

CHAPTER 609
ORDINANCE REPEALING THE
TOWN OF SCARBOROUGH ORDINANCE
REGULATING THE USE OF
PERSONAL WATERCRAFT
JUNE 2, 1999

Be it hereby ordained by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, as follows:

The Ordinance entitled “*Ordinance Regulating the use of Personal Watercraft,*” enacted by the Town Council of Scarborough, Maine, on July 2, 1997, is hereby repealed.

Dated this 2nd day of June 1999.

CHAPTER 609
TOWN OF SCARBOROUGH
ORDINANCE REGULATING THE USE OF PERSONAL WATERCRAFT
ADOPTED JULY 2, 1997
REPEALED JUNE 2, 1999

A. DEFINITIONS

1. "Headway speed" means the minimum speed necessary to maintain steerage and control of a personal watercraft while it is moving.
2. "Personal Watercraft" means any motorized watercraft that is less than 14 feet or less in hull length as manufactured, has as its primary source of propulsion an inboard motor powering a jet pump and is capable of carrying one or more persons in a sitting, standing, or kneeling position. "Personal watercraft" includes, but limited to, a jet ski, wet bike, and surf jet. "personal watercraft" also includes motorized watercraft whose operation controls a water skier.
3. "River" means any portion of the Spurwink River, the Libby River, the Nonesuch River, the Scarborough River, the Dunstan River and their tributaries within or adjacent to the Town of Scarborough.
4. "Tidewaters" means the ocean waters along the shoreline of the Town of Scarborough extending for a distance of 1,000 feet from the mean low water mark, and within 1,000 feet of any sandbar, spit or similar land area when exposed at low tide.
5. "Use" includes being the registered owner of a personal watercraft, which is operated by another person in violation of this ordinance.

B. USE OF PERSONAL WATERCRAFT PROHIBITED IN CERTAIN LOCATIONS

1. No person shall use or operate watercraft on any river in the Town of Scarborough unless the personal watercraft is operated at or below headway speed.
2. No person shall use or operate a personal watercraft within the tidewaters of the Town of Scarborough, except that a personal watercraft may be launched from and may return to a public or private launching facility exclusively for the purpose of exiting or entering the tidewaters, provided it is not otherwise used or operated within the tidewaters and provided it does not exceed headway speed within the tidewaters. A beach is not a private boat launching facility.

C. VIOLATIONS AND ENFORCEMENT

1. Any person who violates any provision of this ordinance commits a civil violation and is liable for a civil penalty of up to \$250.00 per violation.
2. This ordinance may be enforced by the Harbor Master, the Assistant Harbor Master or any law enforcement officer of the Town of Scarborough.
3. If the owner of a personal watercraft has been adjudged liable for civil penalties arising from four (4) or more violations of this ordinance and has not paid those penalties to the Town of Scarborough, any officer authorized to enforce this ordinance may impound the personal watercraft until the penalties are paid in full.