

No Swimming Ordinance re Upper Hadlock Pond, Lower Hadlock Pond and Jordan Pond

1. In order to protect the quality of the public water supplies and the health, safety and welfare of persons dependent upon such water supplies from Upper Hadlock Pond and Lower Hadlock Pond in Northeast Harbor and Jordan Pond in Seal Harbor, it shall be unlawful:
 - A) for any person or persons to swim or wade in the waters of Upper or Lower Hadlock Ponds in Northeast Harbor or Jordan Pond in Seal Harbor; or
 - B) for the owner or person in control of any domestic animal to allow such domestic animal to wade or swim in the waters of Upper Hadlock Pond or Lower Hadlock Pond in Northeast Harbor or Jordan Pond in Seal Harbor.
2. Any person or corporation who violates, disobeys, refuses to comply with, or resists the enforcement of any provision of this ordinance shall upon conviction, be fined not less than One Hundred Dollars (\$100), nor more than Two Thousand Five Hundred Dollars (\$2,500) for each offense. Each violation shall be deemed a separate offense. In addition, pursuant to the Maine Revised Statutes, Title 30-A, Part 2, Subpart 6-A, Chapter 187, Subchapter 5 (30-A M.R.S.A. § 4452), the Town may recover all costs of enforcement of this ordinance, including reasonable attorneys fees.
3. This ordinance, as amended, is adopted pursuant to the Maine Revised Statutes, Title 30-A, Part 2, Subpart 4, Chapter 141 (30-A M.R.S.A. § 3001, *et seq.*), and Title 22, Subtitle 2, Part 5, Chapter 601, Subchapter 4, Article 141, § 2642 (22 M.R.S.A. § 2642).
4. This Ordinance was, pursuant to 22 M.R.S.A. § 2642, originally adopted by the Board of Selectmen for the Town of Mount Desert on May 23, 1977, and then was ratified by the voters of the Town at a Town Meeting held on May 5, 2009.
5. This ordinance shall be enforced by the Police Department of the Town of Mount Desert.
6. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.
7. The effective date of this Ordinance is: May 5, 2009.
8. This Ordinance shall expire and be of no force or effect on May 7, 2024.