TOWN OF RAYMOND, MAINE

BOAT LAUNCH ORDINANCE

Proposal, Draft 6

1. PREAMBLE:
   A. Authority: This Ordinance has been prepared in accordance with the provisions of the Revised Statues of Maine, as amended.
   B. Title: This Ordinance shall be known and may be cited as the "Boat Launch Ordinance of the Town of Raymond, Maine".
   C. Purpose: The purpose of this ordinance is to provide the Town of Raymond regulations for the development and operation of public boat launch facilities so that such sites may be of the most benefit to all users of the sites, in ways most compatible with the water body and the surroundings of the sites, respecting the goals expressed in the Comprehensive Plan, and at least cost to the Town. The Comprehensive Plan includes goals to protect natural resources; maintain the rural character of the town; inspect boats for invasive aquatic plants; control and eliminate invasive aquatic plants in the town; evaluate public safety needs and increase police coverage; improve existing lake access and investigate additional access; pursue watercraft speed, safety and noise enforcement. As with all ordinances, this Boat Launch ordinance seeks to balance the rights of public and private interests.

      The Town of Raymond has an abundance of natural resources; chief among these are the lakes, ponds, and streams of the town. These resources contribute significantly to the tax base and business income of the town, both by providing sites for high-value residential and business real estate, and by attracting non-residents for boating, fishing, and other recreational opportunities. The Town's Comprehensive Plan emphasizes that maintaining the high quality of the town's waterways is critical to our economic health. Along with these financial benefits, however, there are attendant problems with which the town must cope. The Maine Department of Environmental Protection includes all of Raymond's lakes in its list of water bodies that are at risk from development pressures and overuse.

      It has been the experience both of Raymond and of other Maine towns that boat ramps which are inadequately designed, equipped, maintained, and monitored can cause problems, including: degradation of water quality due to erosion around launch sites, causing unhealthy phosphorous loading of the waters; interference with road traffic due to launch activity and the parking of vehicles and trailers along the public roads; the deposition of trash around the launch site and nearby roads; and inappropriate use of the site as an after-hours gathering place for local youths.

      Of particular concern, because of the difficulty and cost of remediation and negative water quality impact, is the introduction of invasive aquatic plants and animals into previously non-infested waters. Raymond is surrounded by lakes already infested

with milfoil and other highly invasive aquatic species, and many other states have plant infestations which have been allowed to grow beyond the possibility of eradication. The principal method of transmission from one body of water to another is by plant fragments transported on boats, trailers, and other gear when boaters trailer their boats from one lake to another.

The provisions of the Comprehensive Plan and the Shoreland Zoning Ordinance are insufficient in their scope to properly protect the lakes and surrounding land from inadequately designed and maintained boat ramp facilities. To preserve and protect Raymond's lakes, ponds, and other waterways, this ordinance seeks to define how boat launch sites can provide access to Raymond's water resources while preserving and protecting their health and natural character.

It is *not* the intent of this ordinance to restrict the public's right of access to the Town's waterways, but rather to permit such access in ways that will not degrade the economic and aesthetic qualities of these critical resources, and to protect the town from incurring unnecessary expenses engendered by a poorly designed, improperly equipped, or inadequately maintained facility.

D. Jurisdiction: The provisions of this Ordinance shall govern all public boat launch facilities developed after the enactment date within the boundaries of the Town of Raymond, Maine.

2. SEVERABILITY: Each part of this ordinance is severable, and if any phrase, clause, sentence or provision is declared contrary to law, the validity of the remainder shall not be affected thereby.

3. CONFLICTS WITH OTHER ORDINANCES: Whenever a provision of this Boat Launch ordinance conflicts with or is inconsistent with the Raymond Land Use ordinance or the Raymond Shoreland Zoning ordinance, or of any other ordinance, regulation or statute, administered by the municipality, the more restrictive provision shall control.

4. DEFINITIONS:
   A. *Boat launch* shall mean any structure or clearing that extends to or waterward of the normal
   B. high water elevation and is intended for the launching or retrieval of trailered or hand-carried watercraft.
   C. *Boat launch facility* shall mean a boat launch and any improvements required by state or local regulations to be constructed in conjunction therewith, which are the subject of public access to waters.
   D. *Boat launch facility site* shall mean a lot or parcel of record which is the location of any boat launch facility.
   E. *Waters* shall mean and include, but is not limited to, rivers, lakes, streams, waterways, bays, springs, impoundments, inlets, canals, and all other waters or bodies of water, whether natural or artificial, located within the boundaries of the Town of Raymond.
   F. *Paved, paving and pavement* shall mean a hard surface that allows vehicles to travel without disturbing underlying soils.

5. APPLICATION PROCESS: All applications for the development of a public boat launch site shall follow the application process described in the Town of Raymond Land Use Ordinance and the Town of Raymond Shoreland Zoning Ordinance.

6. REVIEW: All applications for the development of a public boat launch site shall be subject to the review process in the Town of Raymond Land Use Ordinance and the Town of Raymond Shoreland Zoning Ordinance.

7. DEVELOPMENT: The developer of a boat launch facility must provide:
   A. access from a public road.
   B. sufficient room to allow for vehicles and trailers to maneuver into position to use the boat launch without having to use space on the public road.
   C. a minimum lot size of ?????
   D. off-road parking space for vehicles and trailers in scale to the site and the water body.
   E. paved boat launch no more than twelve (12) feet wide.
   F. only one (1) boat launch at each site.
   G. no access to electric power within one hundred (100) feet of the boat launch.
   H. signage clearly explaining all rules applying to usage of the boat launch facility site, to include, but not limited to:
      * setting hours of use to be from one hour before sunrise to one hour after sunset
      *restricting use of the boat launch facility to the launching and retrieving of watercraft and the parking of vehicles and trailers required for transporting the watercraft launched
      *forbidding the parking of vehicles and trailers overnight
      *restricting the parking of vehicles and trailers to designated parking spaces
      *forbidding parking on the public road within one thousand (1000) feet of the boat launch facility
   I. signage to educate boaters about invasive aquatic species and proper disposal of any such species before leaving the boat launch facility.
   J. portable toilet facility in place from May 1 to December 1.
   K. appropriate receptacles for trash.
   L. a sum of ten thousand (10,000) dollars for the town to invest and use the investment income for maintenance and operation of the site.
   M. all construction conforming to the requirements of the Town of Raymond Land Use ordinance and the Town of Raymond Shoreland Zoning ordinance.

8. MANAGEMENT AND OPERATION : The Town shall:
   A. provide adequate removal of trash accumulated in the provided receptacles.
   B. provide adequate emptying and cleaning of the portable toilet and replacing used supplies.
   C. maintain signage provided by the developer explaining all rules applying to the usage of the boat launch facility.
   D. maintain signage provided by the developer educating boaters about invasive aquatic species and proper disposal of any such species before leaving the boat launch facility.
   E. provide courtesy boat inspection for invasive aquatic species.
   F. have the ability to close or otherwise block access to the boat launch facility should any town ordinance not be followed.

G. assign an existing town government committee to have oversight responsibility for boat ramp facilities.