

S T A T E   O F   N E W   Y O R K

---

S. 4799--D

A. 7002--D

2015-2016 Regular Sessions

S E N A T E - A S S E M B L Y

April 17, 2015

---

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

AN ACT to grant authority to the village of Sag Harbor, county of Suffolk to regulate certain described waters bounding said village pursuant to the navigation law

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Notwithstanding any provision of law to the contrary,  
2     except when prohibited by reason of the laws of the United States, the  
3     state environmental conservation law or section 130 of the town law, the  
4     village of Sag Harbor, county of Suffolk is hereby granted jurisdiction  
5     to: (a) regulate beaches pursuant to section 45-b of the navigation law;

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD10221-09-6

1 (b) establish a vessel regulation zone pursuant to section 46 of the  
2 navigation law; (c) regulate vessels pursuant to section 46-a of the  
3 navigation law; and (d) establish a vessel no discharge zone, including  
4 the regulation of grey water discharges, pursuant to subdivision 10 of  
5 section 33-c of the navigation law, in the waters within or bounding the  
6 village described as follows: Beginning at the north end of the breakwa-  
7 ter at 41 degrees, 00 minutes, 32.27 seconds North and 72 degrees, 17  
8 minutes, 40.26 seconds West, thence north easterly to a point marked by  
9 navigation buoy #1 at 41 degrees, 00 minutes, 42.26 seconds North and 72  
10 degrees, 17 minutes, 31.94 seconds West, then continuing north easterly  
11 to a point marked by navigation buoy #11 at 41 degrees, 00 seconds,  
12 50.83 seconds North and 72 degrees, 17 minutes, 21.75 seconds West,  
13 thence easterly to a point marked by navigation buoy # 9A at 41 degrees,  
14 00 minutes, 48.90 seconds North and 72 degrees, 17 minutes, 06.65  
15 seconds West, thence easterly to a point marked by navigation buoy # 9  
16 at 41 degrees, 00 minutes, 50.43 seconds North and 72 degrees, 16  
17 minutes, 34.24 seconds West, said buoy coordinates marking the south  
18 side of the navigation channel, thence easterly to a point at Barcelona  
19 Point at 41 degrees, 00 minutes, 42.09 seconds North and 72 degrees, 15  
20 minutes, and 51.94 seconds West, and from that point thence along the  
21 shoreline, following the Sag Harbor Village boundary south westerly to  
22 the point of land closest to the Village of North Haven, and from that  
23 point due west to the Sag Harbor and North Haven Village Navigation Law  
24 boundary line, equidistant in the water between the two Villages, thence  
25 northwards from that point, following said existing jurisdictional boun-  
26 dary and its direction, to the place of beginning The village shall  
27 possess such jurisdiction, notwithstanding that a part of such waters  
28 may be more than fifteen hundred feet from shore.

29 S 2. This act shall not impair any rights which the trustees of the  
30 freeholders and commonality of the town of East Hampton may possess now  
31 or in the future, whether of ownership or management, concerning bottom-  
32 lands within the area described in section one of this act. To the  
33 extent said expanded area lies within the boundaries of the town of East  
34 Hampton, and outside of the village of Sag Harbor's jurisdiction prior  
35 to this act, any regulations which the village shall enact regarding  
36 said area shall be uniform as between residents of the village and resi-  
37 dents of the town of East Hampton.

38 S 3. This act shall not impair any rights or authority which the state  
39 department of environmental conservation may possess now or in the  
40 future, pursuant to state law.

41 S 4. Severability. The provisions of this act shall be severable and  
42 if any portion thereof or the applicability thereof to any person or  
43 circumstances shall be held invalid, the remainder of this act and the  
44 application thereof shall not be affected thereby.

45 S 5. This act shall take effect immediately.