

Cooper Town Beach Ordinance (DRAFT)

I. STATEMENT OF PURPOSE

The purpose of this ordinance is to provide for the safety, enjoyment, health, and welfare of all persons using the Cooper town beach and parking facilities at Cathance Lake, to further provide a means of maintenance, operation and protection of the town beach and parking area, and to provide a family oriented atmosphere at an environmentally friendly and enjoyable town beach for residents and land owners of Cooper and their accompanied guests.

II. ADMINISTRATION, AUTHORITY, APPLICABILITY, and EFFECTIVE DATE

A. Administration of the town beach will be by the Select Board and their appointed Beach Steward. The Steward is responsible for maintenance, operation, and general stewardship of the Cooper town beach and parking area.

B. Authority to act: The Steward shall oversee the parking and beach area and shall adopt, establish, and as necessary, revise, with the consent of the Board of Selectmen, any additional rules and regulations that they may deem necessary to maintain safety. These safety rules and regulations, not inconsistent with this ordinance, shall be posted in a conspicuous place at the Beach and shall have the full force and effect of law.

C. Applicability: This ordinance shall apply to Town owned property at Cathance Lake which includes a beach and parking area.

D. Effective Date: This ordinance shall take effect upon adoption by the Town of Cooper.

III. DEFINITIONS

A. "Town" is the Town of Cooper, Maine.

B. "Beach" is the property owned by the Town of Cooper on Cathance Lake off Chubb Cove Road.

C. "Steward" is the Beach Steward appointed by the Select Board

IV. Use of Town Beach

The use of the Town Beach is limited to Cooper residents, landowners, and their accompanied guests.

1. Persons using the Town Beach shall do so at their own risk.
2. All town residents, landowners and accompanied guests will be expected to follow all posted rules and regulations, as well as the requirements of this Ordinance.
3. Picnic tables are available on a first come, first served basis.
4. Parking spots are reserved for residents and taxpayers of Cooper and their accompanied guests in areas as designated by the Steward and Select Board.
5. All children under age 12 must be accompanied by someone at least 16 years of age. The Town Beach shall be open from Memorial Day weekend to Indigenous Peoples/Columbus Day Weekend of each year, and shall have daily hours from dawn to dusk.

V. Prohibited Activities

1. The use of glass beverage containers or bottles.
2. Consumption of:
 - a. alcoholic beverages;
 - b. tobacco products;
 - c. marijuana;
 - d. illegal drugs
3. The kindling or use of open fires. Cooking appliances can be utilized at beach facilities as long as said cooking appliances are removed when finished, and do not cause damage or leave waste.
4. Overnight camping.
5. The importation and/or deposit of waste or refuse. The Beach is carry in/carry out.
6. Dogs.
7. Destruction or misuse of the facilities provided.
8. Body or hair washing on premises including use of soap, shampoo or other cleaning agents.
9. Use of port-a-toilets as a trash receptacle
10. No boats moored or launched from Town beach.
11. Activities which endanger persons or willful damage to any public property at the beach or beach parking facilities, including but not limited to, bathrooms, picnic areas, rocks, fencing, trees, brush or other vegetation.

VI. Enforcement

This Ordinance may be enforced by any duly authorized law enforcement officer, as well as other individuals specifically designated by the Board of Selectmen, including the Steward.

VII. Penalty

Any person found in violation of this Ordinance shall be subject to a fine payable to the Town of Cooper of not more than \$100.00. Each individual occurrence or infraction shall be considered a separate violation.

First time and minor violations of this ordinance not involving any property damage, injury, or cost to the town of Cooper will be enforced by means of a written warning issued by a duly authorized law enforcement officer or the Steward.

Any violations that result in any property damage, injury to others, or that involves either repeated violations by the same individual or results in any expenses to the Town as a result of the violation may be subject to the issuance of a summons for such violations. The summons will notify the alleged violator of the date, time and court in which the notice of violation will be heard. If the Town prevails in any enforcement action under this section, it will be entitled to an award of its costs of prosecution, including its reasonable attorney's fees, in addition to penalties and any costs of repair or replacement resulting from the violation.

VIII. Severability

should any portions of this Ordinance be declared invalid by court, the remaining portions of this Ordinance shall remain in full force and effect.

IX. Effective Date

This Ordinance shall take effect upon adoption by the Town of Cooper. Adopted by Town Meeting vote