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H.551

Introduced by Representative Masland of Thetford

Referred to Committee on

Date:

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

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

An act relating to wakesports zones on State waters

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

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

§ 1422. DEFINITIONS

In this chapter, unless the context clearly requires otherwise:

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

(2) ~~“Board” means the Natural Resources Board.~~ [Repealed.]

* * *

(7) “Secretary” means the Secretary of Natural Resources or the

Secretary’s duly authorized representative.

* * *

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~~ 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.