**LOCAL LAW NO. OF 2021**

**VILLAGE OF TUXEDO PARK**

**A LOCAL LAW TO AMEND VILLAGE LAW RELATED TO RULES AND REGULATIONS APPLICABLE TO LAKES AND PONDS**

BE IT ENACTED by the Board of Trustees of the Village of Tuxedo Park, Orange County, New York as follows:

**Section 1. Legislative Intent.**

It is the intent of this local law to amend Village Law Chapter 65, Lakes and Ponds. Specifically, the Village currently has provisions in its local law governing boat size, type, and use on the bodies of water within the Village. However, the Village wishes to modify the size of boats permissible on Tuxedo Lake and further wishes to enact provisions governing docks, erection and sizing thereof.

As such, it is the intent of this local law to expand and coordinate sizes of docks with boats to prevent unnecessary injury to those entering upon or exiting from said boats.

**Section 2. Authority.**

This local law is adopted pursuant to Section 10 of the Municipal Home Rule Law and Article VII of the New York State Village Law.

**Section 3. Amendment of Village Law Chapter 65 “Lakes and Ponds”**

Chapter 65, Section 2”, subdivision C shall be amended as follows:

[**C.**](https://ecode360.com/11135760#11135760)No person shall place, install, rebuild or otherwise erect a nonpermanent structure on Tuxedo Lake unless such structure was legally deployable on Tuxedo Lake on June 30, 2008, or unless such structure is otherwise in compliance with this chapter. An inventory of such structures on June 30, 2008, shall be made and maintained on file with the Building Inspector. An owner of property abutting Tuxedo Lake may place, install or otherwise erect one seasonal, floating or otherwise nonpermanent structure that complies with the requirements of this chapter. Any such nonpermanent structure must be securely attached to the shore, and be limited in size so that it has a lakefront length of not more than feet and does not extend into the lake more than feet (exclusive of any bridging mechanism described in this subsection). Structures may be attached directly to the shore or may be attached to the shore by a nonpermanent bridging mechanism that itself is not more than feet wide and does not extend into the lake more than feet. No person may own or maintain more than one such structure on each property owned by such person.

Chapter 65, Section 6, subdivision H shall be amended as follows:

**H.** No person shall place any boat that is greater than feet in length overall in or on the waters of any of said lakes unless the boat is an antique electric boat built prior to 1936 and under 30 feet in length. This subsection shall not apply, however, to any boat that is greater than feet in length overall which was in service on any of said lakes prior to February 20, 1987. No person shall replace any such boat with another boat greater than feet in length.**Section 5. SEQRA.**

This is a Type II action under 6 NYCRR 617.5(c)(26) and (33).

**Section 6. Severability.**

If a court of competent jurisdiction determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 7. Effective date.**

This local law shall take effect immediately upon filing with the Secretary of State.