

Chapter 62

BOATS AND WATERWAYS

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[HISTORY: Adopted 5-11-1998 ATM, Art. 49.¹ Amendments noted where applicable.]

§ 62-1. Definitions.

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

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

PERSONAL WATERCRAFT – 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.

SEAPLANE – Any aircraft adapted to land on water.

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.

§ 62-2. Regulations pertaining to Monponsett Lakes

- A. Speed restrictions. The maximum speed limit for all watercraft is 35 miles per hour unless posed otherwise.

¹ Editor's Note: This article superseded former C. 62, Boats and Waterways, adopted 6-23-1997 STM, Art. 14.

- B. Distance restrictions; reduction of speed. All watercraft must reduce speed to headway speed when operating:
 - (1) Within 15 feet of:
 - (a) Shore.
 - (b) Watercraft not underway (for example moored or anchored vessels).
 - (c) Private docking or mooring areas.
 - (2) Within 300 feet of:
 - (a) Public boat launch.
 - (b) Public or private swim area.
- C. Nighttime operation. No watercraft shall operate at a speed greater than headway speed 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.
- D. Personal watercraft operation. No personal watercraft operation shall be allowed between the hours of dusk and 10:00 a.m.
- E. Seaplanes. No watercraft shall intentionally hinder, interfere with or obstruct an aircraft (seaplane) which is in the process of taxiing, landing or taking off.
- F. Motorcycles. The operation of motorcycles on the ice is prohibited.
- G. 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.

§ 62-3. Enforcement; violations and penalties.

- A. Unless otherwise specified, the provisions of this chapter as well as Chapter 90B of the Massachusetts General Laws shall be enforced by the Chief of Police and officers assigned by him to patrol the waters of the Town of Halifax.
- B. Whoever violates any of the provisions of this chapter may receive a fine of \$50 for each offense. Violations of this chapter may be enforced by noncriminal disposition pursuant to MGL c. 40, § 21D.

§ 62-4. Promulgation of regulations.

- A. The Police Chief may promulgate regulations to implement the provisions of this chapter. These regulations are subject to approval of the Board of Selectmen.
- B. The Police Chief shall see that these regulations are posted at public landings on waterways within the town. Further signs and markers shall be placed at strategic locations throughout the waterways.

§ 62-5. Permits and fees.

- A. The Police Chief shall issue permits for the placement of moorings for watercraft, rafts and floats held by anchors or bottom moorings at any locations within the territorial jurisdiction of the town.
- B. The Police Chief shall issue parking permits for the use of the facilities.
- C. The Police Chief shall issue special permits for “events” as described in the Code of Massachusetts Regulations, 323 CMR 2.09 (Permits). Such permits are subject to the approval of the Director of the Division of Law Enforcement, 100 Cambridge Street, Boston, MA 02202 and the Board of Selectmen.
- D. The Board of Selectmen shall establish a fee schedule for parking permits. The established fees are subject to the approval of the state Public Access Board.

§ 62-6. Public safety and good order.

Whenever, in the judgment of the Police Chief or a Police Officer assigned to lake patrol, 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.