

## **BOATS AND WATERWAYS**

### **Definitions.**

As used in the chapter, the following terms shall have the meanings indicated:

**EXOTIC, INVASIVE PLANTS AND ANIMALS** – non-native species that have spread into native or minimally managed plant systems in Massachusetts, causing economic or environmental harm by developing self-sustaining populations and becoming dominant and/or disruptive to those systems.

**HEADWAY SPEED** – The slowest speed at which a watercraft may be operated and maintain steerage way, but not to exceed six (6) miles per hour.

**PERSONAL WATERCRAFT (PWC)** – A small vessel which uses an inboard motor powering a water jet pump as its primary source of motive power and which is designed to be operated by persons sitting, standing or kneeling on the vessel. The term includes but is not limited to a jet ski, wet bike, or surf jet so-called, plus motorized or propelled surfboards.

**POWERBOATS** – Any boat powered by an internal combustion engine permanently or temporarily affixed to said boat.

**WATERCRAFT** – Any vessel or object used to navigate the waterways. The term includes but is not limited to a motorboat, row boat, jet boat, sail boat, dinghy, canoe, kayak, inflatable boat or personal watercraft.

**WATERWAYS** – Any body of water upon which watercraft can be used.

### **Regulations Pertaining to Norton's Lakes and Ponds**

#### **A. General:**

1. No person, while on any inland waters, or on shores thereof, shall annoy or cause annoyance to another person, or utter any profane, threatening or abusive language or loud outcries, or do any obscene or indecent act.
2. No person shall operate any boat or PWC under the influence of alcohol, marijuana, or any mind-altering substances pursuant to MGL. 90 b section 8.
3. No person shall throw, drop or otherwise leave in place in the water, vegetation or on the shore of any of the inland water any paper, rubbish, glass, fishing line, fishing lures, oil, oily waste, gasoline, raw sewage, toxic matter, garbage, rubbish, refuse or any other debris. No person shall discharge swimming pool water into any waterbody, waterway or wetland.
4. Vegetation shall not be altered or removed from any inland water or from along any shore without a valid Order of Conditions from the Conservation Commission. Removal of any vegetation shall be a violation of the Wetland Protection Act (MGL Chapter 131, section 40) and shall be punishable by a fine in accordance with the Regulations (310CMR10.00).
5. All power boats and personal watercraft shall be inspected by the operator both before entering any inland waterbody and immediately upon exiting any inland waterbody, for any exotic, invasive plants pursuant to the Massachusetts Invasive Plant Advisory Group

(MIPAG). All plants shall be removed and properly disposed as solid waste and shall not be spread to any other Water of the Commonwealth.

6. All power boats operated on any inland waters shall be registered with the Environmental Police Department pursuant to MGL 90 b section 2 and shall bear a number on both sides of not less than four inches in height and one half inch in width, assigned by such department, in a form clearly visible from a distance of not less than 100 yards.
7. No power-propelled boat or PWC shall be operated at a speed creating an excessive wash or wake so as to interfere with the operation of other watercraft, to endanger swimmers, damage property or alter the bank of the pond or wetland vegetation as defined in Massachusetts Wetland Protection Act MGL Chapter 131, Section 40 and its Regulations 310 CMR 10.00.
8. All boating or water-skiing accidents involving personal injury or \$500 property damage must be reported to the Norton Police Department within twenty-four (24) hours of the occurrence.
9. No person shall feed any wild animal including birds, ducks, geese, or similar water fowl in any waterbody or waterway or within its adjoining shores.

**B. Speed restrictions.**

The maximum speed limit for all watercraft in Winnecunnet Pond and Norton Reservoir is 35 miles per hour (MPH) and 15 MPH for Barrowsville Pond and Chartley Pond except as approved by the Board of Selectmen for safety or rescue purposes.

**C. Distance restrictions; reduction of speed.**

All watercraft must reduce speed to headway speed (6 MPH) when operating within 150 feet of:

1. The shore, watercraft not underway (for example moored or anchored vessels), and private docking areas; and
2. A public boat launch and a public or private swim area.

**D. Nighttime operation.**

No watercraft shall operate at a speed greater than headway speed (6 MPH) from the hours of dusk to dawn. For the purpose of enforcement, “dusk to dawn” shall mean ½ hour after sunset and ½ hour before sunrise.

