

**Town Beach Ordinance**  
**Of the**  
**Town of Readfield, Maine**

ENACTED: \_\_\_\_\_

CERTIFIED BY: \_\_\_\_\_

Signature

CERTIFIED BY: \_\_\_\_\_

Printed Name

\_\_\_\_\_  
Title

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of the  
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*Special thanks to the Towns of Otisfield, Poland, Sebago, Turner, Winthrop, and York; whose public beach ordinances were referenced in the drafting of this Ordinance*

1. GENERAL PROVISIONS:

- A. This Ordinance shall be known and may be cited as the “Town Beach Ordinance” and will be referred to herein as this Ordinance.
- B. The purpose of this Ordinance is to provide for the enjoyment, health, welfare and safety of all persons using the Town Beach; to provide a means of maintenance, operation and protection of the Town Beach; and to provide a family-oriented atmosphere for lawful users of the Town Beach. The Town of Readfield is further committed to maintaining accepted environmental standards to preserve the ecological quality of the Town Beach and waterways for future generations.

2. DEFINITIONS

**Beach Pass** - Any pass issued by the Town of Readfield granting access to the Town Beach. Beach passes may be issued for different user groups and for different periods of time.

**Emergency** - Shall be defined to mean any event which threatens to or actually inflicts damage to people or property and which requires immediate action to mitigate, prevent, control or contain.

**Town Beach** - As referenced in this Ordinance shall mean the property as a whole, identified as Map 120 and Lot 154 in the Town of Readfield Tax Maps; consisting of approximately 8.63 acres of land and accompanying water frontage on Maranacook Lake and Tingley Brook; including the traditional beach area, recreation areas, swimming area, parking areas, physical infrastructure, and undeveloped areas of the premises.

**Non-recreational Use** - Any use or activity that is not directly related to recreation or includes a component not directly related to recreation. This includes but is not limited to commercial activity, sales, solicitation, petitioning, and political activity.

**User(s)** - Any individual(s) permitted to use the Town Beach through a valid Beach Pass.

3. ADMINISTRATION

- A. The Town Manager shall delegate the day-to-day responsibilities pertaining to maintenance, operation, and general stewardship of the Town Beach. The Readfield Recreation Board and Town Staff shall assist with the maintenance and operation of the Town Beach as appropriate given their respective roles and responsibilities. The Readfield Recreation Board and Readfield Conservation Commission, acting through the Town Manager, may propose to the Select Board revisions of this Ordinance and any rules and regulations subsequently adopted by the Select Board pursuant to this Ordinance to ensure enjoyment, health, welfare and safety of all persons using the Town Beach as well as the stewardship of the Town Beach property.

- B. The Select Board shall adopt Beach Rules, regulations and fees not inconsistent with this Ordinance, to more specifically regulate the use of the Town Beach. These rules and regulations, consistent with the ordinance, shall be posted in a manner reasonably notifying Town Beach users of the rules and regulations, and shall have the full force and effect of the law. Any duly adopted rules or regulations shall be included as appendices to this Ordinance.

4. BEACH USE

- A. Unless otherwise specified use of the Town Beach is limited to Readfield residents and non-resident taxpayers and their accompanied guests, with a valid and displayed Beach Pass, and to non-residents and their accompanying guests with a valid and displayed Beach Pass.
- B. Annual Beach Passes shall be free to documented Readfield residents and non-resident taxpayers. Non-residents are not guaranteed a Beach Pass and shall be assessed a fee. Beach Passes shall be available at the Town Office and from Beach Staff (when present). Users not covered by an Annual Beach Pass shall be required to have a Guest Pass.
- C. Beach passes shall be of the following categories:
  - i. Annual - Issued only to Readfield resident and non-resident taxpayer households, valid for the entire year following issuance
  - ii. Weekly - Guest pass valid for seven days, including the day of issuance
  - iii. Daily - Guest pass valid for the day of issuance
  - iv. Event - Guest pass valid for the duration of an event (i.e. afternoon birthday party)
- D. All users of the Town Beach must follow the provisions of this Ordinance and any Beach Rules or regulations adopted by the Select Board.
- E. Use of the Town Beach for special events or activities shall require a Town Beach Event Permit to avoid conflicting uses, conflicting schedules, and over-use of the Town Beach. Town Beach Event Permits, if approved, shall be issued by the Town Manager.
- F. Town-sponsored activities or events shall have priority for the use of all facilities over general recreational use or events.
- G. Non-recreational use of the Town Beach is prohibited outside of designated non-recreational use areas. Determination of what constitutes non-recreational use, and any limits to these uses including the designation of non-recreational use areas, shall be at the discretion of Beach Staff or the Town Manager.

