

Town of Freetown

Wetlands Protection Rules and Regulations

16. Use of Conservation Lands

16.1 DEFINITIONS

Commission: The Town of Freetown Conservation Commission

Conservation Lands: for this purpose of this regulation, "Conservation Lands" shall mean all properties with public access under the jurisdiction of the Freetown Conservation Commission by means of deed, conservation restriction, or vote of the Board of Selectmen, including any other land owned by or under easement or restriction with the Town of Freetown.

Enforcing Agent: Shall include the Freetown Police Department, Massachusetts Environmental Police, Town of Freetown Conservation Commission or Planning/Land Use Agent.

Motorized vehicle: means any mechanically propelled vehicle running on rubber tires, belts, cleats, tracks, skis, or cushion of air and dependent on the ground or surface for travel, or other unimproved terrain whether covered by ice or snow or not, where the operator sits in or on the vehicle. Motorized vehicles include, but are not limited to, cars, trucks, jeeps, SUVs, all-terrain vehicles, off-road vehicles, snowmobiles, motorbikes, mini-bikes, motorized scooters, motorcycles, or skidoos. Motorized vehicles also include motorized boats.

Use of Conservation Lands Regulation

16.2 PURPOSE

The Freetown Conservation Commission invites everyone to enjoy the conservation lands within the town of Freetown for passive recreation. The Town of Freetown Conservation Commission's goal in management of its property is to protect the values of the land. The values are related to the protection or preservation of biological and ecological diversity, water supply and water quality, aesthetics and recreation, community character and others the Commission deem important. These values are related to public health and safety and environmental protection. The Commission has adopted these regulations under its authority (M.G.L. Chapter 40, §8C) to make regulations for Town conservation lands in order to protect wildlife habitat, prevent erosion, and provide an enjoyable experience for all persons using the trails. A list of conservation lands is available at the Commission office.

Any person operating, or allowing a motorized vehicle to enter or remain on any Town of Freetown Conservation Commission land must obtain from the Commission a Conservation Land Access Sticker. The driver and/or registered owner of a motor vehicle in operation and/or parked/standing upon the Conservation land found to be doing so without a permit

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or access sticker by the Conservation Commission Enforcement Officers or the Freetown Police Department shall be fined \$50 for a first offense, \$75 for a second offense, and \$100 for a third and subsequent offense.

16.3 ACCESS STICKERS: Upon payment of a \$15 fee the Conservation Commission shall issue an Access Sticker that will be valid for one year.

16.4 BASIC REGULATIONS

1. Conservation lands and associated parking are open from dawn to dusk. Parking after dusk is prohibited.
2. Hours may be extended for hunting, a specific event, or use if prior written permission has been obtained from the Conservation Commission.
3. Any use by commercial or organized groups requires prior written permission from the Conservation Commission.
4. The Conservation Commission and the Town of Freetown are not liable for injuries, damage to property, theft of personal property or other losses incurred while using the conservation lands. Persons using the conservation lands assume any and all risks involved with use of the land.
5. These regulations may be made more restrictive for specific parcels as deemed necessary by the Conservation Commission. In emergencies or for the public safety, the Commission may make exceptions to these regulations.
6. All public safety by-laws of the Town of Freetown apply to conservation lands.
7. All cans, bottles, litter, and garbage or other materials brought onto the property are to be taken away by the user.
8. All persons using the Town's conservation lands are strongly urged to respect the boundaries of adjacent private properties and not to trespass thereon without the express consent of the landowner.

16.5 ALLOWED ACTIVITIES AND USES

1. Conservation land may be used for passive recreation, including hiking, jogging, canoeing, snowshoeing, cross country skiing, picnicking, education and nature study.
2. Pets must be leashed at all times and owners shall immediately remove and properly dispose of all pet waste. Pets shall not be allowed to dig holes or otherwise damage the land. Pets shall not be allowed to endanger wildlife or the natural vegetation.
3. Horses are permitted except on restricted trails. Horseback riding may be limited during wet seasons or when the ground is soft as such use damages the trails. All horse waste shall be removed immediately and properly disposed.
4. Non-motorized bicycle riding is permitted except on restricted trails. The bike rider shall not damage the trail or endanger other trail users. Neither shall the bike rider endanger wildlife or vegetation. The bike rider shall stay on the trails.
5. Use of the Town's conservation lands by groups is permitted with prior written notification and approval of the Conservation Commission.

16.6 PROHIBITED ACTIVITIES

1. For night use, such as vernal pool studies or other nature studies, advance written permission from the Conservation Commission is necessary.

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2. No fires are permitted, except with prior written permission of the Conservation Commission.
3. No trapping, hunting or collecting of flora and fauna is allowed on Conservation lands without the express written consent of the Town of Freetown Conservation Commission.
4. No motorized vehicles are permitted outside of specified parking areas. Motorized vehicles are prohibited except for emergency response by the Police and Fire Departments, or maintenance activities, or with prior written permission of the Conservation Commission.
5. No person shall cut, break, remove, deface, or defile any structure, fence, sign, growing trees, bushes, rocks, soil, plants, or flowers. No trails shall be cut or marked, no dams built, nor any structure such as a lean-to, bridge, etc. be constructed.
6. The disposal of trash, yard waste, or the dumping of any other material on conservation land is prohibited.
7. No person shall engage in business, sell, expose for sale or give away any goods, wares or circulars without written permission from the Conservation Commission.
8. Alcoholic beverages are prohibited on town owned property.
9. No camping is permitted except with prior written permission of the Conservation Commission.
10. Use of firearms, paintballs, and pellet guns is prohibited except with prior written permission of the Conservation Commission.
11. The use of conservation lands for commercial purposes is not allowed except by written authorization of the Commission.
12. The making of loud or disturbing noise is prohibited.
13. Public nudity is prohibited.
14. Feeding wildlife is prohibited.
15. Any activities and uses not set forth here require the permission of the Conservation Commission.

16.7 ENFORCEMENT

Violations of these regulations may be punishable by fine.

Any enforcing agent taking cognizance of a violation of these rules may require the violator to provide his or her name and address. No person shall refuse or fail to provide his or her name and address upon the request of an enforcing agent.

Any enforcing agent taking cognizance of a violation of these rules, or having cause to believe any crime has been committed, may order the violator to leave the conservation land immediately and remain off the conservation land for a period of 24 hours. No person upon receiving such order shall refuse or fail immediately to leave the conservation land or, having left, no person shall enter the conservation land before the 24 hours period has expired. Persons who fail to comply with this regulation may be subject to a criminal charge of trespass.

The Conservation Commission, its agents and any Town of Freetown Police Officer shall have the authority to issue citations assessing monetary fines, depending on the extent and severity of the violation.

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A violation of these regulations shall be punished by a fine of not more than \$100 per day shall be imposed according to the following schedule: \$50 for a first offense, \$75 for a second offense, and \$100 for a third and subsequent offense. These fines may be imposed under the provision of M.G.L. Chapter 21D by the Town of Freetown Police Department or by Commission members or staff. Each day shall constitute a new offense. If a violator has had three offenses, they shall be banned from the Town of Freetown Conservation Commission land for one year following the third offense. Assessment of fines under this section shall not restrict the Conservation Commission from issuing additional penalties for violations under the Massachusetts Wetlands Protection Act and/or Freetown Wetlands Protection By-law and for requiring remediation for any damages. Failure to pay a fine assessed under this regulation within 21 days may result in criminal prosecution.

The foregoing Regulations shall be prominently posted on all Conservation lands, shall be available to the public, and shall be given to all individuals seeking use permits.