

Chapter 75

BOATS AND OTHER RECREATIONAL VEHICLES

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[HISTORY: Art. I adopted by the Special Town Meeting 9-30-1974 by Art. 9 as Ch. IV, Secs. 14 through 23 and 29, of the 1975 Bylaws; Art. II adopted by the Special Town Meeting 3-7-1977 by Art. 8. Amendments noted where applicable.]

GENERAL REFERENCES

Fines — See Ch. 1, Art. III.
Littering — See Ch. 128.

Boats and boating — See Ch. 205.

ARTICLE I Boats and Boating

[Adopted STM 9-30-1974 by Art. 9 as Ch. IV, Secs. 14 through 23 and 29, of the 1975 Bylaws]

§ 75-1. Speed limits. [Amended STM 6-18-1991 by Art. 18]

- A. No person shall operate a power-propelled craft at the rate of speed in excess of 10 miles per hour (mph) on Saturday and Sunday prior to 10:00 a.m. Eastern daylight saving time (EDST).
- B. No person shall operate a power-propelled craft at the rate of speed in excess of 10 mph one-half (1/2) hour after sunset until one-half (1/2) hour after sunrise. [Amended STM 11-21-1991 by Art. 24]

§ 75-2. General regulations. [Amended STM 6-18-1991 by Art. 20; STM 11-21-1991 by Art. 23]

- A. All motorboats must be operated in such a manner and at such a distance to prevent their wash from being thrown into or causing excessive rocking to other vessels, rafts or floats.
- B. Water-skiers shall ski at a safe distance to prevent their wash from being thrown into or causing excessive rocking to other vessels, rafts or floats.
- C. Motorboats shall not be operated:
 - (1) Within 150 feet of shoreline which is being used as a swimming area, whether public or private; or
 - (2) Within 75 feet of the seaward boundary of a public bathing beach, if designated by markers, floats or otherwise.
- D. This article shall apply to motorboats, barges, water-skiers or other devices being towed by power, and the operator of the towing vessel shall be responsible for compliance therewith.
- E. Headway speed.
 - (1) A motorboat shall not be operated at more than headway speed:
 - (a) When the operator's vision is obscured under a bridge or by bends or curves or in any other manner.
 - (b) When the motorboat is operated within 150 feet of a marina, boat launching facility, raft or float.
 - (c) When the motorboat is operated within 300 feet of a public bathing beach unless operating in an area designated for waterskiing.
 - (d) When the motorboat is in a channel, unless a duly authorized local, state or federal marine enforcement agency has permitted otherwise and placed markers in the channel indicating the permitted speed.
 - (e) When the motorboat is operated within 150 feet of a swimmer.
 - (2) Headway speed is the slowest speed at which a motorboat may be operated and maintain steerage way, but not to exceed six miles per hour except in the case of jet ski watercraft, surf jet watercraft, wetbike watercraft and so-called personal watercraft which may need to operate at a speed in excess of five miles per hour to maintain steerage way.

§ 75-3. Speed limit near hazards or obstructions. [Amended STM 6-18-1991 by Art. 19]

No person shall operate a power-propelled craft at a rate of speed in excess of 10 mph within 200 feet of any underpass. No person shall operate a power-propelled craft at a rate of speed in excess of 10 mph within 200 feet of any sandbar, hazard or obstruction so designated and

visibly marked by the Harbormaster. All power-propelled craft which are operated within 200 feet of any such underpass, sandbar, hazard or obstruction shall be operated in a manner and at a reduced speed so as to produce little or no wake.

§ 75-4. Required equipment. [Amended STM 11-21-1991 by Art. 25]

All motorboats shall be equipped with life preservers and all other necessary safety equipment required by law and, if operated sunset to sunrise, shall carry and exhibit such lights when underway that are required by MGL c. 90B, § 5, as amended. Nonpowered vessels when underway from 1/2 hour after sunset to 1/2 hour before sunrise shall carry and exhibit a white light.

