

**A LOCAL LAW OF THE TOWN OF JOHNSBURG, WARREN COUNTY, NEW YORK,  
TO ESTABLISH A PERSONAL WATERCRAFT AND SPECIALTY PROP-CRAFT  
REGULATION ZONE WITHIN THE CORPORATE LIMITS OF THE TOWN OF  
JOHNSBURG**

**LOCAL LAW #2-2001**

Be it enacted by the Town Board of Johnsburg as follows:

**Section 1: PREAMBLE:**

The Town Board of the Town of Johnsburg finds and declares that it is in the best interest of the persons and property in the town to adopt regulations which will protect and enhance the physical and visual environment while providing for the protection, order, conduct, safety, health and well-being of persons and property in the town. More specifically, the Town Board finds that the use of personal watercraft ("PWC") and specialty prop-craft on Garnet Lake, 13th Lake, and the Hudson River in the town has the following adverse effects: causes water pollution; endangers public safety; negatively impacts the community character and serenity of Garnet Lake, 13th Lake, and the Hudson River and the town; causes noise pollution; disrupts nesting waterfowl; and spreads exotic nuisance aquatic species; and that it is in the best interests of the persons and property in the Town of Johnsburg to adopt a local law establishing a Personal Watercraft and Specialty Prop-craft Regulation Zone over the entire surface water area of Garnet Lake, 13th Lake, and the Hudson River, pursuant to authority under Town Law Section 130 and Municipal Home Rule Law Section 10, in order to safeguard against the ill effect of PWC use. The purpose and intent of this local law is to establish a Personal Watercraft and Specialty Prop-craft Regulation Zone pursuant to authority under Town Law Section 130 and Municipal Home Rule Law section 10.

**Section 2: DEFINITIONS:**

a: "personal watercraft" shall mean a vessel which uses an inboard motor powering a waterjet pump as its primary source of motive power and which is designed to be operated by a person sitting, standing or kneeling on or being towed behind the vessel rather than in the conventional manner of sitting or standing inside the vessel (*Navigation Law Section 2(30)*).

b: "specialty prop-craft" shall mean a vessel which is powered by an outboard motor or a propeller driven motor and which is designed to be operated by a person sitting, standing or kneeling on or being towed behind the vessel rather than in the conventional manner of sitting or standing inside the vessel (*Navigation Law Section 2(31)*).

c: "shore" and "shore-line" shall mean the line at low water mark of a body of water including the line at low water mark along the shore of any tributary, outlet, inlet or island in or adjacent to the body of water.

### **Section 3: PERSONAL WATERCRAFT AND SPECIALTY PROP-CRAFT REGULATION**

**ZONES:** There shall be a Personal Watercraft and Specialty Prop-craft Regulation Zone on the following bodies of water in the Town of Johnsbury:

- a: Garnet Lake;
- b: 13th Lake; and
- c: the Hudson River

### **Section 4: REGULATIONS FOR USE OF PERSONAL WATERCRAFT AND SPECIALTY PROP-CRAFT:**

Within the regulation zones designated in Section 3 hereof, the use of personal watercraft and specialty prop-craft shall be prohibited within 1500 feet of the shore-line of such body of water. Due to the fact that no part of Garnet Lake, 13th Lake, and the Hudson River is greater than 1500 feet from shore-line or an island, and in all places less than or equal to 3000 feet from shore to shore, this prohibition is intended to effect a ban on the use of personal watercraft and specialty prop-craft on Garnet Lake, 13th Lake, and the Hudson River.

### **Section 5: ENFORCEMENT:**

The regulations set forth by this local law shall be enforced by the Town Board of the Town of Johnsbury (or its designated agent), the Warren County Sheriff's Department, the New York State Police, and/or the New York State Department of Environmental Conservation.

### **Section 6: SIGNAGE:**

There shall be constructed at public and commercial boat launches on Garnet Lake, 13th Lake, and the Hudson River, designated in Section 3 hereof, a signboard facing the water, and facing the put-in area, and bearing thereon in large letters "PERSONAL WATERCRAFT REGULATION ZONE". Such signboard shall be conspicuously placed on the shore at such location(s) as the Town Board shall designate to indicate the boundary of the regulation zone. Each signboard shall also set forth the restrictions adopted herein, as now or hereafter amended. A signboard conspicuously displaying the same information shall also be constructed facing land at all public and commercial boat launches in the town.

**Section 7: VIOLATION AND PENALTIES:**

Any person violating the regulations within a personal watercraft and specialty prop-craft regulation zone shall be guilty of a misdemeanor punishable as set forth in Navigation Law Section 73-b, as now or hereafter amended.

**Section 8: INTERPRETATION AND SEVERABILITY:**

The provisions of this local law and any amendments hereto, shall be literally construed to effect their purpose. If any section, clause, provision or portion of this local law, or any amendments hereafter adopted, is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this local law or the amendments shall not be affected. For this purpose, the provisions of this local law and the amendments, if any, are hereby declared respectively separable.

**Section 9: REPEALER:**

All ordinances, local laws and part thereof inconsistent with this local law are hereby repealed.

**Section 10: EFFECTIVE DATE:**

This local law shall take effect immediately upon filing in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

RESOLUTION #64-2001-17 April 2001- Mr. Arsenault presented the following resolution & moved its adoption, seconded by Mr. Stevens to adopt local law #2 of 2001, to establish a PWC (personal water craft) and specialty prop-craft regulation zone within the Town of Johnsbury. Resolution declared passed - all members voting aye. Carried