

## **Article XX: Rules and Regulations for Reservoir Pond**

### **REGULATIONS FOR USE OF RESERVOIR POND AND TOWN PROPERTY AT RESERVOIR POND**

#### **GENERAL REGULATIONS**

The following regulations shall apply to all use of Reservoir Pond and its waters and Town property at, near or adjacent to Reservoir Pond in addition to, and not in limitation of, all other applicable laws, regulations, codes, bylaws and legal requirements. These Regulations may be amended from time to time as the Board of Selectmen deems necessary.

SECTION 1. A person must wear proper bathing attire while swimming and safety attire when boating while using Reservoir Pond and Town property.

SECTION 2. Littering on any portion of Reservoir Pond and Town property at, near or adjacent to Reservoir Pond is prohibited.

SECTION 3. The Earl Newhouse Waterfront shall be open for swimming, fishing and boating activities only from dawn until dusk from April 1- November 15. No open fires are allowed at the Earl Newhouse Waterfront without a permit from the Fire Department.

Section 4. No person shall have in his or her possession or drink any intoxicating liquor, beverage, or substance, or participate in gambling or perform any indecent or obscene act on any portion of Reservoir Pond or Town property at, near or adjacent to Reservoir Pond. No smoking is allowed on any portion of Reservoir Pond or Town property at, near or adjacent to Reservoir Pond.

SECTION 5. No person shall dig up, cut, break, remove, damage, destroy, deface, or misuse any building, fence, structure, sign, bush, plant, turf, rock or any other vegetation or thing located at or on Reservoir Pond or Town property at, near or adjacent to Reservoir Pond.

SECTION 6. No person shall post, paint, place or affix any sign, notice or advertising device except with express prior written permission of the Conservation Commission, nor engage in any business, sell, offer or expose for sale or give away any goods, circulars or wares except with the written permission of the Board of Selectmen.

SECTION 7. No person shall use Reservoir Pond for the taking off and landing of aircraft, except in the case of emergency.

SECTION 8. All persons using Reservoir Pond and Town property thereat shall obey promptly the directions of the Conservation Commission and Commission staff members.

SECTION 9. These regulations shall be enforced by any state or municipal police officer empowered to enforce the state boating laws of Massachusetts. Each such officer shall

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have jurisdiction over all the waters of Reservoir Pond and its adjoining shores and may in performance of his or her duties cross over or through public or private property whether covered by water or not.

SECTION 10. PENALTIES: Whoever violates any of the provisions of these regulations shall be punished by a fine of \$50 for the first violation; \$100 for the second violation; and, \$300 for any violation thereafter.

### **BOATING REGULATIONS**

SECTION 1. Boat Speeds. No person shall operate any motorboat or personal watercraft on Reservoir Pond at a headway speed in excess of six (6) miles per hour within 150 feet of the shore. No person shall operate any motorboat or personal watercraft on Reservoir Pond in excess of twenty-five (25) miles per hour unless at least 150 feet from the shore. A person shall be permitted to operate a motorboat up to a maximum speed of forty (40) miles per hour when beyond 300 feet of shore. A person shall also be permitted to operate a personal watercraft on Reservoir Pond up to a maximum speed of forty (40) miles per hour when beyond 300 feet of shore.

SECTION 2. Restricted Areas. Restricted Area. No person shall operate any motorboat or personal watercraft within 150 feet of the shore of any designated public or private swimming beach on Reservoir Pond except in the case of an emergency or when within a the designated public launching area. All motorboat or personal watercraft operators shall keep a distance from other non-motorized watercraft or swimmers of 150 feet. All motorboat or personal watercraft operators shall keep a distance from other motorized or personal watercraft of 150 feet.

SECTION 3. Boat Speeds after Hours. SECTION 3. Boat Speeds After Hours. No motorboat or personal watercraft shall be operated at a speed greater than six (6) miles per hour from ½ hour after dusk and ½ hour before dawn except for personal watercraft which shall not be operated between sunset and sunrise in accordance with regulations set forth by the Executive Office of Energy and Environmental Affairs.

SECTION 4. Boat Launching. Except in case of an emergency, every person, other than the owner or tenant of frontage on Reservoir Pond or a guest of either one, shall launch or dock his or her boat at the public boat slip and from or on no other place. An owner or tenant of such frontage or a guest of either may launch and dock his boat from and on such frontage, subject to these regulations and all other applicable laws, regulations, codes, bylaws and legal requirements and subject to permission from the owner of the property prior to using such owner's property. Notwithstanding any provision in these regulations to the contrary, nothing in these regulations shall be deemed to be a grant by the Town to any person any right, title or license to use any private or public property or the waters of Reservoir Pond consistent with these regulations or otherwise. To prevent nuisance species, please clean all visible plant material from your boat, trailer, and any recreational equipment before you enter

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Reservoir Pond and then clean your equipment again when you leave if traveling between bodies of water.

SECTION 5. Cartop or Trailer Boat Launching. No boat exceeding 16-feet in length shall be launched in Reservoir Pond from the designated Boat Launch Area. Any boats using the Boat Launch Area:

(a) must be a cartop or small-trailer boat not exceeding 16 feet in length, such as a kayak, canoe, sailboat, or rowboat; and,

(b) may have electric trolling motors and internal combustion outboards not exceeding 10 horsepower (HP); and,

(c) if using a small trailer, a person must unload their boat in the designated unloading area without the trailer entering the water, and then park their car and trailer in the Armando Center parking lot.

SECTION 6. Waterskiing and tubing. Waterskiing and tubing as hereinafter may be permitted is subject to the provisions of M.G.L. c. 90B, § 8, and to the further restriction that there shall be no waterskiing or tubing within 150 feet of swimming areas, bathers, piers, docks, floats, moorings, other boats or of the shore. For the purpose of these regulations, "waterskiing and tubing" shall include but not be limited to the towing or manipulation of a surfboard, tube or other similar device behind a vessel. No towrope longer than 75 feet shall be used in waterskiing or tubing. All participants in waterskiing and tubing activities shall wear approved flotation devices at all times. Waterskiing and tubing shall be prohibited between dusk and dawn.

SECTION 7. PENALTIES: Whoever violates any of the provisions of these regulations shall be punished by a fine of \$50 for the first violation; \$100 for the second violation; and, \$300 for any violation thereafter.