

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and use italics or underlining to indicate new matter.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED

FEB 20 2001

Alexander F. D'Amico
Secretary of State

County
City of Sanford
Town
Village

Local Law No. 1 of the year 2001

A local law of the Town of Sanford Prohibiting the Use of Personal
(Insert Title)
Watercraft and Specialty Prop-Craft on Oquaga Lake

Be it enacted by the Town Board of the
(Name of Legislative Body)

County
City of Sanford as follows:
Town
Village

(See Attached Sheets)

(If additional space is needed, attach pages the same size as this sheet, and number each.)

A Local Law of the Town of Sanford Prohibiting the Use of Personal Watercraft and Specialty Prop-Craft on Oquaga Lake

BE IT ENACTED by the Town Board of the Town of Sanford as follows:

Section 1. DEFINITIONS. As used herein, the term “personal watercraft” shall mean a vessel which uses an inboard motor powering a water jet pump as its primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind the vessel rather than in the conventional manner of sitting or standing inside the vessel.

As used herein, the term “specialty prop-craft” shall mean a vessel which is powered by an outboard motor or a propeller driven motor and which is designed to be operated by a person sitting, standing or kneeling on or being towed behind the vessel rather than in the conventional manner of sitting or standing inside the vessel.

Section 2. FINDINGS. The Town Board of the Town of Sanford hereby finds and determines that adoption of this local law will promote the safety of the people and be in the best interests of the Town of Sanford.

Section 3. PROHIBITION. Pursuant to, and in accordance with, the provisions of subparagraph a of paragraph 1 of subdivision 17 of Section 130 of the Town Law, the use, operation or driving of personal watercraft and the use, operation or driving of specialty prop-craft on Oquaga Lake in the Town of Sanford, County of Broome, State of New York are hereby prohibited within a distance of fifteen hundred(1500) feet from the shore of Oquaga Lake. No person shall use, operate or drive a personal watercraft or use, operate or drive a specialty prop-craft on Oquaga Lake in the Town of Sanford, County of Broome, State of New York within a distance of fifteen hundred(1500) feet from the shore of Oquaga Lake. Nothing herein shall be deemed to prevent access to federally maintained and designated channels.

Section 4. SIGNBOARD. A number of signboards complying with the requirements of Section 46 of the Navigation Law and facing the water of Oquaga Lake shall be constructed and conspicuously placed on the shore of Oquaga Lake, in accordance with Section 46 of the Navigation Law.

Section 5. VIOLATION. A violation of this local law shall be deemed an offense against this local law and shall be punishable by a fine not exceeding three hundred fifty dollars or imprisonment for a period not to exceed six months, or both. For the purpose of conferring jurisdiction upon courts and judicial officers generally, such a violation shall be deemed a misdemeanor and for such purposes only all provisions of law relating to misdemeanors shall apply to such a violation.

Section 6. SEPARABILITY. If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this local law or the application thereof to any other persons or circumstances. The Town Board of the Town of Sanford hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 7. EFFECTIVE DATE. This Local Law shall take effect immediately upon filing in the office of the Secretary of State of the State of New York as provided in Section 27 of the Municipal Home Rule Law.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2001 of the ~~(County)~~(City)(Town)(Village) of Sanford was duly passed by the Sanford Town Board on February 13, 2001, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County)(City)(Town)(Village) of was duly passed by the on 20 , and was (approved)(not approved)(repassed after disapproval) by the and was deemed duly adopted on 20 , in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County)(City)(Town)(Village) of was duly passed by the on 20 , and was (approved)(not approved)(repassed after disapproval) by the on 20 . Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on 20 , in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County)(City)(Town)(Village) of was duly passed by the on 20 , and was (approved)(not approved)(repassed after disapproval) by the on 20 . Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of 20 , in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.