

CHAPTER 712, ACTS OF 1941

AN ACT CREATING AN UNPAID SPECIAL COMMISSION TO REGULATE THE USE OF THE WATERS OF LAKE BOONE, TO BE KNOWN AS THE LAKE BOONE COMMISSION AND DEFINING ITS POWERS AND DUTIES.

Be it enacted, etc., as follows:

SECTION 1. There is hereby created a commission, which shall be known as the Lake Boone Commission, consisting of three persons, two of whom shall be appointed by the selectmen of the town of Stow, and one by the selectmen of the town of Hudson. Said commission shall elect from its membership a chairman and a clerk and shall meet quarterly or oftener at the call of the chairman. In the making of initial appointment hereunder, one of the appointees of the selectmen of the town of Stow shall be appointed for the term of one year, the other appointee of the selectmen of the town of Stow shall be appointed for the term of two years, and the appointee of the selectmen of the town of Hudson shall be appointed for the term of three years. Upon the expiration of the term of any member, his successor shall be appointed, in like manner as in the case of the original appointment, for the term of three years. Vacancies in said commission caused otherwise than by expiration of term of service shall be filled for the balance of the unexpired term in like manner as in the case of original appointments. The commission shall serve without compensation.

SECTION 2. The said commissioners may, after notice and a public hearing held at a suitable time and place, establish reasonable rules and regulations for the protection and policing of the waters of Lake Boone within the towns of Stow and Hudson, and for permitting and regulating the use of motor boats, other boats and canoes therein, and for regulating the conduct of persons upon, or bathing in, the waters of said lake; and said commissioners may, after notice and a public hearing as aforesaid, from time to time alter, add to or repeal the rules and regulations made hereunder. Nothing in this section shall be construed to authorize said commissioners to make any rule or regulation affecting the flow of water of said lake.

SECTION 3. Said commission may make rules and regulations relative to the conduct of the business of renting boats and canoes of any description to be used upon the waters of said lake, and relative to the maintenance and use of bathing houses adjacent thereto.

SECTION 4. No person shall engage in the business of renting boats or canoes to be used upon the waters of said lake until he shall obtain from the selectmen of the town in which the business is to be conducted, a permit so to do, which permit shall be for such time, in such form and subject to such restrictions as may from time to time be determined by said commission.

SECTION 5. Said commission shall cause the rules and regulations made by it to be published three times in one or more newspapers published in the town of Hudson, which publication shall be sufficient notice to all persons. The sworn certificate of any member of such commission or of its clerk that

said rules and regulations have been made and published shall be prima facie evidence thereof. A copy of the rules and regulations attested by any member of the commission, or by its clerk, shall be prima facie evidence that the said rules and regulations were made by the commission as provided in this act.

SECTION 6. No person shall operate a motor boat or boat propelled by other than muscular power upon the waters of said lake unless the owner or person in possession of the boat shall have obtained from the selectmen of the town of Stow, if he resides therein, otherwise from the selectmen of the town of Hudson, a permit to allow said boat to be operated. Such permit shall be in force for one year, and shall be in such form and subject to such conditions and restrictions as may from time to time be prescribed by said commission. The permit shall be at all times in an easily accessible place in the boat when the same is being operated.

SECTION 7. Any officer qualified to serve criminal process in the town of Stow or in the town of Hudson may patrol any part of the waters of said lake, and shall have authority to arrest any person for violating any law of the commonwealth in, on or adjacent to the waters of said lake, or any rule or regulation established under the authority of this act, and may serve warrants and make arrests therefor on the waters of said lake or in any part of the town of Hudson or the town of Stow.

SECTION 8. Nothing herein contained shall prevent the enforcement of any by-law of the town of Stow or of the town of Hudson upon any part of said waters lying within the limits of the said respective towns.

SECTION 9. Any person who violates any rule or regulation or order of said commission or any provision of this act shall be punished by a fine of not more than fifty dollars.

SECTION 10. All expense incurred by said commission for printing and advertising shall be borne equally by the towns of Stow and Hudson.

SECTION 11. This act shall take effect upon its passage.

Approved October 30, 1941.