

**INVASIVE AQUATIC PLANT ORDINANCE  
TOWN OF MADISON, NEW HAMPSHIRE**

**Revision #1**

**Originally Adopted January 31, 2006**

**Section 1. PURPOSE**

Pursuant to RSA 41:11-a, the purpose of this Ordinance is to prevent the introduction of invasive aquatic plants into Silver Lake in the Town of Madison, New Hampshire. Protecting the public and private economic resources, the bird and fish wildlife habitat, and the natural beauty of our lake is of prime importance to the overall welfare of our community. It only takes a small fragment of exotic species to infest and ultimately destroy a lake.

**Section 2. REQUIREMENTS**

This Ordinance requires that all motorized boats and trailers be thoroughly inspected and washed down before entering the lake. Per the Notice of Regulations - Town Properties (Rev. 8 dated 6/15/04) the Boat Ramp is the ONLY public approved launching site on Silver Lake for motorized boats. It is unlawful to launch a motorized boat or boat trailer from any other Town property.

**Section 3. IMPLEMENTATION**

The Town of Madison, in conjunction with the SLAM (Silver Lake Association of Madison) organization, has constructed a boat and boat trailer wash station at the Town's Boat Ramp site on East Shore Drive. This station has an extensive drainage bed, pump house, and pressure washer. It is manned everyday from Memorial Day weekend until Labor Day by designated Lake Hosts under the direction of a Point Person. The Lake Hosts have been trained by the State of New Hampshire to inspect boats and their trailers in search of invasive plant life and to thoroughly wash them down prior to entering the lake. In addition, a regular garden hose has been provided on the side of the pump house for use during non-operating hours. Signs indicate that it is required to self-inspect and wash down all boats and boat trailers when the Station is unattended. Removal of any signs or postings at the Boat Ramp is unlawful.

**Section 4. JET POWERED WATERCRAFT**

Ski Craft (1 and 2 seaters) have been banned by the State of New Hampshire for use on Silver Lake per RSA 270:74-a. The Lake Hosts, if they suspect violators, will call the designated Point Person who in turn will call Marine Patrol for enforcement. Personal Water Craft (3 and 4 seaters) are allowed in Silver Lake. All jet-powered watercraft require some extra precautions to avoid spreading harmful aquatic species. These species can easily get lodged in the jet-drive system while zebra mussels could live in the excess water in the jet-drive. It is therefore required to carefully inspect the intake grate and then to start and run the engine for 5-10 seconds with the jet nozzle facing away from the lake to blow out any excess water and harmful vegetation. A thorough inspection and wash down, especially of the exhaust nozzle, is then necessary before allowing access to the lake.

**Section 5. FISHING BOATS**

Fishing boats carrying live bait may represent a particular risk and therefore require special precautions. Lake Hosts need to make owners aware of the State's regulations and laws regarding the transporting of exotic species. In addition, they need to pursue a series of questions regarding the source of the bait, previous lakes visited, and precautions taken after leaving another lake. The Host will request an inspection of the well/bucket and provide a trained eye to look for invasive plant fragments. Dumping unused bait into the lake is prohibited by law.

**Section 6. ENFORCEMENT/PENALTIES**

It is unlawful and in violation of this Ordinance to refuse inspections, to not follow the jet powered precautions (see Section 4), and to not thoroughly wash all motorized boats and trailers prior to entering Silver Lake. The Lake Hosts are instructed to take down license plate numbers and notify the Point Person who in turn will contact the Madison Police Department regarding any violations to this Ordinance. They are instructed not to directly confront or engage violators in any way.

Any law enforcement officer may issue a Notice of Violation to the registered owner and/or operator of the watercraft. Such notice shall impose a minimum fine of two hundred dollars (\$200.00), with a maximum fine of up to one thousand dollars (\$1,000.00), which must be paid to the Town Clerk within ten (10) days of the Notice of Violation. In the event said fine is not paid within the specified time limitation, summons shall be issued for appearance in District Court.

Due to the fact that this Ordinance is specifically intended to protect Silver Lake, and that harm to Silver Lake by the introduction of invasive aquatic plants is that which this Ordinance is intended to prevent, a violation of this Ordinance shall be deemed admissible to establish a breach of the standard of conduct element for civil liability for any damage caused to Silver Lake.

**Section 7. AVAILABILITY OF ORDINANCE**

The Ordinance will be on file at the Town Clerk's Office and available to any member of the public. It will also be posted on the side of the Wash Station pump house, with the Lake Hosts having copies.

**Section 8. EFFECTIVE DATE**

This Ordinance takes effect on this 8<sup>th</sup> day of August, 2006 as attested to the signatures of the Board of Selectmen below.

RECEIVED & RECORDED

On AUGUST 11, 2006

At 11:30 a.m.

Book -- Page --

Marisa E. Shackford  
TOWN CLERK, MADISON, NH

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Michael R. Brooks, Chairman

[Signature]  
John Arruda

[Signature]  
Josh L. Shackford