§ 75-5. Operation of boats by children. [Amended STM 11-21-1991 by Art. 26]

No child under 12 years of age shall operate a power-propelled craft at the rate of speed in excess of 10 mph unless accompanied by an individual 18 years of age or older. In addition, no motorboat shall be operated in violation of the age restrictions set forth in the Code of Massachusetts Regulations, 323 CMR 2.08, as amended.

§ 75-6. Littering prohibited.

No person operating any type of boat shall deposit or allow to be deposited by any passenger litter of any type in said water.

§ 75-7. Certain engine types prohibited on Congamond Lake. [Amended ATM 5-15-2012 by Art. 17]

Any power-propelled craft equipped with a high-powered automotive-type engine mounted in an exposed location shall be prohibited on Congamond Lake.

§ 75-8. Reckless operation of craft prohibited. [Amended ATM 5-15-2012 by Art. 17]

No person shall operate or drive any boat, canoe, kayak, sailboat, personal water craft, or any other vessel in any part of the Congamond Lakes recklessly or negligently so that the lives and safety of others might be endangered.

§ 75-9. Docks and rafts.

No bathing area, dock or raft shall exceed 150 feet from the shoreline and shall be clearly marked with visible buoys and rope. Docks and rafts shall be painted a light color.

§ 75-10. Marine growth on vessels and trailers. [Added STM 11-30-1999 by Art. 8¹]

No person shall in any way launch a vessel into the waters of Congamond Lakes, or at any time after such launch, transfer a vessel or trailer from any public, private or commercial launch area on Congamond Lakes, without first inspecting said vessel and trailer for visible marine growth, including macrophytes (weeds). Said visible marine growth shall be removed and disposed of in a manner so as to ensure that it is not released into the Congamond Lakes or any other water body.

§ 75-11. Right of way. [Amended STM 11-21-1991 by Art. 28; ATM 5-15-2012 by Art. 17]

Row boats, canoes, kayaks, sailboats, and all other non-motorized watercraft shall have the right of way at all times in any part of the Congamond Lakes.

ARTICLE II**Winter Recreation Vehicles****[Adopted STM 3-7-1977 by Art. 8]****§ 75-12. Operation and abandonment of vehicles on ice prohibited.**

No person shall operate or abandon a motor vehicle on the ice of Congamond Lake except for the purpose of plowing.

§ 75-13. Operation of winter recreational vehicles permitted at certain times. [Amended ATM 5-15-2001 by Art. 22]

Winter recreational vehicles and ice boats may be operated from December 1 to March 1, from sunrise to 11:00 p.m.

§ 75-14. Ice thickness.

No person shall operate a winter recreational vehicle or ice boat on the ice having a thickness of less than six inches.

§ 75-15. Permission to operate vehicles near residences required. [Amended STM 11-21-1991 by Art. 27; ATM 5-15-2001 by Art. 22]

No person shall operate winter recreational vehicles or snow vehicles, on Congamond Lake, within 150 feet of an occupied residence without the permission of the owner or tenant of such residence, except in cases of emergency or when directly departing from or returning to such residence.

1. Editor's Note: This article also redesignated former §§ 75-10 through 75-16 as §§ 75-11 through 75-17, respectively.

§ 75-16. Recovery and salvage operations.

No recovery or salvage operation shall be authorized except under the expressed approval of the Police Department and under its direction and control.

§ 75-17. Violations and penalties. [Added ATM 5-15-2012 by Art. 17²

Any person violating any rule or regulation as stated in this bylaw shall be punished by a fine of \$50 for each such offense.

§ 75-18. Enforcement. [Amended STM 11-21-1991 by Art. 28]

The provisions of this article shall be enforced by local police, Massachusetts Environmental Police and local officials appointed to enforce these regulations.

2. Editor's Note: This article also redesignated former § 75-17 as § 75-18.