5. BEACH ACCESS

- A. Town Beach seasons, days, and hours of operation shall be set under section 3 of this Ordinance. Use of the Town Beach outside of these seasons, dates, and times is

prohibited unless otherwise specified.

- B. The Town Beach is a recreational resource for all residents and non-resident taxpayers. Ensuring accessibility for users of all ages and abilities is a priority. The Town of Readfield is expected to provide Town Beach access to the greatest practical extent and in compliance with State and Federal guidelines. Identified areas of need include accessible restroom / changing facilities, access to the recreation and picnic areas, accessible playground equipment, and access to the water.
- C. Use of the lower parking area shall be limited to vehicles displaying valid Beach Passes between June 15 and September 15. Use of the upper parking area shall be limited to vehicles displaying valid Beach Passes from 5:00am to 5:00pm between June 15 and September 15. Both parking lots shall be open for general parking (no Beach Pass required) outside of these dates and times. All other parking provisions shall be established by the Select Board under M.R.S. Title 30-A §3009 and §4452, and M.R.S. Title 29-A §2395 and §2388.
- D. Access to the Town Beach from any vessel is prohibited, with the exception of non-motorized vessels associated with valid Rack Rental and Launch Permits.
- E. Snowmobile and other recreational vehicle access shall be allowed on the marked trails only, and only when the ground is solidly frozen.

6. BEACH SAFETY

- A. Persons using the Town Beach shall do so at their own risk. While Beach Staff may be trained in CPR, Lifeguarding, and other relevant skills, Beach Users should always assume that no trained staff are present or available.
- B. Water testing at the Town Beach shall be conducted a minimum of weekly between July 1 and September 1. Test results shall be available for inspection by Beach Users at the Town Beach or by request. Additional testing may be conducted at the discretion of Beach Staff or the Town Manager.
- C. The Town Manager, or in the Town Manager's absence the Town's Emergency Management Director or Beach Staff, shall have the authority to close the Town Beach in an emergency in order to protect public health and safety. The order may be issued verbally or in writing, and shall be as narrow or broad as is necessary to protect the public. Situations where beach closure may be warranted also include, but are not limited to: any time a Town, County or State disaster proclamation is in effect; during times of potential or actual thunder and lightning; and when water pollution is excessive. Closures may be limited or partial.

7. ENFORCEMENT

This Ordinance may be enforced by any duly authorized law enforcement officer, as well as Beach Staff, the Town Manager or designee, and other individuals specifically designated by the Select Board.

8. PENALTY

- A. Any person found in violation of this Ordinance or subsequently adopted rules or regulations by any individual identified in Section 7 of this Ordinance may be subject to:
  - i. Beach Pass revocation. Revocation may be temporary or for the full term of the Beach Pass.
  - ii. A fine payable to the Town of Readfield. Each individual occurrence or infraction shall be considered a separate violation.
- B. First time and minor violations of this Ordinance or subsequently adopted rules or regulations not involving any property damage, injury, or cost to the Town of Readfield shall be enforced by means of a verbal or written warning issued by Beach Staff, or the Town Manager or designee.
- C. Second and subsequent violations may be subject to a fine in an amount established by the Select Board, but not more than \$100 per violation.
- D. Any violations that result in any property damage, injury to others, or results in any expenses to the Town as a result of the violation shall be subject to a fine, payment of actual costs and damages, and 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.

9. CONFLICTS WITH OTHER ORDINANCES

Whenever a provision of this Ordinance conflicts with or is inconsistent with another provision of this Ordinance or of any other Ordinance, regulation or statute, the more restrictive provision shall apply.

10. SEVERABILITY

The invalidity of any section or provision of this Ordinance shall not be held to invalidate any other section or provision of this Ordinance.

11. ABROGATION

This Ordinance repeals and replaces any relevant municipal ordinance, portion thereof, or legislative action previously enacted.

12. APPENDICES

The list of Appendices to this Ordinance and their content may be amended from time to time by vote of the Readfield Select Board:

- A. Rules of the Readfield Town Beach*
- B. Town Beach Pass Application*
- C. Town Beach Event Reservation Application*
- D. Town Beach Rack Rental & Launch Permit Application*
- E. Town Beach Map*