



Trustees of the Freeholders

116 Hampton Road
Southampton, NY 11968

Meeting: 03/04/24 01:00 PM
Department: Trustees of the Freeholders
Category: Local Laws - Trustees
Prepared By: Jessica Feldman

ADOPTED

TRUSTEES 2024-47

DOC ID: 45579

**Notice of Adoption of amendment of “Blue Book” A340
Amending The Management and Products of the Waters of
the Town of Southampton Article I Definitions and Article XI
§61 Boat Ramp and 4x4 Beach Driving Permits**

WHEREAS, the Trustees of the Freeholders and Commonalty of the Town of Southampton considered a change in the Rules and Regulations for Management of Products of Town Waters Article I Definitions and Article XI §61 Boat Ramp and 4x4 Beach Driving Permits; and

WHEREAS, the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton held a public hearing on **Monday, February 12, 2024 and Monday, March 4, 2024 at 1:00 p.m.**, to hear any and all persons either for or against were heard; now, therefore, be it

RESOLVED, that Article I Definitions and Article Xi §61 Boat Ramp and 4x4 Beach Driving Permits of the Rules and Regulations for Management and Products of Town Waters (a/k/a “Blue Book”) are hereby amended as follows:

SECTION 1. - Legislative Intent.

The Board of Trustees for the Town of Southampton desires to update the blue book, A340 in order to define the category of commercial boat ramp/dock users required to obtain a commercial boat ramp permit as well as clarify their liability for damage caused to Trustee owned ramps, bulkheads and docks.

SECTION 2. - Amendment.

Article I Definitions and Article XI §61 Boat Ramp and 4x4 Beach Driving Permits of the Rules and Regulations for the Management and Products of the Waters of the Town of Southampton is hereby amended by deleting the stricken words and adding the underlined words as follows:

§1. Definitions.

In this ordinance, unless the context requires otherwise the following terms shall have the meanings indicated:

BOAT RAMP—a boat ramp shall also include any area associated with it, including but not limited to, any parking lot, bulkhead, or dock.

COMMERCIAL USER—Any person whose business involves the use of Trustees’ ramps, docks, or bulkheads (i.e., Boatyard , dock builders, dredging). Nothing in this definition shall be deemed to include commercial baymen.

Article XI §61A is hereby amended by adding a new subsection, subsection 16:

§61. Permit required; fees; regulations.

(16) Any commercial user using a Trustee boat ramp, or Trustee owned facility shall be responsible for any damage caused to the facility by the commercial user's property and further agrees to indemnify and hold the Trustees harmless from any damage caused to the property of a third party resulting from that use.

Section 3. - Authority.

The Trustees are authorized to establish and promulgate rules and regulations for the management and products of the waters of the Town of Southampton pursuant to the Dongan Patent of 1686 and subsequent Acts of the New York Legislature including, Chapter 255 of the Laws of 1818, Chapter 283 of the Laws of 1831.

Section 4. - Severability.

If any section or sub-section, paragraph, clause, phrase or provision of this regulation shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this regulation as a whole or any part thereof other than the part or provisions so adjudged to be invalid or unconstitutional.

Section 5. - Effective Date.

This change shall take effect immediately upon the adoption of the Amendment by the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton.

NOTICE OF ADOPTION

TAKE NOTICE, that a public hearing was held by the Trustees of the Freeholders and Commonalty of the Town of Southampton on Monday, February 12, 2024 and Monday, March 4, 2024 at 1:00 p.m., in the meeting room of Town Hall of the Town of Southampton, 116 Hampton Road, Southampton, New York to hear any and all persons either for or against proposed amendment of Blue Book A340 Article I and Article XI;

Summary of the Proposed Rule

The proposed amendments to the Blue Book expand the definition of a dock and commercial user as well as imposes liability on commercial users of Trustee boat ramps for damage caused by them or their agents or employees.

Copies of the amendment to the Blue Book, sponsored by Trustee Scott M. Horowitz is available in the Trustees' Office, Monday through Friday, from 8:30am to 4:00pm.

BY ORDER OF THE BOARD OF TRUSTEES
OF THE FREEHOLDERS AND COMMONALTY
OF THE TOWN OF SOUTHAMPTON, NEW YORK
SCOTT M. HOROWITZ, PRESIDENT

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Scott M. Horowitz, President
SECONDER:	Joseph R. McLoughlin, Trustee
AYES:	Horowitz, Warner Jr., Maran Jr., McLoughlin, Parsons

Financial Impact