

## Pembroke Public Beach Rules and Regulations

See Town Bylaws, Article XXIV Rules 1-24 and Article XX Sections 14 and 14A

The following is not allowed on any Pembroke public beach:

### **There is no:**

1. Littering of any kind of refuse whatsoever
2. Pets of any breed or species
3. Alcohol of any kind
4. Glass containers
5. Smoking of any kind
6. Any open flame, including but not limited to firearms, firecrackers, torpedoes, lighted matches, lit cigars, cigarettes or any other burning substance
7. Fishing, feeding of waterfowl, trapping or snaring of wild animals or birds
8. Inner tubes, rafts, water wings or any other type of flotation device that is not Pembroke Lifeguard approved

All children under 14 must be accompanied by an adult

When there is no lifeguard on duty, you are welcome to use the town beach properties at your own risk

**ARTICLE XXIV - Rules and Regulations Governing the Use of the Lakes,  
Ponds and Landings in the Town of Pembroke**

**RULE 1.**

No person shall enter or leave the ponds or lakes in Pembroke in which bathing is permitted except at beaches where the Town owns the land, or at such other places as the Board of Selectmen may specially designate, except abutters, their guests and servants on their own respective beaches.

No person shall operate or park an automobile or any other vehicle upon any portion of the land owned by the Town except by permits issued by order of the Board of Selectmen and only upon such ways, places or lots as may be set aside and designated for such purposes.

**RULE 2.       (Please note: this section is outdated. No stickers are required)**

Permits, tickets or tags for the use of parking facilities or the use of the lake shore owned by the Town, or any portion of the premises owned or controlled by the Town, shall be issued to applicants who are inhabitants of Pembroke by the Board of Selectmen. Such permits shall be valid for the summer of that year. Not more than one (1) permit, ticket or tag shall be issued for each car, and shall not be transferred.

**RULE 3.**

No person shall throw, drop, place or deposit in the water or on any beach or premises owned or controlled by the Town any waste papers, glass, rubbish, refuse or garbage except in receptacles provided therefor.

**RULE 4.**

No person shall bathe or swim in any portion of the waters of the lakes and ponds from any Town beach unless clad in proper bathing attire and no person shall bathe or swim after 10:00 P.M.

**RULE 5.**

Fishing in the lakes and ponds of Pembroke is subject to the existing rules and regulations of the Commonwealth of Massachusetts pertaining to fishing, and rules and regulations of any body of water used for domestic water supply.

**RULE 6.**

Row boats, canoes and sailing boats will have the right of way at all times except when a motorboat is being overtaken by a sailing boat.

**RULE 7.**

No person shall picnic, or spread food upon the ground for the purpose of serving upon the beach owned by the Town or any portion thereof, except on grounds set aside for such purpose by the Board of Selectmen.

**RULE 8.**

No person shall dress or undress within the area covered by the land owned or controlled by the Town except in a building suitable for the purpose and approved by the Board of Selectmen.

**RULE 9.**

No person shall use the waters adjacent to any Town beach for washing of clothes, cars or animals or washing of their person with soap.

**RULE 10.**

No person shall drive any vehicles, except to launch a boat, drive or ride any animal, or bring any dog upon any part of the beach owned or controlled by the Town.

**RULE 11.**

No person shall, in or around the land owned or controlled by the Town, outcry or solicit any subscription or contribution or have possession or drink any intoxicating liquor, or play any game of chance or have possession of any instrument of gambling or do any obscene or indecent act.

**RULE 12.**

No person shall dig up, cut, break, remove, deface, defile, or ill use any building, structure, fence, sign, bush, plants, turf, rock, or any other thing located on the area owned or controlled by the Town.

**RULE 13.**

No person shall throw any stone or any other missile or have possession of or discharge any destructive weapon, firearm, firecracker, torpedo, or firework or make a fire or throw or place a lighted match, cigar, cigarette, or other burning substance, engage in business, sell, or expose for sale, or give away any goods, wares, or circulars, or set a trap or snare or injure or have possession of any wild animal or birds or injure or destroy any bird's nest or eggs or drop or place and suffer to remain any piece of paper or other refuse on any beach or land owned or controlled by the Town, except in receptacles designated therefor.

**RULE 14.**

No person shall have in their possession tubes, rafts, water wings, and other floating artificial support devices on any part of the beach owned or controlled by the Town.

**RULE 15.** (Deleted by Art. 12 Oct. 19 2010 STM)

**RULE 16.**

Parking facilities for boat trailers will be provided within the beach area for those cars carrying resident stickers. Limited parking space for transients will be provided outside the beach area owned or controlled by the Town.

**RULE 17.**

No power boat is to come within two hundred (200) feet of the shore along any public or camp bathing beach or on any part of the beach or land owned or controlled by the Town except for the purpose of making an emergency landing or when the rules of the road deem it necessary for safety.

**RULE 18.**

No person shall run, drive or operate any boat, canoe or any type of water vehicle propelled by steam, naphtha, gasoline, electricity, or any motor or engine;

- A. In a reckless, careless or negligent manner so that the lives or safety of others will be endangered, or
- B. Within two hundred (200) feet of any bathing beach or diving raft, or
- C. Within fifty (50) feet of any row boat, sail boat, or canoe, except when docking or where the width of the waterway prevents such distance, in which event speed shall be reduced to three (3) miles per hour, or
- D. While under the influence of liquor.

**RULE 19.**

No motor boat or any boat or canoe equipped with an outboard motor or engine shall be operated in the lakes and ponds of Pembroke in which such privileges are permitted at a speed greater than reasonable and proper.

