

Brockton Conservation Commission Regulations for Use of Conservation Land

Section 1 - Definitions.

COMMISSION

Shall mean the Brockton Conservation Commission.

CONSERVATION LANDS

For the purpose of this chapter, "Conservation lands" shall mean all properties under the jurisdiction of the Brockton Conservation Commission by means of deed, conservation restriction, or vote of the City Council.

ENFORCING AGENT

Shall include Brockton Police Department, Massachusetts Environmental Police, Brockton Conservation Agent, or City-affiliated land stewardship organization.

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, motor-assisted bicycles, or skidoos. Motorized vehicles also include motorized boats.

Section 2 - Rules and regulations.

A. Preface.

The Conservation Commission invites everyone to enjoy the conservation lands in Brockton for passive recreation. The Commission has adopted these regulations under its authority (MGL c. 40, § 8C) to make regulations for City 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.

B. Basic regulations.

(1) Conservation lands and associated parking are open from dawn to dusk. Parking after dusk is prohibited.

(2) The Conservation Commission and the City of Brockton 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 all and any risks involved with use of the land.

(3) 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.

(4) All public safety ordinances of the City apply to conservation lands.

(5) All cans, bottles, litter, and garbage or any other materials brought onto the property by the user are to be taken away by the user.

(6) All persons using the City'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.

C. Allowed activities and uses.

(1) Conservation land may be used for passive recreation, including hiking, jogging, 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 City's conservation lands by groups for organized events is permitted with prior notification and approval of the Conservation Commission.

(6) Line fishing is permitted with a valid state license.

D. Prohibited activities.

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

(2) Fires are prohibited.

(3) No motorized vehicles are permitted outside of specified parking areas. Note that motorized vehicles are also prohibited outside of specified parking areas in the Brockton Audubon Preserve.

(4) 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.

(5) The disposal of trash, yard waste, or the dumping of any other material on conservation land is prohibited.

(6) Alcoholic beverages are prohibited.

(7) Camping is prohibited.

(8) Target shooting is prohibited.

(9) The use of conservation lands for commercial or political purposes is not allowed except by written authorization of the Commission.

(10) The making of loud or disturbing noise is prohibited.

(11) Public nudity is prohibited.

(12) Feeding wildlife is prohibited.

(13) Hunting, trapping, and net fishing are prohibited. Note that hunting and trapping are also prohibited in the Brockton Audubon Preserve.

(14) No wood or other natural materials may be collected or removed for firewood or other purposes.

(15) Use of metal detectors is prohibited, and no artifacts shall be collected or removed from conservation land.

Section 3 - Enforcement.

A. Violations of these regulations may be punishable by fine.

B. 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.

C. 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 twenty-four-hour period has expired. Persons who fail to comply with this regulation may be subject to a criminal charge of trespass.

D. A violation of these regulations shall be punished by a fine of \$100. If a violator has had three offenses, they shall be banned from Brockton 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 Brockton Wetlands Ordinance and for requiring remediation for any damages.

Section 4 - Posting, publication and availability; additional information.

A. The foregoing Regulations shall be prominently posted on all Conservation Lands, available on the City's website, published periodically in the City's newspaper, shall be available to the public, and shall be given to all individuals seeking use permits.

B. For maps, clarification, and/or additional information, please contact: Department of Planning and Economic Development at 508-580-7113.