

(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~~ of Duaneburg  
~~Town~~  
~~Village~~

Local Law No. 3 of the year 2001.

A local law Amendment to Local Law #1-1996  
*(Insert Title)*

A local law to regulate the operation of mechanically propelled vehicles on Duane Lake in the Town of Duaneburg.

Be it enacted by the Duaneburg Town Board of the  
*(Name of Legislative Body)*

~~County~~  
~~City~~ of Duaneburg as follows:  
~~Town~~  
~~Village~~

Section 1. Legislative intent. The purpose of the Local Law is to protect the public health, welfare and safety by regulating the operation of any type of mechanically propelled vehicles on Duane Lake in the Town of Duaneburg, the lake waters being the primary drinking water supply for many of Duane Lake residents. Water quality would be adversely impacted if nutrient-rich sediments on the lake bottom were to be disturbed by mechanically propelled vehicles, or if internal combustion engines were to emit hydrocarbon residue into the lake.

Section 2. Definitions. As used in this Local Law, the following words shall have the indicated meanings:

- (1) Mechanically propelled vehicle shall mean any boat or other conveyance which incorporates a motor or engine of any type for propulsion.
- (2) On Duane Lake shall mean on either the waters or the surface of Duane Lake, the Town of Duaneburg, County of Schenectady, State of New York.

Section 3. Prohibited Operations on the Waters and the Surface of Duane Lake. It shall be unlawful for any person to operate or allow to be operated a mechanically propelled vehicle on Duane Lake in the Town of Duaneburg, except for the permitted operations as described in Section 3a.

Section 3a. Permitted Operations on the waters and the surface of Duane Lake. The operation of mechanically propelled vehicles on Duane Lake is permitted for the purposes of lake or wetland maintenance, or for emergencies.

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

Section 4. Violations. Failure to comply with any of the provisions of this Local Law shall be deemed a violation and the violator shall be liable to a fine of not less than \$100.00 nor more than \$500.00 for a first offense; \$250.00 to \$500.00 for a second offense, and \$300.00 to \$500.00 and/or 10 days in jail for a third or subsequent offense.

(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. 3 of 2001 of the ~~(County)~~(City)(Town)(Village) of Duanesburg was duly passed by the Duanesburg Town Board on July 12 2001, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage 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)(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Elective Chief Executive Officer\*)*

**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.  
*(Elective Chief Executive Officer\*)*

**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\*)*

\* 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 therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph.....1....., above.

*Reah M. Pearson*

Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: July 31, 2001

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF Schenectady

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

*Edward C. Smith Jr.*

Signature

Town Attorney

Title

~~COUNTY~~

~~CITY~~

Town

~~VILLAGE~~

of Duaneburg

Date: 8/2/01