

STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
[HTTPS://DOS.NY.GOV](https://dos.ny.gov)

KATHY HOCHUL
GOVERNOR
ROBERT J. RODRIGUEZ
SECRETARY OF STATE

June 10, 2022

Jennifer A Zoufaly
Humes & Wagner LLP
147 Forest Ave, PO Box 546
Locust Valley NY 11560

RE: Village of Lloyd Harbor, Local Law 2 2022, filed on June 8 2022

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.

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



**Department
of State**

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 Lloyd Harbor

Local Law No. 2 of the year 20²²

A local law to amend Chapter 71, "Boats and Boating," of the Code of the Village of Lloyd Harbor.
(Insert Title)

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

☐ County ☐ City ☐ Town ☒ Village
(Select one:)

of Lloyd Harbor

as follows:

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

INCORPORATED VILLAGE OF LLOYD HARBOR

LOCAL LAW 2-2022

AMENDMENT TO CHAPTER 71
BOATS AND BOATING

SECTION I. Amend Chapter 71, "*Boats and Boating*," in part, as follows:

§71-1 Purpose.

The following regulations, adopted pursuant to § 46-a of the Navigation Law of the State of New York, are necessary in order to protect and secure navigation, bathing, fishing and other recreational uses and the natural beauty, ecological values and wildlife habitat and healthful, safe, full and equable enjoyment of the waters bounding the Village by the inhabitants of the Village and the community; to secure safety from flood, fire, panic, explosions and other dangers; to protect the inhabitants of the Village from unreasonable odors, smoke, vapor, gas, dust, noise and vibrations; to promote and protect the good order, peace, health, safety, and general welfare of the inhabitants of the Village and the community; and to protect and secure the property of the same.

...

§71-4 Mooring and anchoring.

- A. The location and types of mooring facilities and the anchoring of vessels in Lloyd Harbor shall be regulated by the Harbor Master.
- B. The Harbor Master is hereby authorized and empowered to issue written use permits pursuant to Subsection A, upon written application by the owner, charterer or operator responsible for a vessel, for periods not extending beyond the end of the calendar year in which the permit is issued, provided that in acting upon any such application, no consideration shall be given to the race, color, creed, sex, nationality, citizenship or residence of the applicant. Application may be made by individuals or by clubs or associations representing several individuals, provided that a separate permit is obtained for each vessel.
- C. Each vessel governed by a use permit shall display a current decal or other device as specified by the Harbor Master, and:
- (1) No vessel shall be attached to a dock or a mooring, singly or in a raft, in Lloyd Harbor unless evidence of the issuance of a use permit is displayed on both the mooring and the vessel.
 - (2) No vessel over 16 feet in length shall be anchored, singly or in a raft, in Lloyd Harbor outside of the designated transient anchorage area unless evidence of the issuance of a use permit is displayed.
 - (3) No vessel over 16 feet in length, though properly moored or anchored, shall be occupied between two hours past sundown and one hour past sunrise:
 - (a) Within 100 yards of the mean high-water line.

- (b) Within the inner harbor west of the western end of the Channel.
 - (c) If rafted together with more than two other vessels.
- D. No mooring shall be placed, and no vessel shall anchor:
 - (1) Within the boundaries of the Channel or within 50 feet thereof.
 - (2) Within the boundaries of the water ski area or within 50 feet thereof.
 - (3) Within 50 feet of any other vessel on a mooring or at anchor.
 - (4) Within 50 feet of an unoccupied mooring marked by a buoy, a navigation aid, a swimming area marked by safety lines, a dock, pier or float.
- E. Boats that do not possess a valid use permit and the holders of guest permits are prohibited from mooring overnight in Lloyd Harbor. Overnight is defined as the period between one hour after sunset to one hour after sunrise.
- F. No mooring shall be placed within the transient anchorage area or within 50 feet of the boundaries thereof.
- G. The Harbor Master may issue a use permit for placement of a mooring in Lloyd Harbor to a yacht club or other noncommercial boating association in such number as may be authorized by resolution of the Board of Trustees, provided that:
 - (1) Club moorings are designed to hold a raft of 30 average cruising vessels in a wind gust of 30 knots.
 - (2) Club moorings are placed south of and 200 feet to 500 feet distant from the Channel boundary.
 - (3) No other moorings shall be placed nor vessels anchored within 200 feet of a club mooring.
 - (4) Each club mooring shall be attached to a permanent buoy clearly marked with the designation of the permit-holding organization.
 - (5) Individual vessels attached to a club mooring shall not be required to display a use permit decal so long as said vessel is displaying the appropriate club burgee.
- H. All floats shall be anchored or moored in such a way as to be secure at all times and under all conditions, and such anchoring and mooring shall be subject to regulation by the Harbor Master, provided that:

- (1) A float may be no more than 140 square feet in area or longer than 20 feet along any outside dimension;
- (2) Floats shall at no time rest on tidal wetland;
- (3) No person shall store flammable, noxious or hazardous material, bait, or debris on floats;
- (4) Floats may only be placed directly in front of the owner's property, or an association's right-of-way, and no further than 200 feet offshore;
- (5) No float shall be used for commercial purposes;
- (6) The preceding subsection notwithstanding, the Harbor Master may refuse a permit application if the proposed float location could be a hazard to navigation, if overcrowding of the area is a problem, or if there are other safety issues.

