

# Middlesex Fells Reservation Resource Management Plan

## *Enforcement of Rules and Regulations*

Wednesday, March 23, 2011

Meeting Location:  
Christopher P. Dunne Visitors Center  
Breakheart Reservation

## 350 Code of Massachusetts Regulations, Section 2.02 Enforcement of Rules and Regulations by DCR Rangers



- (2) Authority. Pursuant to M.G.L. c. 92, § 34B, Rangers are authorized to issue citations for violations contained in 350 CMR 2.00 through 5.00.
- (3) Citation procedure.
- (a) If a Ranger witnesses a violation of 350 CMR, the Ranger may issue a citation to the offender. The Ranger is authorized to request the name, address, driver's license, phone number, and date of birth of the offender.
- (4) Payment or Appeal of Citation.
- (b) In lieu of payment, the offender may, within 21 days... request a hearing at the District Court of the Commonwealth with jurisdiction...
  - (c) If the offender fails to make timely payment... and fails to appear for a hearing... the DCR may seek a criminal complaint against the offender.

# Current DCR - Urban Parks Regulations

350 CMR 2.01, (2)

(Non-criminal citations)

(b) No person is allowed on DCR Reservations except during the hours from dawn to dusk unless specified otherwise at the site, or by permit. Use of Parkways and Bridges is not restricted.

- Party sites, Camp sites, Night bike rides, Night hikes, Night fishing, Vehicles parked after dark, etc.

(e) Drunkenness, breach of peace, profanity, amplified sound or disorderly conduct offensive to the general public are strictly forbidden. Possession of, or drinking of, alcoholic beverages is forbidden, except when authority has been granted by the Commissioner in writing.

- Public drinking, illicit sex activity, etc.

## 350 CMR Section 2.01, (2)... (continued)

(g) No person shall cause or permit any animal owned by him or in his custody or under his control, except a dog when restrained by a leash not exceeding seven feet in length, to roam or be at large in, on, or through any reservation or parkway, or to be hitched or tied to a fence, tree bush, shrub or any other object or structure except as otherwise provided... Owners are required to properly dispose of their dog's animal waste.

- The DCR will be designating an off-leash area encompassing a portion of the Sheepfold field. The off-leash area (TBD) will be demarcated both on a bulletin board map and on the ground... ***The leash regulation will be enforced outside of the designated area.***
- The DCR has also received requests for ON-TRAIL off-leash areas through the RMP process. The DCR is taking all comments under advisement.



## 350 CMR Section 2.01, (2)... (continued)

(h) The use of bicycles, and other means of transportation... may be prohibited in areas so designated on a site by site basis.

- This applies to all single-track trails outside of designated Mountain Bike Loop. Bikes are prohibited altogether during March *and* when conditions warrant. (TBD & communicated by DCR, likely by posting on website and kiosks.)



- The draft Fells Trail Plan (a component of the RMP) recommends that additional single-track trails be designated as multi-use trails.
- The Trail Plan also recommends designating sections of the park as 'Hiking Only'.

## 350 CMR Section 2.01, (2)... (continued)

- (j) No person shall injure, deface, destroy, remove or carry off any sign, structure, facility, tree or any other property or equipment, real or personal, under the care and control of the DCR.



- (m) Public assemblies of more than 25 persons shall not be allowed without a written permit from the Commissioner or his designee.
- Contact the DCR to obtain a permit.
- (n) No person shall engage in any business, sale, or display of goods or wares without a written permit from the Commissioner or his designee.

## 350 CMR Section 2.01, (2)... (continued)

- (q) ...Injuring or otherwise disturbing animals or birds or their habitat is prohibited.
- (r) No person shall drop, throw or place and allow to remain any litter, garbage, or other refuse, except in the receptacles provided; nor throw a lighted match, cigarette butt or any other burning substance on the ground or in said receptacles; nor bring or cause to be brought within any reservation or parkway any garbage, refuse or material for the purpose of dumping, or depositing same within said receptacles.



## 350 CMR Section 2.01, (2)... (continued)

(t) No person shall refuse or neglect to obey any posted regulatory sign or the lawful directions of an Authorized Police Officer, DCR Ranger or person in charge.

- Swimming in Spot Pond



(u) Public use allowed on established park trails in woodland areas. No off-trail use allowed except by permit from the Commissioner or his/her designee.

## Parking Regulations: 350 CMR 5.02

- (14) Restricted Area: No person shall allow, permit or suffer any vehicle registered in their name to stand, stop or park at any place where official traffic signs have been placed or erected prohibiting stopping, standing or parking.
- (28) Parkland: No person shall stop, stand or park a vehicle within any portion of any DCR parkway, street, or highway. No sign is needed to enforce 350 CMR 5.02(28).

350 CMR 5.01 (definitions):

Parkland. All areas within DCR reservations dedicated to park purposes by the Commission including, but not limited to, grass, dirt, or other unpaved areas unless specifically designated for the purpose of vehicle parking or vehicle access by the Commission.



# Enforcement Staffing Resources

- State Police, Local Police, Environmental Police, Other Agencies
- Park Rangers
  - ❖ 5 Year-Round North Region Rangers
    - 1 is 'Fells District' Ranger
  - ❖ 4 Seasonal Rangers (total)
    - 3 in the Fells
      - » 2 Long-Term (mid-April to late-September)
      - » 1 Short-Term (late-May to early-September)
  - ❖ Rangers from outside of the Region (Chief Rudge)



# Massachusetts Park Watch Program



## Some Questions for Discussion

- *Are there certain activities that would be widely regarded as inappropriate at the Fells and that should be enforced against?*
- *What do you see as the most effective integration/balance of education, self-enforcement and enforcement by DCR or others?*
- *How can you and/or interested organizations assist DCR with the challenge of achieving greater compliance?*