**RULE 20.**

Water skiing is permitted only subject to the following conditions:

- A. Not within two hundred (200) feet of the shore nor within fifty (50) feet of any row boat, sail boat, canoe, wharf or dock with the exception of leaving or entering the shore area when speed shall be reduced so as not to endanger the safety of others except by special permission of the Board of Selectmen.
- B. The Board of Selectmen may, from time to time, designate areas prohibiting water skiing therein, in which case suitable buoys and monuments shall be placed designating said areas. Such areas and buoys must be approved by the Division of Motor Boats.
- C. No person shall operate any power boat to tow a skier unless such boat is equipped with a ladder, steps or similar means by which any person being towed can be taken from the water.

**RULE 21.**

No person shall refuse or neglect to obey any reasonable direction of any officer duly authorized to enforce these regulations and rules.

**RULE 22.**

Definitions: For purposes of this rule the terms below shall have the following meanings:

"Directional sight distance": linear distance of the operator's unobstructed vision in the direction of travel.

"Headway speed": the slowest speed at which a watercraft may be operated and maintain steerage way, but not to exceed ten (10) miles per hour.

No jet ski, surf jet, wetbike, or similar watercraft shall be operated at more than headway speed:

- A. within one hundred fifty (150) feet of a marina, boat launching facility, dock, raft, wharf, or float;
- B. within three hundred (300) feet of a public or private bathing beach;
- C. when the operator's vision is in any manner obscured such that directional sight distance is less than three hundred (300) feet.

No jet ski, surf jet, wetbike or similar water craft shall be operated on any body of water located in the Town of Pembroke at a speed exceeding thirty (30) miles per hour on in a manner which is unreasonable, improper or hazardous to public safety with due regard to visibility; traffic density; state of wind; water and current; proximity of other craft, operators and water users; and proximity of navigational hazards.

The above rules and regulations are to be enforced by an authorized Police Official of the Town of Pembroke, and the violation of any rule or regulation established under this act shall be punished by a fine of not more than twenty dollars (\$20.00).

The above regulations do not apply to use of lakes by boats involved in rescue operations, by aircraft in emergencies, or by police in the course of their duties.

Rules 1-5, 7-16, 21 & 22 approved by Attorney General.. Rules 6, 17-20 & 21 approved by Division of Motor Boats.

**RULE 23. "WATERFOWL"**

- A. No persons' except the Director of the Division of Fisheries and wildlife or his agent or designee, as authorized pursuant to MGL C. 131, shall, feed or bait any waterfowl of the family Anatidae, including but not restricted to ducks, geese, and swans, at any place within 200 feet of any public body of water within the Town of Pembroke.
- B. As used in this paragraph, "feeding" and "baiting" shall mean placing, exposing, depositing, distributing or scattering, directly or indirectly, of shelled, shucked or unshucked corn, wheat or other grain, bread, salt or any other feed or nutritive substances in any manner or form so as to constitute for such birds a lure, attraction or enticement to, on or over any such area where such feed items have been place, exposed, deposited, distributed or scattered.
- C. Nothing in this bylaw shall be construed to limit the feeding of domesticated waterfowl, as defined by the Division of Marine Fisheries and Wildlife, by a farmer as defined in MGL C. 128, when such waterfowl or other birds are confined in such a manner as may be required pursuant to said §23 and any person or his agents, invitees or licensees of waterfowl lawfully kept as a pet by that person.

- D. Notwithstanding any of the above, the Director of the Division of Fisheries and Wildlife or his agent or designee may authorize the emergency feeding of waterfowl and other birds when, in his opinion, such action is necessary in order to alleviate undue losses and suffering of such birds due to unusual weather conditions and other circumstances. The Director may authorize such action by such means as he deems necessary and expedient, but such means shall include the immediate notification of the Selectmen thereof by first-class mail.
- E. This bylaw may be enforced by police officers, Natural Resource Officers, Shellfish Constables, Harbormasters, Assistant Harbormasters, Agents of the Board of Health, Environmental Police Officers and other enforcement officers of the Division of Law Enforcement, and by Deputy Environmental Police Officers.
- F. Upon approval of this bylaw, the Selectmen shall cause one (1) copy thereof to be mailed to the Director of the Division of Fisheries and Wildlife and one (1) copy to the Director of the Division of Law Enforcement.

(ATM 04/25/02 and amended at continued session on 5/2/02)

**RULE 24.** No person or business will withdraw water from any water body, stream or river for the purpose for commercial or residential hydro-seeding.

(Art. 22 of April '03 ATM)

## **ARTICLE XX - Police Regulations**

### **SECTION 14.**

No person shall drink any alcoholic beverages as defined in Massachusetts General Laws Chapter 138, Section 1, while in or upon any public way or any way to which the public has a right of access, or any place to which members of the public have access as invitees or licensees, any park or playground, or while in or upon private land, building, structure or place without the consent of the owner or person in control thereof. Any person violating this by-law shall upon conviction be fined not more than fifty dollars (\$50.00) for each offense.

### **SECTION 14A.**

No person shall smoke or otherwise consume any marijuana, as defined in 105 Massachusetts CMR 725.00, while in or upon any public way or any way to which the public has a right of access, or any place to which members of the public have access as invitees or licensees, and park or playground, or while in or upon private land building, structure or place without the consent of the owner or person in control thereof. Any person violating this by-law shall upon conviction be fined not more than three hundred dollars (\$300). For the purposes of this by-law regarding Pembroke Public Housing properties, public access areas refer to any common areas, driveway, walkways and lawns.

(Article 19 - ATM 04/22/2014)