I. The preceding subsections notwithstanding, a vessel may anchor or moor in any portion of Lloyd Harbor if compelled to do so by a temporary disability and then only during the period of such disability or by an emergency arising out of the perils of the sea and then only during such emergency.

§ 71-7 Speed limits.

A. No vessel shall be operated at a speed in excess of 45 miles per hour in any waters as defined in § 71-2 or as further limited by Subsection B of this section.

B. No vessel shall be operated at a speed in excess of five miles per hour in any part of Lloyd Harbor, as defined in § 71-2, except within the designated water ski area while engaged in water skiing activities; and no vessel, unless propelled exclusively by hand or sail, shall be operated at a speed in excess of five miles per hour in:

- (1) Any portion of Huntington Harbor and Huntington Inlet within the boundary lines of the Village.
- (2) Any portion of the Lloyd Point Sandspit.
- (3) Any portion of Cold Spring Harbor within 300 feet of the mean high-water shoreline.

§ 71-8 Areas of operation.

A. No vessel shall be propelled by other than hand or sail in the portion of Lloyd Harbor west of the Lloyd Harbor Channel, except:

- (1) If such vessel for which a current use permit has been issued is approaching or departing from a permit-related mooring or dock;

(2) If the operator of such vessel is actively engaged in shellfishing under a permit issued by the Town of Huntington; or

(3) If the operator of such vessel is a certified handicapped person and has obtained a special permit under § 71-14 of this chapter.

B. No person shall operate or drive any vessel propelled other than by hand within 100 feet of any lifelines or bathing float or if there are no lifelines or bathing float, then within 200 feet of any beach used for bathing or swimming, except at inlets or where a channel affording entrance to a harbor approaches the lifelines, bathing float or beach, as the case may be, closer than such applicable distances.

C. The Board of Trustees, by resolution, may adopt rules and regulations restricting or prohibiting the use and operation of certain motor-driven vessels in the water ski area which, by reason of their size, length, displacement, design or power plant, are determined to be hazardous to public safety and to interfere with the proper and reasonable enjoyment of the harbor.

D. No vessel over 26 feet shall be operated in the water ski area.

E. All personal watercraft and specialty prop-craft shall be prohibited from operating within the Vessel Regulation Zone; provided, however, that nothing contained in this article shall prevent a personal watercraft and/or specialty prop-craft of the adjacent upland owner, or of any other person with the permission of the upland owner, from departing from, returning to, or beaching at the shore of such owner, but only if they depart and continue to travel perpendicular to the shore until they are beyond the fifteen-hundred-foot limit, and if they are not within 150 feet of any beach used for bathing and swimming and marked as such, and further provided that they shall travel at a speed not to exceed five miles per hour.

...

§ 71-11 Operation while intoxicated.

No person shall operate or drive any vessel while ability impaired or in an intoxicated condition pursuant to Section 49-a of the NYS Navigation Law and any amendment or successor law.

...

§ 71-18 Enforcement.

A. Any member of the Police Department, the United States Coast Guard, the New York State Park Police, the Huntington Bay Constable, the Harbor Master or any of his/her duly appointed deputies, any member of the Marine Division of the Suffolk County Police Department and any other peace officer having authority (each of whom is hereinafter referred to as "such enforcing officer") is hereby empowered to enforce the provisions of this chapter and any regulations adopted pursuant to Board of Trustees resolution as authorized by this Chapter.

...

SECTION II. This law shall take effect upon filing with the Secretary of State.

(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. 2 of 2022 of the ~~(County)(City)(Town)~~(Village) of Lloyd Harbor was duly passed by the Board of Trustees on May 16, 2022, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elected Chief Executive Officer*)* on _____ 20____, in accordance with the applicable provisions of law.

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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elected Chief Executive Officer*)*

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.

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) *(Name of Legislative Body)* (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 _____, in accordance with the applicable provisions of law.

* 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.

~~5. (City local law concerning Charter revision proposed by petition.)~~

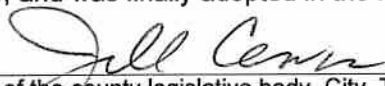
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the ~~qualified electors of the towns of said county considered as a unit voting at said general election, became operative.~~

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.


Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body, **Jill Cervini**

Date: 5/17/22

(Seal)