

Chapter 76

LAKE SAFETY

§ 76-1. Purpose.

§ 76-4. Enforcement.

§ 76-2. Prohibitions.

§ 76-5. Severability.

§ 76-3. Penalty.

[HISTORY: Adopted by the Special Town Meeting 2-17-2004 by Art. 4. Amendments noted where applicable.]

GENERAL REFERENCES

Boats and other recreational vehicles — See Ch. 75.

Boats and boating — See Ch. 205.

§ 76-1. Purpose.

The purpose of this Chapter 76 is to promote safety and general welfare on the waters of the Congamond Lakes and associated Commonwealth of Massachusetts facilities.

§ 76-2. Prohibitions.

The following are prohibited on the waters of the Congamond Lakes and associated Commonwealth of Massachusetts facilities:

- A. Diving or swimming from the boarding docks or fishing pier at the state boat ramps, or extending 100 feet into the lake within the limits of the riparian ownership of the state boat ramp properties.
- B. Diving, swimming or anchoring within any marked boating navigation channel.
- C. Diving, swimming or fishing from the culverts (bridges) interconnecting the lakes, or within 50 feet of said structures.
- D. Fishing from the boarding docks at the state boat ramps, or fishing within 50 feet of said structures or the launch ramps.
- E. Attaching a boat to the fishing pier at the state boat ramp.
- F. With the exception of official Town or State watercraft, leaving a boat at or attached to the outboard side of the boarding docks at the state boat ramp for more than 10 minutes, or the inboard side of the boarding docks for any duration.
- G. Loitering on the docks or fishing pier, or within, the state boat ramp facility.
- H. The use of bubblers or other devices to prevent or reduce ice formation on the Congamond Lakes, except for fully licensed boat marinas with a valid Massachusetts DEP Chapter 91 License and Southwick Conservation Commission approval. The

continued use of said devices is subject to periodic review and approval for safety and environmental issues by the Southwick Harbormaster, Conservation Commission and Lake Management Committee.

All said licenses in existence at the time of the enactment of this chapter issued pursuant to MGL c. 91 et seq. shall be exempt from this prohibition, except that all said licenses shall be subject to periodic review and approval for safety and environmental issues in accordance with Subsection H.

- I. The towing of anything or anyone through the culverts interconnecting the lakes or through marked boating navigation channels, except for the towing of disabled boats or special events approved by the Harbormaster. **[Added STM 3-2-2010 by Art. 8]**
- J. Making an opening in the ice of Lake Congamond exceeding 10 inches in diameter, except in case of emergency or with the written permission of the Harbormaster. **[Added ATM 5-15-2012 by Art. 19]**
- K. Burning anything directly on the ice. Burning anything on the shore within 20 feet of the waterfront except by written authorization from the Fire Chief. Small fires are permitted in fire pits on the shore or in containers (i.e., cooking grills) on the ice, but all debris must be removed from the ice prior to leaving the area. **[Added ATM 5-15-2012 by Art. 19]**
- L. Abandoning a boat, canoe or other vessel, or leaving the same unfixd, or allowing boats, docks, floats and/or barrels or portions thereof to go adrift upon the water of Lake Congamond. **[Added ATM 5-15-2012 by Art. 19]**
- M. Operating motorized boats or vessels of any nature exceeding 26 feet in length (Class 1 Vessels) on Lake Congamond. This rule does not apply to Crew (Shell) Boats or Pontoon Boats. **[Added ATM 5-15-2012 by Art. 19]**

§ 76-3. Penalty.

The penalty for a violation of any prohibition of § 76-2 will be in accordance with § 1-9, "Use of civil infraction procedure for certain violations, of the Code of the Town of Southwick.

§ 76-4. Enforcement.

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

§ 76-5. Severability.

These rules and regulations are adopted with the intent that each of them shall have force and effect separately and independently of each other, except insofar as by express reference or

necessary implication any rule or part of any rule is made dependent upon another rule or part thereof.