

MOORING SYSTEMS

Definitions

13. (1) The following definitions apply in this section.

“length”

« *longueur* »

“length” means, in respect of a vessel, the distance between the fore and aft extremities of the vessel.

“mooring system”

« *système d’amarrage* »

“mooring system” means a system that is used to secure a vessel and that consists of an anchor that is set in or on the bed of a navigable water, a single anchor line, a single buoy and a mooring line to attach to a vessel.

“swing area”

« *aire d’évitage* »

“swing area” means the diameter of a circle created by the swinging of a vessel moored to a mooring system.

Class established

(2) Mooring systems are established as a class of works for the purposes of subsection 5.1(1) of the Act if

- (a) the swing area of the works is not
 - (i) within 20 m of a work, other than a pipeline or an aerial or submarine cable, that is not owned by the owner of the works,
 - (ii) within 20 m of the swing area of another work of the class established by this subsection, or
 - (iii) within 50 m of a marina, public launch-ramp or navigation channel;
- (b) the works are not associated with an existing or proposed marina;
- (c) the width of the navigable water is more than 100 m when measured from the ordinary high-water mark on one side of the water to the ordinary high-water mark on the other side; and
- (d) the buoy has the following characteristics:
 - (i) the name, address and telephone number of the owner of the works is displayed on it in a conspicuous location and in a legible manner,
 - (ii) the part of the buoy that shows above the surface of the water is at least 15.25 cm wide and at least 30.5 cm high,
 - (iii) the top third of the buoy is orange and the rest of it is white, and

- (iv) the buoy displays, on opposite sides, the capital letters “PRIV”, which are in black and are as large as is practicable for the size of the buoy.

Swing area

(3) For the purposes of subparagraphs (2)(a)(i) and (ii), the swing area of a vessel is considered to be the area set out in column 1 of the table to this subsection when the navigable water has the depth set out in column 2

- (a) at the higher high-water mean tidewater level, in the case of tidal waters; or
- (b) at the 10-year high-water level, in any other case.

TABLE

Item	Column 1	Column 2
	Swing Area	Depth of Navigable Water
1.	50 m	6 m or less
2.	70 m	More than 6 m but not more than 10 m
3.	80 m	More than 10 m but not more than 14 m
4.	100 m	More than 14 m

Buoys and anchors

(4) The owner of the works must

- (a) ensure that
 - (i) the buoy maintains the characteristics described in paragraph (2)(d) during the navigation season, and
 - (ii) the anchor remains in the position in which it was set in or on the bed of the navigable water; and
- (b) comply with any order made under section 5 of the *Private Buoy Regulations* in respect of the buoy.

Mooring of vessels and removal of works

(5) The owner of the works

- (a) must not moor, or permit the mooring of, a vessel that is more than 12 m in length to the works; and
- (b) must remove the works if
 - (i) any part of the works is removed, or
 - (ii) during any two-year period, no vessel has moored to the works.