

## **Chapter 90**

### **BOATS**

**[HISTORY: Adopted by the Special Town Meeting of the Town of Lee 5-26-1971 by Art. 10 as Ch. 4 of the 1971 Code. Amendments noted where applicable.]**

#### **§ 90-1. Definitions.**

For the purposes of this chapter, the words and phrases used herein shall have the meanings set forth in this section, except in those instances where the context clearly indicates a different meaning:

**BOAT** — Any boat, including a raft, canoe, skiff, dinghy, rowboat, sailing boat or motor boat less than 26 feet in overall length.

**MOTOR BOAT** — A boat less than 26 feet in overall length propelled by any mechanical means.

**PERSON** — Any individual, firm, copartnership, corporation, company, association or joint-stock association, including any trustee, administrator, executor, receiver, assignee or other personal representative thereof.

#### **§ 90-2. Unpowered boats to have right-of-way.**

Rowboats, canoes and sailing boats shall have the right-of-way at all times in or on any river, lake or pond within the territorial limits of the Town.

#### **§ 90-3. Operation of power-driven boats.**

Every operator of a power-driven boat in or on any river, lake or pond within the territorial limits of the Town shall at all times navigate such boat in a careful and prudent manner and at such rate of speed as not to endanger the property of another or the life or limb of any person. Reckless navigation of a motorboat shall include operating the same in a manner which unnecessarily interferes with the free and proper use of the waters of any river, lake or pond within the territorial limits of the Town, unnecessarily endangers other boats therein or becomes a nuisance annoying others.

#### **§ 90-4. Responsibility for violations.**

If any boat, canoe or water vehicle violates any provision of this chapter and the identity of the operator cannot be determined, the owner or the person in whose name such boat, canoe or water vehicle is registered shall be held prima facie responsible for such violation.

#### **§ 90-5. Enforcement.**

This chapter shall be enforced by any authorized police officer.

**§ 90-6. Violations and penalties.**

Any person who violates any of the provisions of this chapter shall forfeit and pay a fine not exceeding \$50 for each offense.

**§ 90-7. Gas-powered boats on Housatonic River.** [Added 5-9-1974 ATM by Art. 38]

- A. All boats powered by any means other than hand-powered or electric-powered motors are hereby prohibited on the Housatonic River, including its backwaters or impounded waters within the limits of the Town of Lee.
- B. This section shall not apply to authorized gasoline-powered boats that are used for authorized work projects, such as river cleanup, rescue or conservation investigations, emergency purposes or other authorized projects.
- C. The Conservation Commission of the Town of Lee shall be empowered, in addition to any other lawful agencies or persons, to bring a complaint for a violation of this section.
- D. No person shall be prosecuted for any offense against any of the provisions of this section unless a complaint for the same shall have been instituted and commenced within six months from the time when such offense was committed.