

Article XX: DRAFT Rules and Regulations for Reservoir Pond

(NOTE: Italicized areas indicates estimate only; final wording to be determined by Board of Selectmen and Town of Canton.)

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

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.

SECTION 1. A person must wear proper bathing and safety attire when 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. Earl Newhouse Waterfront shall be open for boating activities only from ***7 A.M. to 6 P.M.*** from ***April 1- November 15.***

Section 4. No person shall have in his or her possession or drink any intoxicating liquor or beverage, 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.

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 Recreation Director, 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 Recreation Department 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 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.

Article XX: DRAFT Rules and Regulations for Reservoir Pond

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 on Reservoir Pond at a speed in excess of fifteen (15) miles per hour at any time except that a maximum speed of twenty-five (25) miles per hour may be permitted for waterskiing and tubing for allowed activities conducted pursuant to Section 6 below, provided that when within 150 feet of bathers, piers, docks, floats, moorings, other boats or of the shore the speed shall not exceed six (6) miles per hour.

SECTION 2. Restricted Areas. No person shall operate any motor boat within 150 feet of the shore or any beach on Reservoir Pond except in case of an emergency or when within the designated public launching area.

SECTION 3. Boat Speeds after Hours. No motor boat shall be operated at a speed greater **than 10 MPH after 7 P.M.** or one-half hour after sunset, whichever is earlier, or before **9 A.M.**

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.

SECTION 5. Cartop Boat Launching. No non-trailer boat exceeding **16-feet** in length shall be launched in Reservoir Pond from the designated Cartop Boat Launch Area. Any boats using the Cartop Boat Launch Area (a) must be a cartop boat not exceeding 16 feet in length, (b) must be transported to the boat launch area by a car with a valid Waterfront Pass issued by **the Recreation Department**, and (c) may have electric trolling motors and internal combustion outboards not exceeding **10 horsepower (HP)**.

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 bathers, piers, docks, floats, moorings, other boats or of the shore. Additionally there shall be no water skiing or tubing within 300 feet of a shoreline being used as a swimming area whether public or private. 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

Article XX: DRAFT Rules and Regulations for Reservoir Pond

approved flotation devices at all times. Waterskiing and tubing shall be prohibited between sunset and sunrise.

SECTION 7. Prohibited Watercraft. The operation of jet-skis, surf jets, and wet bikes, or any other personal watercraft, is prohibited at all times. As used in this bylaw, “personal watercraft” shall mean a vessel propelled by a water jet pump or other machinery as its primary source of motor propulsion, which is designed to be operated in the conventional manner by a person sitting or standing inside the vessel.

SECTION 8. **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.**

DWLIBDB\292697.v2-8801/16