

LOCAL LAW NO. __ of 2021

A Local Law known and cited as Regulations for Boat Launch at Louis H. Engel, Jr. Park

Be it enacted by the Town Board of the Town of Ossining as follows:

SECTION 1. Purpose and Intent. The Town owns Louis H. Engel, Jr. Park, which includes a boat launch that provides access and entry for watercrafts to the Hudson River. While this boat launch is a benefit to Ossining residents and the public in general, given the extensive use of the boat launch to access the River and the limited parking available in the Park for those vehicles trailering recreational watercrafts, the Town Board believes it is a reasonable exercise of the Town Board’s police powers to protect the health, safety and welfare of its residents and the public to regulate use of the boat launch.

SECTION 2. Chapter 138 (entitled “Parks”) of the Town Code is hereby amended to create Article I entitled “General Park Regulations”, which Article I shall consist of existing Sections 138-1 through 138-8.

SECTION 3. A new Article II to Chapter 138 shall be added to the Town Code entitled “Engel Park Boat Launch” and shall consist of the following:

Section 138-9. Engel Park Boat Launch

- A. Louis H. Engel, Jr. Park contains a boat launch, which provides access and entry for watercrafts to the Hudson River. The boat launch is located along the eastern boundary of the Hudson River immediately southeast of a structure owned by the Town and currently occupied by and known as the Ossining Boat and Canoe Club.
- B. Immediately east of the Boat Launch are three parking spaces in a north-south configuration measuring approximately XX x XX feet for use by vehicles with a trailer transporting watercrafts to the boat launch. These parking spaces shall be known as the Engel Park Boat Launch Parking Lot and a map of said parking lot shall be kept on file in the Town Clerk’s Office and made available to the public upon request.
- C. While the Town’s practice is to put a ramp in the Boat Launch during the warmer months of the year, the Boat Launch is accessible to the public all year and the Town is under no obligation to have the boat ramp installed at any particular time.
- D. Anyone who uses the Boat Launch does so at their own risk. The Town does not monitor or oversee use of the Boat Launch and/or water or weather conditions, including but not limited to tides, at the Boat Launch at any given time and is not responsible for bodily injuries or damage to personal property from use of the Boat Launch. Users of the Boat Launch are solely responsible for knowing how to safely launch their boats and the appropriate conditions under which to do so.

Section 138-10. Boat Launch Permit

- A. All members of the public, including Ossining residents and non-residents, seeking to utilize the Boat Launch to launch a recreational watercraft that is transported by a trailer

- must obtain a permit from the Town Clerk. Members of the public can either obtain an annual permit for each calendar year or a daily permit for use during the 24 hours following the time when the permit is issued. The Town Clerk, in its discretion and with approval by resolution of the Town Board, may coordinate with independent contractors and/or the Ossining Boat and Canoe Club to administer the issuance and regulation of said permits.
- B. The fees for the annual permit and daily permit shall be as set forth in the Town of Ossining fee schedule, as such may be amended from time to time by resolution of the Town Board. The fee for Ossining residents, including those of the incorporated Villages of Ossining and Briarcliff Manor, shall be lower than the fee for non-Ossining residents.
 - C. For both annual and daily permits, a permit application shall be submitted to the Town Clerk, which shall include information the Town Board may from time to time determine by resolution to be necessary for the proper regulation of the Boat Launch and Engel Park Boat Launch Parking Lot, but which shall nonetheless include the registration information and license plate number of the trailer transporting the recreational watercraft to the Boat Launch. If the Applicant provides the information required in the application form, including but not limited to proof that the trailer is validly licensed, and pays the appropriate fee, the Town Clerk shall issue the annual permit or daily permit.
 - D. The Town Clerk will provide every annual permit holder with a decal or sticker that the permit holder shall conspicuously place on the trailer as proof they have a permit. The color of the decal or sticker will change every calendar year. Persons who obtain a daily permit must print the permit and place the permit in the dashboard of their vehicle or, if printing out the permit is not practical, provide electronic proof of the permit upon request from a Town employee or authorized agent.
 - E. Only persons who have a valid and current annual permit may park in the Engel Park Boat Launch Parking Lot. Persons with a daily permit shall not park in the Engel Park Boat Launch Parking Lot.
 - F. Only persons who have a valid and current annual or daily permit may use the Boat Launch to place recreational watercrafts transported by a trailer in the Hudson River.

Section 138-11. Penalties for Offenses

- A. It shall be a violation of this Article for any person or entity to:
 - 1. Utilize the Boat Launch to place a recreational watercraft transported by a trailer in the Hudson River without a current and valid annual or daily boat launch permit;
 - 2. Utilize the Boat Launch to place a recreational watercraft transported by a trailer in the Hudson River with a current and valid annual boat launch permit but without having the current decal or sticker conspicuously placed on the trailer transporting the recreational watercraft;
 - 3. Utilize the Boat Launch to place a recreational watercraft transported by a trailer in the Hudson River with a current and valid daily boat launch permit but without having documentary or electronic proof of said permit;

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4. Utilize the Engel Park Boat Launch Parking Lot without a current and valid annual boat launch permit; and/or
 5. Utilize the Engel Park Boat Launch Parking Lot with a current and valid annual boat launch permit but without having the current decal or sticker conspicuously placed on the trailer transporting the watercraft.
- B. Any person or entity found guilty of violating any section of this Article shall, upon conviction, be subject to a fine not to exceed \$250 or to imprisonment for not more than 15 days, or both.

SECTION 4. Validity. The invalidity of any provision of this Local Law shall not affect the validity of any other portion of this Local Law which can be given effect without such invalid provision.

SECTION 5. Effective Date. This Local Law shall take effect immediately upon filing in the office of the Secretary of State.

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF OSSINING