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:

Section 1. Notwithstanding any provision of law to the contrary, except when prohibited by reason of the laws of the United States, the state environmental conservation law or section 130 of the town law, the village of Sag Harbor, county of Suffolk is hereby granted jurisdiction 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.

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

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

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

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

S 5. This act shall take effect immediately.