

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 of SOUTHOLD
 Village

Local Law No. 14 of the year 2024.

A Local Law entitled, A Local Law in relation to an Amendment to Chapter 96, Boats, Docks and Wharfs

Be it enacted the Town Board of the:

- County
 City
 Town of SOUTHOLD
 Village

- I. Purpose - The Purpose of the amendment is to address waterfowl blinds.
- II. Amendment - The Southold Town Code is hereby amended by removing the struck through words and adding the underlined words as follows:

§ 96-1 Permit required.

No person shall place any piles, stakes, buoys, piers, docks, waterfowl blinds, bulkheads or other objects in or on any Town waters or public lands under or adjacent to Town waters in the Town of Southold, nor shall any person remove any sand, gravel or other materials from lands under Town waters in the Town of Southold without first obtaining a permit therefor from the Board of Trustees of the Town of Southold.

§ 96-3 Issuance of permits by Board of Trustees.

The Board of Trustees of the Town of Southold is hereby authorized and empowered:

- A. To issue revocable permits for the placing of piles, stakes, buoys, docks, waterfowl blinds or other objects in or on any Town waters or public lands under or adjacent to Town waters, and for the removal of sand, gravel or other materials from lands under Town waters, provided that the same do not obstruct or interfere with navigation or the public use of said waters or lands.

§ 96-7 Definitions.

For the purpose of this article, the terms used herein are defined as follows:

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

Waterfowl Blind - Any structure or device, whether it be affixed, floating, portable or otherwise, constructed or utilized for the purpose of hunting waterfowl.

§ 96-19 Bathing and swimming.

No person shall swim or bathe in the mouth of Mattituck Inlet.

§ 96-24 Mooring and Waterfowl Blind Permits.

- A. The Town of Southold permits the installation of moorings for boats in specified locations of Town waters. The use of moorings has increased to such an extent that the number of moorings has begun to impair the fragile marine environment in the surrounding Town waters. The Town Board therefore declares it to be the policy of the Town to restrict and regulate the issuance of mooring permits as described herein. All boats permitted to use a mooring shall be entitled to such use between the months of April and December only.
- D. The Town of Southold permits the installation of a limited number of waterfowl blinds in specified locations of Town waters for a period from October 1 through March 15.
- E. Conditions:
1. Permitted functional blinds shall be in place by no later than December 1 each year or the permit will be rescinded. Blinds must be removed no later than March 31st.
 2. An applicant must provide an aerial image depicting a 500ft unobstructed safety zone at least 180° around the blind for firearm discharge in from of the blind; this may not include any navigation channels.
 3. A blind may be no closer than 500ft from another blind.
 4. A copy of the permit must be posted inside the blind.
 5. No more than one blind permit will be issued per person.
 6. Existing permit holders may be eligible for grandfathering of positions at the Trustee's discretion.
- F. Severability:
1. Permitted, functional blinds shall be in place by no later than December 1st each year or the permit may be revoked.
 2. Blinds must be removed no later than March 31st.
 3. Waterfowl blind permits may be revoked at the discretion of the Board of Trustees upon resolution at a noticed public meeting.
 4. The Town may remove or cause to be removed any blind that is in violation of the Town Code with the cost associated with removal and storage borne by the owner/permittee. Upon reasonable notice to the owner/permittee.
 5. The Board of Trustees reserves the right to regulate the placement of waterfowl blinds, as well as the season and hours of operation to minimize user conflict and promote safety.

III. SEVERABILITY

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not affect the validity of this law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

IV. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by law.

(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. 14 of 20 24 of the ~~(County)(City)(Town)(Village)~~ of SOUTHOLD was duly passed by the TOWN BOARD on July 30, 20 24, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or re-passage after disapproval by the Elective 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)(re-passed after disapproval) by the _____ and was deemed duly adopted 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)(repassed after disapproval) by the _____ on _____ 20 _____. 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) (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 _____ 20 _____, 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 there from and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

(Seal)

Clerk of the County legislative body, City, Town or
Village Clerk or officer designated by local legislative body
Denis Noncarrow, Town Clerk
Date: August 1, 2024



RESOLUTION 2024-703

Item # 5.52

ADOPTED

DOC ID: 20513

THIS IS TO CERTIFY THAT THE FOLLOWING RESOLUTION NO. 2024-703 WAS ADOPTED AT THE REGULAR MEETING OF THE SOUTHOLD TOWN BOARD ON JULY 30, 2024:

WHEREAS there has been presented to the Town Board of the Town of Southold, Suffolk County, New York, on the 4th day of June, 2024, a Local Law entitled "**A Local Law in relation to an Amendment to Chapter 96, Boats, Docks and Wharfs,**" and

WHEREAS the Town Board of the Town of Southold held a public hearing on the aforesaid Local Law at which time all interested persons were given an opportunity to be heard, now therefor be it

RESOLVED that the Town Board of the Town of Southold hereby ENACTS the proposed Local Law entitled, "**A Local Law in relation to an Amendment to Chapter 96, Boats, Docks and Wharfs,**" which reads as follows:

LOCAL LAW NO. 14 2024

A Local Law entitled, "**A Local Law in relation to an Amendment to Chapter 96, Boats, Docks and Wharfs,**"

BE IT ENACTED by the Town Board of the Town of Southold as follows:

- I. Purpose - The Purpose of the amendment is to address waterfowl blinds.
- II. Amendment - The Southold Town Code is hereby amended by removing the struck through words and adding the underlined words as follows:

§ 96-1 Permit required.

