

From: Lake Boon Commission

Date: Oct 23, 2018

### Background:

It is the responsibility of the Lake Boon Commission (LBC) to establish “reasonable rules and regulations for the protection and policing of the waters of Lake Boone”, and “from time to time alter, add to or repeal” those rules and regulations in accordance with applicable state laws.

The current Lake Boon By-Laws contain certain rules with regard to the operation of motorized boats which no longer meet the minimum criteria as defined by state law (Massachusetts General Law - Chapter 90B; and 323 CMR 2.00 -The Use of Vessels), and as such need to be either amended or removed. In addition, the LBC is adding minor clarifications and adjustments to other rules to reflect more current circumstances.

### Summary of Changes:

The majority of the existing rules required no changes, and in fact remain intact with the original ‘quant’ terminology of a 1960’s lake community. However, the following changes are being proposed by the LBC, for approval at both Hudson and Stow Spring Town Meetings:

#### *Introduction:*

- Removed a reference to Chapter “713” as that was an incorrect reference.

#### *General Rules:*

- Rule NO. 4 – Adjusted to reflect a more generic reference to “approval of the appropriate agencies”
- Rule No. 5 – Amended the regulation to require LBC permission for “any device that prevents ice from forming around boat docks, piers, boat lifts or similar structures”
- Rule NO. 7 – Expanded the prohibition of boat rentals to include persons under the influence of marijuana
- Rule NO. 10 – Adjusted the requirement to reflect that “all Lake Boon waterfront property owners must have their street address prominently marked in a manner that is visible from the lake year-round”. This replaces the previous requirement to have docks labeled with the owner’s name.
- Rule NO. 12 – Increased the fine for rule violations from fifty (50) dollars to one hundred (100) dollars

#### *Boating Regulations:*

- Added an introductory paragraph that serves to remind boaters that it is their responsibility to know and follow state boating laws and regulations, in addition to the specific more restrictive rules of Lake Boon
- Rule 1. (addressing speed & distances)
  - Eliminated the original Rule 1 which addressed a number of rules now superseded by state law
  - (A) – Added a reference to boater operators having responsibility for property damage caused by their operation
  - (D) – Added clarification of the holiday quiet hours to be applicable to Massachusetts State holidays, to eliminate confusion around actual days/dates of observance
- Rule 2. (addressing Equipment) – This was eliminated because it is covered by state law
- Rule 2. (addressing speed, water skiing & towing)
  - (A) – Simplified the wording to address just the prohibition in the narrows and the third and fourth basins. The rest of the previous rule is already covered by other rules and was redundant.
  - Boating distance rule – Has been removed entirely as MA state laws now govern distances

## Memo of Explanation: PROPOSED LAKE BOON BY-LAWS/RULES CHANGES

- Observer rule - Has been removed entirely as MA State laws cover this
  - (B) – Added clarification that only one tow line is permitted from a boat
  - (C) – Called out the tow line restriction of 75 feet which was previously referenced in Rule 1
- Old Rule 3. (previously addressing boater operation) – Has been removed as MA state law governs this area
- Old Rule 4. (previously defining the fine for violation) – Has been removed as violations of any state laws are also defined by the state, and violations of unique Lake Boon rules are defined in Rule NO 12.
- Rule 3. Boats: (addressing houseboats and air boats)
  - Old Rule 5 A. is now Rule 3 (A)
  - Old Rule 5 B. is now and Rule 3 (B) and has been amended to remove reference to horsepower