

The Town Council of the Town of Smithfield desires to amend, by Ordinance Chapter 145 of the Town of Smithfield Code of Ordinances entitled “Boats and Waterways” as follows:

IT IS HEREBY ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD AS FOLLOWS:

Section 1.

145-10 .Definitions. is hereby amended by deleting the definition “Pond Wardens” and adding the definition “Personal Watercraft” thereto.

Personal Watercraft.

Any small recreational motorboat designed to be operated by a person sitting, standing or kneeling on top of the vessel rather than inside the vehicle.

Section 2. 145.12(c) Replace the word Powerboat with the word Motorboat.

145.12 (d) Replace the word powerboat in the first sentence with the word motorboat.

145.12 (d) Delete the words “constable or pond warden” and insert the words “Rhode Island State Police, Rhode Island Department of Environmental Police or any law enforcement authority providing mutual assistance to the Town of Smithfield” after the word “Town”.

145.12 (d) After the words “police officer” insert the words “or law enforcement authority”

145.12 (d) Delete the words “constable or pond warden”.

Add Section 145.12(e)

E. No person shall operate a personal watercraft at any time on Georgiaville Pond. The Smithfield Police Department, the Smithfield Fire Department and Rhode Island Department of Environmental Management Police are exempt from the provisions of this ordinance.

Section 3. 145-14. Closed hours; violation.

After the word “appointed” insert the “police” and delete the word “enforcement”. After the words “Town of Smithfield,” insert the words “Rhode Island State Police, Rhode Island Department of Environmental Police, or any law enforcement authority providing mutual assistance to the Town of Smithfield”.

Section 4. These ordinance amendments shall take effect thirty (30) days after its adoption.

APPROVED AS TO ITS FORM AND LEGALITY:

TOWN SOLICITOR

ADOPTED: _____

TOWN COUNCIL PRESIDENT

TOWN CLERK

Chapter 145. Boats and Waterways

Article III. Georgiaville Pond

[Adopted 6-22-1982 (Ch. 6, Art. III, of the 1985 Code of Ordinances)]

§ 145-10. Definitions.

[Amended 3-21-2026]

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context indicates a different meaning:

POND WARDENS

~~The wardens at Georgiaville Pond, who are appointed by the Town Council with limited constable powers relating to the enforcement of this article and who are fully supported by the Smithfield Police Department.~~

PERSONAL WATERCRAFT

Is a small, recreational motorboat designed to be operated by a person sitting, standing, or kneeling on top of the vessel rather than inside.

RESIDENT-OWNED MOTORBOAT

Includes any boat with either an inboard or an outboard motor which is powered by gasoline or any other fuel and which is owned by a Smithfield resident.

§ 145-11. Purpose.

This article, relating to the operation of resident-owned motorboats and to the sport of water skiing upon the waters of Georgiaville Pond, is adopted for the purpose of promoting the general health, safety and welfare of the Town.

§ 145-12. Regulations.

[Amended 12-2-1986; 5-5-1999; 3-21-2026]

- A. All motorboats operating at Georgiaville Pond must be registered at the Smithfield Recreation Department where boat stickers will be issued in accordance with Code Chapter 263, Parks and Recreation Areas, Article II, Georgiaville Beach. The stickers must be conspicuously posted on the starboard side of the stern of the motorboat.
- B. Motorboat operation and/or water skiing closer than 100 feet in a parallel line to the shore is prohibited. Water skiing at Georgiaville Pond will be confined to the area between the marker buoy indicating "Restricted Area" and the marker buoy indicating "Controlled Area."
- C. ~~Motorboat Powerboat~~ operation and water skiing are limited to the hours between 1/2 hour before sunrise and 1/2 hour after sunset or 9:00 p.m. whichever shall occur first.
- D. Every person while operating a motorboat powerboat shall slow to a speed not exceeding five miles per hour when passing other boats which are not propelled by mechanical means.

Boat operators shall obey lawful directions given to them by any police officer ~~constable or pond warden~~ of the Town, RI State Police, RI DEM Police, or any law enforcement authority providing mutual assistance to the Town of Smithfield, in enforcement of the provisions of this article and shall immediately, upon being instructed by any police officer or law enforcement authority, ~~constable or pond warden~~, desist from any excessive speeding or other reckless practices.

- E. No person shall operate a personal watercraft at any time on Georgiaville Pond. Police department, fire department and RI DEM Police personnel on official duty may operate personal watercraft with proper equipment and lighting and are exempt from the provisions of this subsection.

§ 145-13. Parking.

Vehicular parking is prohibited in front of the gateways which are posted as "tow zones."

§ 145-14. Closed hours; violation.

[Added 12-2-1986; 3-21-2026]

It shall be a violation of this section for any person, other than a duly appointed ~~police enforcement~~ officer of the Town of Smithfield, RI State Police, RI DEM Police, or any law enforcement authority providing mutual assistance to the Town of Smithfield, to be present upon town-owned property abutting Georgiaville Pond including its beach area and islands or to be in or upon the waters of Georgiaville Pond itself between the hours of 9:00 p.m. and 1/2 hour before sunrise.