No person shall place any piles, stakes, buoys, piers, docks, **waterfowl blinds**, bulkheads or other objects in or on any Town waters or public lands under or adjacent to Town waters in the Town of Southold, nor shall any person remove any sand, gravel or other materials from lands under Town waters in the Town of Southold without first obtaining a permit therefor from the Board of Trustees of the Town of Southold.

§ 96-3 Issuance of permits by Board of Trustees.

The Board of Trustees of the Town of Southold is hereby authorized and empowered:

- A. To issue revocable permits for the placing of piles, stakes, buoys, docks, **waterfowl blinds** or other objects in or on any Town waters or public lands under or adjacent to

Town waters, and for the removal of sand, gravel or other materials from lands under Town waters, provided that the same do not obstruct or interfere with navigation or the public use of said waters or lands.

§ 96-7 Definitions.

For the purpose of this article, the terms used herein are defined as follows:

Waterfowl Blind - Any structure or device, whether it be affixed, floating, portable or otherwise, constructed or utilized for the purpose of hunting waterfowl.

§ 96-19 Bathing and swimming.

No person shall swim or bathe in the mouth of Mattituck Inlet ~~between areas designated by buoy Nos. 3 and 5.~~

§ 96-24 Mooring and Waterfowl Blind Permits.

A. The Town of Southold permits the installation of moorings for boats in specified locations of Town waters. The use of moorings has increased to such an extent that the number of moorings has begun to impair the fragile marine environment in the surrounding Town waters. The Town Board therefore declares it to be the policy of the Town to restrict and regulate the issuance of mooring permits as described herein. **All boats permitted to use a mooring shall be entitled to such use between the months of April and December only.**

D. The Town of Southold permits the installation of a limited number of waterfowl blinds in specified locations of Town waters for a period from October 1 through March 15.

E. Conditions:

- 1. Permitted functional blinds shall be in place by no later than December 1 each year or the permit will be rescinded. Blinds must be removed no later than March 31st.**
- 2. An applicant must provide an aerial image depicting a 500ft unobstructed safety zone at least 180° around the blind for firearm discharge in from of the blind; this may not include any navigation channels.**
- 3. A blind may be no closer than 500ft from another blind.**
- 4. A copy of the permit must be posted inside the blind.**
- 5. No more than one blind permit will be issued per person.**
- 6. Existing permit holders may be eligible for grandfathering of positions at the Trustee's discretion.**

F. Severability:

- 1. Permitted, functional blinds shall be in place by no later than December 1st each year or the permit may be revoked.**
- 2. Blinds must be removed no later than March 31st.**
- 3. Waterfowl blind permits may be revoked at the discretion of the Board of**

Trustees upon resolution at a noticed public meeting.

- 4. The Town may remove or cause to be removed any blind that is in violation of the Town Code with the cost associated with removal and storage borne by the owner/permittee. Upon reasonable notice to the owner/permittee.**
- 5. The Board of Trustees reserves the right to regulate the placement of waterfowl blinds, as well as the season and hours of operation to minimize user conflict and promote safety.**

~~§ 96-32 Hearing.~~

- ~~A. Any person affected by a notice of violation issued pursuant to the preceding section hereof may request and shall be granted a hearing before the Board of Trustees, provided that such person shall file a written request therefor with the Town Clerk within 10 days after service of the notice of violation. Such request shall have annexed thereto a copy of the notice of violation upon which a hearing is requested and shall set forth the reasons why such notice of violation should be modified or rescinded.~~
- ~~B. The Town Clerk shall present such request to the Board of Trustees at its next regular meeting. The Board of Trustees shall set a time and place for such hearing and shall give the person requesting the same at least five days' notice of the time and place thereof.~~
- ~~C. At such hearing, the person requesting the same or his representative shall be given an opportunity to show cause why such notice of violation should be modified or rescinded. After such hearing, the Board of Trustees may sustain, modify or rescind such notice of violation or revoke any permit previously issued and shall specify the reasons therefor.~~
- ~~D. The notice of violation for which a hearing is requested shall continue in effect pending the hearing and determination of the Board of Trustees.~~

III. SEVERABILITY

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not affect the validity of this law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

IV. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by law.



**Denis Noncarrow
Southold Town Clerk**

RESULT: ADOPTED [UNANIMOUS]
MOVER: Greg Doroski, Councilman
SECONDER: Jill Doherty, Councilwoman
AYES: Doroski, Mealy, Smith, Krupski Jr, Doherty, Evans