

1 H.551

2 Introduced by Representative Masland of Thetford

3 Referred to Committee on

4 Date:

5 Subject: Conservation and development; use of waters; wakesports zones

6 Statement of purpose of bill as introduced: This bill proposes to authorize a  
7 municipality in which a wakesports zone is located or partially located to vote  
8 to extend the distance of the wakesports zone from the shore up to 1,000 feet  
9 for that portion of the zone within the boundaries of the municipality.

10 An act relating to wakesports zones on State waters

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 10 V.S.A. § 1422 is amended to read:

13 § 1422. DEFINITIONS

14 In this chapter, unless the context clearly requires otherwise:

15 (1) “Agency” means the Agency of Natural Resources.

16 (2) ~~“Board” means the Natural Resources Board.~~ [Repealed.]

17 \* \* \*

18 (7) “Secretary” means the Secretary of Natural Resources or the  
19 Secretary’s duly authorized representative.

20 \* \* \*



1 Sec. 2. 10 V.S.A. § 1424 is amended to read:

2 § 1424. USE OF PUBLIC WATERS

3 (a) The Secretary may establish rules to implement the provisions of this  
4 chapter, including:

5 (1) Rules to regulate the use of public waters of the State by:

6 (A) defining areas on public waters wherein certain uses may be  
7 conducted;

8 (B) defining the uses ~~which~~ that may be conducted in the defined  
9 areas;

10 (C) regulating the conduct in these areas, including the size of motors  
11 allowed, size of boats allowed, allowable speeds for boats, and prohibiting the  
12 use of motors or houseboats; and

13 (D) regulating the time various uses may be conducted.

14 (2) Rules to govern the surface levels of lakes, ponds, and reservoirs that  
15 are public waters of the State.

16 \* \* \*

17 (c) The Secretary shall attempt to manage the public waters so that the  
18 various uses may be enjoyed in a reasonable manner, in the best interests of all  
19 the citizens of the State. To the extent possible, the Secretary shall provide for  
20 all normal uses.

21 \* \* \*

1 (f) By rule, the Secretary may delegate authority under this section for the  
2 regulation of public waters where:

3 (1) The delegation is to a municipality that is adjacent to or ~~which~~ that  
4 contains the water; and.

5 (2) The municipality accepts the delegation by creating or amending a  
6 bylaw or ordinance for regulation of the water. Appeals from a final act of the  
7 municipality under the bylaw or ordinance shall be taken to the Environmental  
8 Division. The Secretary may terminate a delegation for cause or without cause  
9 upon six months' notice to the municipality.

10 (g)(1) If the rules adopted by the Secretary under subdivision (a)(1) of this  
11 section establish a wakesports zone of 500 feet on a lake, a municipality in  
12 which the wakesports zone is located or partially located may, at an annual or  
13 special meeting warned for that purpose, vote to extend the distance of the  
14 wakesports zone from the shore up to 1,000 feet for that portion of the zone  
15 within the boundaries of the municipality.

16 (2) If a municipality votes to extend a wakesports zone under  
17 subdivision (1) of this subsection, the clerk of the municipality shall notify the  
18 Secretary within three business days after the vote of the results and the new  
19 distance from the shore of the wakesports zone and area of the new wakesports  
20 zone within the municipality.

1           (3) Upon receipt of a notice under subdivision (2) of this subsection, the  
2           Secretary shall enforce the amended wakesports zone in the municipality. The  
3           Secretary shall provide notice at any access area located within the  
4           municipality of the size and acreage of the amended wakesports zone.

5           (4) The Secretary shall publish on the Agency website a list of any  
6           municipality with an amended wakesports zone adopted under this section.

7           Sec. 3. EFFECTIVE DATE

8           This act shall take effect on passage.