

**§2649. Protection of public water supplies over winter**

**1. Petition for rules.** Any water utility, water district or municipality which relies on surface water for its water supply may petition the Commissioner of Inland Fisheries and Wildlife to promulgate rules to regulate the size and range of motor vehicles which may be permitted on the ice of any reservoir or surface water which is used as a public water supply. The petitioner must supply the technical information in support of the decision. The commissioner shall promulgate only such rules as are reasonable and necessary to protect the public water supply. These rules shall be promulgated in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, after a public hearing in the affected area.

[PL 1987, c. 353, §1 (NEW).]

**2. Existing rules.** Any rules that are adopted must be at least as strict as those already in existence for that body of water. Nothing in this section may be construed to limit in any way the authority of the municipal officers to enact ordinances under Title 30-A, section 3009, subsection 1, paragraph E, or any private and special law granting a water utility or municipality greater control for protecting its public water supply than those set forth in this section.

[PL 1191, c. 824, Pt. B, §7 (AMD).]

**3. Violation.** Any violation of the rules promulgated under this section is a civil violation for which a forfeiture of not more than \$100 may be adjudged for each violation.

[PL 1987, c. 353, §1 (NEW).]

**SECTION HISTORY**

PL 1987, c. 353, §1 (NEW). PL 1991, c. 824, §B7 (AMD).

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