

**PART I** ADMINISTRATION OF THE GOVERNMENT
(Chapters 1 through 182)**TITLE XIX** AGRICULTURE AND CONSERVATION**CHAPTER 131** INLAND FISHERIES AND GAME AND OTHER NATURAL RESOURCES**Section 45** Great ponds; public use; rules and regulations

Section 45. Except as otherwise provided in this section and elsewhere in this chapter, every great pond not actively being used as a source of water supply of any town, water supply or fire district or public institution, and not subject to the provisions of section one hundred and sixty of chapter one hundred and eleven, shall be public for the purpose of hunting or boating thereon and shall, notwithstanding the provisions of any special law relating to fisheries in any particular place, be open to all inhabitants of the commonwealth for fishing purposes; provided that any city or town in which the whole or any portion of any great pond not exceeding five hundred acres in extent is situated may, as to so much thereof, as is located within its boundaries, make and enforce rules and regulations relative to hunting, fishing and boating thereon. Any such rule and regulation relative to boating may include, on all or any portion of said pond, for all or any portion of the year, any of the following: a speed limit, a limit on engine horsepower, a prohibition of the use of internal combustion engines, a ban on water skiing and other high speed uses and a limitation of such uses to certain areas and certain times. Any such rules or regulations shall, to the extent that they authorize hunting or fishing or, both, be subject to the approval of the director, and to the extent that they authorize any other use thereof, be subject to the approval of the commissioner of environmental protection or to the extent that they impose restrictions upon the speed limit, a limitation on engine horsepower, a prohibition of the use of internal combustion engines, a ban on water skiing and other high speed uses, and a limitation of such uses to certain areas and certain times, be subject to the approval of the director of law enforcement. All persons shall be allowed reasonable means of access to such ponds for the purposes aforesaid.

Notwithstanding any other provisions of this section and section thirty-nine B of chapter ninety, any city or town in which is situated the whole or any portion of any great pond, as defined by section one, may, as to so much thereof which is located within its boundaries, make and enforce rules and regulations relative to the use and operation of aircraft equipped with floats or other means of transportation on water; provided, however, that such regulations, ordinances, or by-laws providing for such use and operation shall first be approved by the Massachusetts aeronautics division.