

70-16-7



City of Methuen, Massachusetts

OFFICE OF THE CITY COUNCIL

The Searles Building • 41 Pleasant Street
Methuen, Massachusetts 01844
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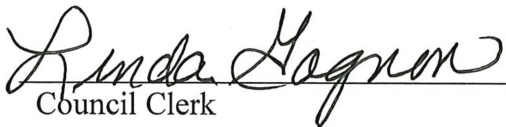
EMERGENCY PREAMBLE:

WHEREAS: It is in the public interest and to the furtherance of the public welfare of the citizens of the City Methuen that the attached ordinance be passed forthwith;

BE IT ORDERED: That Order #907 and is hereby declared an Emergency Measure, as provided in Article 2, Section 2-9(b) of the Methuen Home Rule Charter

First Read: May 16, 2016
Adopted: May 16, 2016 (as an emergency)
Effective: Immediately

I do hereby certify that at a meeting of which a quorum was present, the foregoing emergency preamble was adopted by a unanimous vote on May 16, 2016.



Council Clerk

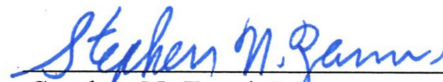


Sean J. Fountain, Council Chairman

Approved under MHRC Sec. 3-6

Date: 5-31-16

Approved:



Stephen N. Zanni, Mayor



City of Methuen, Massachusetts

OFFICE OF THE MAYOR

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Stephen N. Zanni
Mayor

ORDER #907

Section 18 – 21 - Use of Riverside Drive Boat Ramp and adjoining Area

Location and intent of use:

This facility is located at 1110 Riverside Drive, Methuen, Ma. 01844, Parcel ID 418-162-19A, Book and page number 7365-347.

The use of this facility is limited to the launching and retrieval of watercraft and fishing in areas that are no prohibited by this ordinance or 320 CMR 2.03.

- 2.1: Definitions
- 2.2: Prohibitions
- 2.3: Penalties
- 2.4: Hours of Operation

2.1: Definitions

Unless the context otherwise requires, the following words shall have the following meanings:

Amphibious Vehicle means any motored vehicle that is designed to operate both on land and in the water including but not limited to those vehicles commonly referred to as DUCK boats, LARCs, Stalwarts, hybrids and United States Coast Guard Certified Amphibians.

Intended Use of a Public Access Facility means the launching and retrieval of any trailered or cartop watercraft and parking of the vehicle used to launch and retrieve watercraft in a properly marked parking area.

Intended Use of a Shore Fishing Area means recreational fishing.

Intended Use of a Sport Fishing Pier means recreational fishing.

Public Access Facility, or Facility, means, in this bylaw, the Riverside Drive Boat Ramp, the associated parking area and adjacent land owned by the City, the adjacent waterway, and sport fishing piers and shore fishing areas, as designated by the City.

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Watercraft means a vessel of any kind, except seaplanes and amphibious vehicles, which is used or capable of being used as a means of transportation.

2.2: Prohibitions

Unless otherwise authorized by special or general permit issued pursuant to 320 CMR 2.03 or by the Chief of Police, it is unlawful for any person to conduct the following uses or activities within the Public Access Facility:

- i. camp, swim, sleep overnight, picnic, grilling, open flames, loiter, gamble or drink alcoholic beverages;
- ii. litter, vandalize property, have a fire, post a sign or notice or have unleashed pets;
- iii. ride bicycles, motorcycles, snowmobiles, all terrain or other vehicles within a public access area except as required for the intended use of the Facility;
- iv. use the Facility for any purpose other than its intended use;
- v. use any parking area for a purpose other than the parking of vehicles used to launch and retrieve watercraft in conjunction with the intended use of the Facility;
- vi. park a motor vehicle and or trailer in a manner inconsistent with the striping pattern, signage or other means used to delineate the proper places to park;
- vii. exceed any posted speed limit, or violate any traffic pattern or traffic control measure;
- viii. conduct any business, commercial or trade activity that is inconsistent with the intended use of the Facility;
- ix. sell or otherwise deal in wares of any sort or advertise any business, commercial activity or trade;
- x. conduct any rental transactions, or park or engage in any activity related to rental transactions;
- xi. conduct or participate in any tournament, contest or organized sporting, fishing or boating event, without a designated permit issued by the Chief of Police or designee;

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- xii. wash motor vehicles, boats or any other personal property or equipment, or flush motors or other equipment;
- xiii. fish within a 50-foot radius of any boat launching ramp or associated pier or float system;
- xiv. store any watercraft, trailers, equipment or other personal items, beach, dock or tie up any watercraft for more than 10 minutes, or use docks, piers or floats by watercraft not launching or retrieving;
- xv. operate watercraft at other than headway speed or waterski within 300 feet of boat launching ramp or associated pier or float system;
- xvi. operate personal watercraft except for the initial launch and retrieval;
- xvii. close, gate or obstruct the entrance or take any action or conduct any activity that prevents or impedes access to, or the intended use of the Facility;
- xviii. load or unload powered watercraft onto or off of boat trailers by means of propulsion systems in violation of posted measures-that prohibit such activities at the Facility;
- xix. falsify any information on an application for a special or general permit;

2.3 Penalties

Any motor vehicle, trailer, watercraft or other article of personal property abandoned or left for more than 12 hours at the Facility, or parked in a manner in violation of this ordinance, may be towed or removed at the owner's expense.

Any person violating this ordinance may be fined according to the provisions of Chapter 18, Section 18-14 of the Methuen Municipal Code, or issued a notice of violation in accordance with the provisions of Chapter 17 of the Methuen Municipal Code. For purposes of Chapter 17, the Building Inspector, staff of the Parks Department, and any police officer shall be an enforcing person.

2.4: Hours of Operation

- i. The hours of operation for the Facility shall be from 5:00 am to 9:00 pm.
- ii. The Facility shall be closed for the season from November 1st to April 1st annually.

Order #907

First Read: May 16, 2016
Adopted: May 16, 2016
Effective: Immediately

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Council Clerk

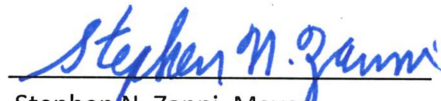


Sean J. Fountain, Council Chair

Approved under MHRC Sec. 3-6

Date: 5-31-16

Approved:



Stephen N. Zanni, Mayor