

WATER SHED PROTECTION ORDINANCE
#99-0330

Section 1. Authority

Pursuant to Title 24 V.S.A. Section 1971(a), the Selectboard of the Town of Fair Haven, Vermont, hereby adopt the following ordinance to regulate the use of the three- (3) bodies of water within the Town's Water Shed Area. This ordinance is designated as a civil ordinance pursuant to title 24 V.S.A. Section 1971(b).

Section 2. Intent and Purpose

To promote the health, safety and welfare of the community by protecting important water resources of the Town of Fair Haven from any use which may reduce the quality of such water resource.

Section 3. District Delineation

The Source Protection Area (SPA) for the Town of Fair Haven is Inman Pond Sheldon Pond and Howard Pond.

Section 4. Permitted Uses

- a) Forestry using best management practices as set forth by the Acceptable Management practices for Maintaining Water Quality on Logging Jobs in Vermont.
- b) Recreational uses that pose no threat of contamination or pollution of surface water.
- c) Open space.

Section 5. Prohibited Uses

- a) Petroleum operated vehicles and equipment.
- b) Camping.
- c) Fires.

Section 6. Exemption

The provisions of this ordinance shall not apply to or affect the Water and Public Works Departments from conducting necessary maintenance and repairs in the Water Shed Area.

Section 7. Enforcement

The Law Enforcement Officers and Constables of the town will be the chief enforcement and issuing officials of this ordinance.

Section 8. Penalties

Any person found in violation of the provisions of this ordinance shall be subject to civil penalty of

First Offense - Warning and Removal from Property
Second Offense - \$250.00 Fine
Third Offense - \$500.00 Fine

Section 9. Separability

If any provision of this ordinance is found by a court of competent jurisdiction to be invalid or unconstitutional or if the application of this ordinance to any person or circumstances is found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be given effective without the invalid or unconstitutional provision or application.

Adopted by the Fair Haven Selectboard at its duly warned meeting of March 30 1999.

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