

By Mr. Moore of Uxbridge, petition of Richard T. Moore (by vote of the town) for legislation to establish a Webster Lake commission in the town of Webster and defining its powers and duties. Local Affairs. [Local Approval Received.]

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Eighty-One.

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AN ACT CREATING AN UNPAID SPECIAL COMMISSION TO BE KNOWN AS THE WEBSTER LAKE COMMISSION, AND DEFINING ITS POWERS AND DUTIES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. There shall be an unpaid commission, to be  
2 known as the Webster Lake Commission, consisting of five  
3 members. The Town of Webster is exempt from providing present  
4 medical coverage to said Commissioners. Such Commissioners  
5 shall, in the first instance, be elected by ballot to hold office, two  
6 until the expiration of three years, two until the expiration of two  
7 years, and one until the expiration of one year, from the next  
8 succeeding annual town election; and at the annual town election  
9 held on the day on which the shortest of such terms expires, and at  
10 each annual town election thereafter, one (or two as the case will be  
11 every second and third year) such Commissioner(s) shall be elected  
12 by ballot for the term of three years. A majority of said Commis-  
13 sioners shall constitute a quorum for the transaction of business.  
14 After the election of Commissioners under authority of this sec-  
15 tion, any vacancy occurring in said board from any cause may be  
16 filled for the remainder of the unexpired term. Any such vacancy  
17 may be filled temporarily in the manner provided by Section  
18 Eleven of Chapter 41, and the person so appointed shall perform  
19 the duties of the office until the next annual meeting of said town or  
20 until another person is qualified.

1 SECTION 2. There shall be an Advisory Council consisting of

2 the Chief of Police of the Town of Webster, ex-officio, one member  
3 of each of the following Boards and Commissions of the Town of  
4 Webster appointed annually by the respective Board of Commis-  
5 sion thereof: Selectmen, Board of Health, Conservation Commis-  
6 sion, Planning Board, Parks and Recreation Commission, and  
7 East Village Sewer Construction Commission, and six other  
8 members, a minimum of two shall be nonresident tax payers,  
9 appointed by the Board of Selectmen of Webster for terms of three  
10 years; however, in their initial appointment two members shall  
11 serve for one year, two members for two years, and two members  
12 for three years. Upon the expiration of the term of any member, his  
13 successor shall be appointed in like manner, and for the same term,  
14 as in the case of the original appointment. Vacancies in The Advi-  
15 sory Council caused otherwise than by expiration of term of service  
16 shall be filled for the balance of the unexpired term in like manner  
17 as in the case of original appointment. Said Advisory Council shall  
18 meet at least once a year with the Commission to consider such  
19 matters related to the preservation, development and control as  
20 they may deem appropriate and to offer advice and recommenda-  
21 tions to the Commission in this regard. The Webster Lake Com-  
22 mission must meet with the Advisory Council within 15 days upon  
23 receipt of written request from said Advisory Council. Advisory  
24 Council meetings shall be advertised by legal notice 15 days in  
25 advance and shall be open to the public.

1 SECTION 3. The Commission shall administer a program for  
2 the preservation and restoration of Webster Lake. Said program  
3 shall conform to and complement to the extent possible the pro-  
4 gram authorized by Section 314 of the Clean Water Act (33 U.S.C.  
5 1251 et seq.). Under Section 314 of the Clean Water Act, the  
6 Environmental Protection Agency may provide financial assist-  
7 ance to the States to complete diagnostic/feasibility studies and to  
8 implement methods and procedures to protect and restore publicly  
9 owned freshwater lakes. The Commission shall provide for the  
10 conduct of studies to diagnose the environmental characteristics  
11 and condition of said lake and on the basis of said diagnosis to  
12 determine the feasibility of methods and procedures to preserve  
13 and restore the quality of said lake. Subject to the appropriation of  
14 local funds as may be required, the Commission shall recommend

15 and take necessary steps to implement long-term lake preservati-  
16 on/restoration procedures taking full advantage of all available  
17 Federal and State assistance programs.

1 SECTION 4. The Commission shall assist Town, State and  
2 Federal agencies by coordinating the water quality monitoring,  
3 water level complaints, pollution control activities, recreation  
4 management and fact-findings, in Webster Lake and its watershed,  
5 and shall cooperate with State and Federal agencies and Town of  
6 Webster Conservation Commission by conducting studies of said  
7 lake and its watershed.

1 SECTION 5. The said Commissioners may, after notice and a  
2 Public Hearing held in the Town of Webster, propose reasonable  
3 rules and regulations for the protection and policing of the waters  
4 of Webster Lake within the Town of Webster and for permitting  
5 and regulating the use of motor boats, or other crafts or vehicles  
6 used on said lake, and for regulating the conduct of persons upon,  
7 or bathing in, the waters of said lake for consideration by the town  
8 meeting in accordance with the provisions of Section 15 of Chapter  
9 90B of the General Laws and said Commissioners may propose,  
10 after notice and a Public Hearing as aforesaid, from time to time,  
11 alteration, additions to or repeal of the rules and regulations made  
12 hereunder for consideration by the town meeting in accordance  
13 with the provisions of Section 15, Chapter 90B of the General  
14 Laws.

1 SECTION 6. Said Commission may make rules and regula-  
2 tions relative to the conduct of the business of renting boats and  
3 canoes of any description to be used upon the waters of said lake as  
4 above defined, and relative to the maintenance and use of bathing  
5 houses adjacent thereto subject to the approval of the town meet-  
6 ing.

1 SECTION 7. No person shall engage in the business of renting  
2 boats or canoes of any description to be used upon the waters of  
3 said lake until he shall obtain from the selectmen of the Town of  
4 Webster a permit to do so which permit shall be for such a time, in  
5 such form and subject to such restrictions as may from time to time  
6 be determined by said Commission.

1 SECTION 8. Said Commission shall cause any proposed rules  
2 and regulations as prescribed by Section 5 to be published in a  
3 newspaper of general circulation in the Town of Webster, which  
4 publication shall be sufficient notice to all persons. The sworn  
5 certificate of any member of said Commissioner or its clerk that  
6 said rules and regulations have been proposed and published shall  
7 be prima facie evidence thereof. A copy of the rules and regulations  
8 attested by any member of the Commission, or by its clerk, shall be  
9 prima facie evidence that the said rules and regulations were pro-  
10 posed by the Commission as provided in this act.

1 SECTION 9. Any police officer of the Town of Webster may  
2 patrol any part of the waters of said lake as above defined, and shall  
3 have authority to arrest any person for violating any law of the  
4 Commonwealth in, on, or adjacent to, the waters of said lake of  
5 any rule or regulation established under the authority of his act,  
6 and may serve warrants and make arrests therefor on the waters of  
7 said lake or in any part of the Town of Webster.

1 SECTION 10. Nothing herein contained shall prevent the en-  
2 forcement of any by-law of the Town of Webster upon any part of  
3 said waters lying within the limits of said town.

1 SECTION 11. Nothing herein contained shall in any way inter-  
2 fere with Cranston Print Works Company's water rights or prevent  
3 or interfere with Cranston Print Works Company's operation and  
4 control of the outflow gates in the dam located at the northern end  
5 of Webster Lake. The Commission shall have no power to regulate  
6 or control the level of Webster Lake or to control the flow of water  
7 from Webster Lake.

1 SECTION 12. Any person who violates any rule or regulation  
2 or order of said Commission or any provision of this act shall be  
3 punished by a suitable fine for each offense.

1 SECTION 13. All expense incurred by the Commission shall be  
2 borne by the Town of Webster, subject to appropriation.