buoy is installed in accordance with the Minor Works Order, then no further authorization from Transport Canada is required. The Owner's Guide to Private Buoys has been published by Transport Canada to illustrate the standards for markings.

An Owner's Guide to Private Buoys - <https://www.tc.gc.ca/Publications/en/TP14799/PDF/HR/TP14799E.pdf>

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**Q4: Can anyone place a buoy in front of private property?**

**A4:** The *Navigation Protection Act* applies to Scheduled navigable waters measured from the High Water Mark (HWM) on either side of the water body. The Act does not have any mandate with respect to upland property.

Although the NPA does not prohibit the placement of buoys in front of private property, there may be other riparian, local, regional, or provincial rights or regulations that do. It is always best to check with your local authorities before proceeding.

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**Q5: How can I register or obtain approval for my mooring buoy?**

**A5:** Some mooring buoys require individual authorization under the NPA, and some do not. Buoys that do not require authorization before being placed are those that are built or placed in accordance with the criteria listed in the Minor Works Order, under the class of works called "Mooring Systems". Transport Canada does not keep a record of buoys that fall in the latter category.

For buoys that do require authorization, a Notice of Works form can be downloaded or printed at <https://www.tc.gc.ca/eng/programs-624.html>. Completed Notices can be sent to [NPPAC-PPNPAC@tc.gc.ca](mailto:NPPAC-PPNPAC@tc.gc.ca). There is no fee to apply.

If you own multiple buoys or you are part of a strata or homeowners group, you may wish to consider organizing them in such a way as to minimize their total footprint, while maximizing ease of access for your vessels. Two sample plans have been attached, illustrating two methods that are commonly used around the world to achieve this. The plans also represent the basic information required in a Notice of Work for authorization from TC to place the buoys.

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**Q6: What other permits do I need to place a mooring buoy?**

**A6:** Depending on where your proposed mooring buoy is located, there may be additional permits required from other responsible agencies. Different Regional and Municipal governments may have unique bylaws. To find out if a bylaw applies to you, a good resource to begin with is FrontCounter BC, at <http://www.frontcounterbc.gov.bc.ca/> or 1-877-855-3222. You may also wish to check with your Regional District and City or Municipality for further permits.

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**Q7: Does the Regional District Bylaw regulating mooring buoys supersede the *Navigation Protection Act*?**

**A7:** No. The *Navigation Protection Act* applies to all waterways that are listed on the Schedule as published in the Act. If multiple authorities have overlapping jurisdictions where the buoy is proposed to be located, then multiple authorizations may be required.

Navigation Protection Act and Schedule - <http://laws-lois.justice.gc.ca/eng/acts/N-22/>

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**Q8: How does Transport Canada enforce the requirements for mooring buoys?**

**A8:** Under both the *Navigation Protection Act* and the *Private Buoy Regulations*, unlawful works, including non-compliant buoys, may be subject to removal. Prior to conducting removals, Transport Canada will normally initiate public outreach, and engage with other agencies that have overlapping jurisdictions. Following this, notices of non-compliance may be placed on unlawful works, providing a period of time to rectify deficiencies. If the buoys remain unlawful after a specified date, they may be removed by Transport Canada.

Transport Canada is actively involved in several multi-agency collaborative initiatives to develop long-term solutions to areas known to be congested with mooring buoys or those that are not in compliance with the regulations. The Navigation Protection Program (NPP) will offer guidance and support to local community initiatives to alleviate problem areas, by providing input on developing public moorage facilities, or participating in the pre-development and consultative phases of community planning and by-law development.

For further guidance on the Navigation Protection Program, visit <https://www.tc.gc.ca/eng/programs-621.html>