



# VESSEL MOORAGE IN BC

## MYTHS & FACTS



*Vessel owners and operators are often mistaken about their rights relating to mooring their vessels at docks, buoys and at anchor.*

### MYTHS

Government docks (a.k.a. fisherman's wharfs) belong to the public and anyone can use them whenever they want.

A Harbour Authority cannot control what occurs on and around a government dock.

A Harbour Authority cannot prohibit a vessel from using a government dock.

A Harbour Authority cannot take steps against a vessel that refuses to comply with its management of the dock and water lot.

A vessel can be anchored or tied to a buoy for any period of time - it is a right to the freedom of navigation.

Only the Federal government can regulate where and when a vessel can anchor or use a buoy.

A local government cannot stop a person from anchoring or tying their vessel to a buoy.

A buoy that complies with the federal Private Buoy Regulations ("PBR") can be placed anywhere provided it doesn't interfere with navigation channels.

### FACTS

Government docks are the property of the Crown. The Crown (and a Harbour Authority) can control who, when, and for what they are used.

A Harbour Authority is authorized by the Crown to manage activities on government docks, and the adjacent parking and water lot.

Harbour Authorities have legal authority to restrict who can use a government dock, and parking and water lot, and for what purpose.

A Harbour Authority can involve local police when a trespass occurs, or can obtain a court injunction and an award for damages and legal costs.

The right to freedom of navigation provides a vessel can only be anchored or tied to a buoy for a reasonable purpose, and for a reasonable period of time.

Most local governments can enact bylaws to regulate anchoring and mooring up to 300 metres offshore.

A local government can restrict anchoring and the use of buoys as part of the management of adjacent upland areas.

Even buoys that comply with the PBR may not be placed within Harbour Authority water lots, where they are prohibited by local government bylaws, or where a license has not been issued by the Province.

