

# Local Law Filing

(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 do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one.)

of Cape Vincent

Local Law No. 1 of the year 2016

A local law to provide clarity and the easement of administration for the use of the docks  
(Insert Title)

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

County  City  Town  Village  
(Select one.)

of Cape Vincent as follows:

Article 1. - Statement of Authority. The Board of Trustees of the Village of Cape Vincent, pursuant to the authority granted it under Article 4 of the Village Law and Sections 10 and 20 of the Municipal Home Rule Law, hereby enacts as follows:

Article 2. - Statement of Purpose and Findings. The Board of Trustees of the Village of Cape Vincent is responsible for the operation and maintenance of Village docks at the North end of Esseistyne Street. Previously, the Board of Trustees has enacted certain regulations for the use of these docks by private watercraft. In order to provide clarity and the easement of administration for the use of the docks, certain amendments to those regulations need to be made. It is the purpose of this local law to accomplish the same.

Article 3. - Enactment. The Board of Trustees of the Village of Cape Vincent hereby amends Local Law #2 of 2004 and as amended restates the same as follows:

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

## Section 1.

Private watercraft may dock at the Village Dock at the North end of Esselstyne Street on a first come, first serve basis. The maximum length of a stay in any five (5) day period shall be three (3) consecutive days or seventy-two (72) consecutive hours. Watercraft may leave and return to the dock any time within that time period provided space is available when they return. There will be no reservation of spaces. The time period specified in this section will be measured beginning upon arrival of watercraft and its registration.

## Section 2.

Boaters must register their watercraft with the Village as soon as the vessel arrives and is secured at the docking facility. Registration forms and instructions will be available twenty-four (24) hours per day at the docking facility. The Village shall provide appropriate signage and facilities for the same. Vessels will not be considered registered until the registration form has been deposited in a depository as directed by the Village on the signage provided.

## Section 3.

Vessels with a beam's width in excess of ten feet (10') or length in excess of thirty feet (30') will be prohibited from docking on the West side of the dock.

## Section 4.

There shall be no rafting of boats on the West side of the dock between the dock and boathouse or any other locations designated by "No Rafting" signs.

## Section 5.

All private watercraft docked pursuant to this local law shall observe "Quiet Hours" at the dock between 10:0 p.m. and 6:00 a.m., meaning that there shall be no loud music or boisterous activity that would disturb neighboring boaters or residents.

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Section 6.

Any person violating any provision of this law shall be guilty of a violation as defined in the Penal Law of the State of New York. Upon conviction thereof, shall be subject to a fine not less than \$50.00 and not to exceed \$100.00 for a first offense. For a second offense within a five-year period, a fine not less than \$100.00 nor more than \$200.00. For a third or any subsequent offense within a five-year period, a fine not less than \$150.00 nor more than \$250.00. Additionally, a vessel's stay at the dock may be terminated upon violation of any provisions of this law.

Section 7.

The Board of Trustees of the Village of Cape Vincent may temporarily suspend these docking regulations for special events or when required by the Police Department in the interest of public safety.

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Article 4. - Severability. If any part of this Chapter shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this Chapter.

Article 5. - Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

STATE OF NEW YORK  
**DEPARTMENT OF STATE**

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GOVERNOR

CESAR A. PERALES  
SECRETARY OF STATE

January 26, 2016

Diane E Collette  
Hrabchak & Gebo PC  
216 Washington Street  
Suite 300  
Watertown NY 13601

FEB 03 2016

**RE: Village of Cape Vincent, Local Law 1 2016, filed on January 25, 2016**

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, [www.dos.ny.gov](http://www.dos.ny.gov).

Sincerely,  
State Records and Law Bureau  
(518) 473-2492



**Department  
of State**