1. All watercraft operated from dusk to dawn must be equipped with a light for emergency use.
2. Towing from any watercraft from dusk to dawn operation is prohibited.

**E. PWC operation.**

1. PWC operation shall be allowed from 9am to 4pm only. PWC shall not be operated in less than 30 inches of water; and
2. PWC are not permitted on waterbodies less than 75 acres (Barrowsville Pond and Chartley Pond).

#### **F. Waterskiing.**

1. Any power-propelled boat towing a person or persons on water-skis shall be occupied by two persons, one of whom shall give full attention to the operation of the boat, and the other shall give full attention to the safety of the person or persons being towed.
2. The maximum length of a ski-rope shall not exceed seventy-five (75) feet.

#### **G. Seaplanes.**

The operation of seaplanes is prohibited.

#### **H. Motorized vehicles and frozen conditions.**

No road vehicles, including but not limited to automobiles, trucks, all terrain vehicles (ATVs), or motorcycles shall be allowed onto the waterbody when the lake is frozen, except for emergency purposes only, or by permit of the Selectmen.

1. Snowmobiles may be allowed on frozen waterbodies and shall adhere to Sections B of this bylaw;
2. All structures including ice fishing houses built on or moved onto the ice over waterbodies in the Town of Norton are subject to the following:
  - a. Structures must identify and display the owners name and address with at least two inch block letters;
  - b. The Town reserves the right to establish a permit fee of \$20.00 per year per structure;
  - c. Structures must be removed prior to ice out, no later than February 15<sup>th</sup> of each year; and
  - d. If the structure is not removed the owner will forfeit the privilege for future permits and be subject up to a \$500.00 fine.

#### **I. Distance restrictions for rafts, floats, moorings.**

No raft, float, mooring or similar device shall be attached to the bottom by anchor or other means at a distance of more than 150 feet from the shore line without a special permit issued by the Police Chief. Anchors are not permitted in Winnecunnet Pond.

#### **J. Docks.**

1. Any person installing or placing a dock in the Town of Norton shall apply for a wetland permit and construct said dock in compliance with "*Small Docks and Piers: A Guide to Permitting Small, Pile-Supported Docks and Piers, DEP, November 2003*". At a minimum, all deck construction shall consist of material that allows a minimum of 60% light penetration or decking planks spaced a minimum of ¾ inch apart. Motorized vessels shall be moored stern seaward at the end of the dock to prevent "propeller dredging" or "propeller wash". The dock shall be anchored to the shore to prevent it from being dislodged by wind or wave action. The dock shall contain a name plate with the owner's name and phone number in case the dock is dislodged and washed away from its anchor. The owner is responsible for recovering the dock if it is dislodged.
2. All docks must be maintained in a safe structural condition. The Building Inspector may order the repair or removal of any dock or part thereof deemed hazardous by a

commissioner or police officer authorized by the commission. The Commission may order the repair or removal of said dock. If a dock is deemed a hazard, the owner shall be given 30 days to either repair or remove said dock. The failure of the owner to repair or remove said dock may result in an order by the Building Inspector to remove said dock at the expense of the owner in addition to fines and court fees.

**K. Commercial operation.** No person shall conduct a powerboat rental agency, carrying of passengers for hire, or any other type of commercial business on the waters of the Town of Norton except as prescribed by and specified in an annual license issued by the Norton Conservation Commission. Commercial operations may be subject to an annual fee.

**L. Permits and fees.**

The Board of Selectmen shall establish a fee schedule and issue parking and lease agreements for the use of the Town's land.

**M. Public safety and good order.**

If, in the judgment of the Town, the safety of life and/or property or over use of an area creates a danger, hazard or disturbance of the peace, immediate action may be taken to remedy the situation. Such action may include but not be limited to removing a navigational hazard and removing or redirecting watercraft to another area or off the water.

**N. Enforcement; violations and penalties.**

1. Unless otherwise specified, the provisions of this chapter as well as Chapter 90B of the Massachusetts General Laws shall be enforced by the Police Department.
2. Whoever violates any of the provisions of this chapter may receive a fine of \$150 for each offense or be required to make restitution for damage. Violations of this chapter may be enforced by noncriminal disposition pursuant to MGL c. 40, § 21D.

**O. Effective date.**

This by-law shall take effect in the manner provided in section thirty-two of chapter forty.

**P. Severability.**

If any provision of this by-law is held to be invalid such invalidity shall not affect any other provision of this by-law.