

Village of Tarrytown

Chapter 93: BOATS AND BOATING

[HISTORY: Adopted by the Board of Trustees of the Village of Tarrytown 4-21-1992 by L.L. No. 2-1992. (Note: This local law superseded former Ch. 93, Boats and Boating, adopted 2-21-1989 by L.L. No. 3-1989 and amended in its entirety 1-17-1990 by L.L. No. 1-1990, as amended.) Amendments noted where applicable.]

GENERAL REFERENCES

Lakes and waterways — See Ch. 201.

§ 93-1. Legislative intent.

- A. The general purpose of this chapter is to keep the village waterways and navigable waters in a sanitary and safe condition.
- B. The Board of Trustees of the Village of Tarrytown hereby finds and declares that the use of boats for residential purposes on village waterways is an activity which the Board of Trustees should regulate for environmental, social and safety reasons.
- C. The Board of Trustees recognizes the right of residents and others who use village waters for recreational and commercial purposes to enjoy clean and freely navigable waters. The discharge of sewage, treated or otherwise, may adversely affect the quality of village waterways. Secondly indiscriminate location of boats used for residential purposes may constitute a hazard to navigation. Thirdly, there is concern for the fire safety of boats used for residential purposes located in close proximity of each other and accessibility by emergency vehicles to waterfront lots.
- D. In view of the foregoing, it is necessary for the Board of Trustees to enact this chapter to preserve and ensure the public health and quality of the waters as well as public safety and welfare.

§ 93-2. Definitions.

Unless otherwise expressly provided, the following words for the purpose of this chapter shall bear the meanings herein indicated:

LIVING ABOARD A BOAT — The use or occupancy of a boat as living quarters by one or more persons for the purpose of general housekeeping or for sleeping quarters.

PERSON — Includes an individual, a partnership, an unincorporated association, a corporation or any other entity.

RESIDENTIAL VESSEL — A boat, barge or other craft equipped or used primarily as a dwelling, as opposed to primarily used for transportation over water, and capable of movement under its own power source.

SEASONAL — The period between April 15 and October 15 of a given year.

VESSEL — Includes every kind of boat, residential vessel, vessel, specialty prop craft and floating craft suitable for general navigation or recreational use under its own propulsion.
[Amended 8-17-1992 by L.L. No. 10-1992]

VILLAGE WATERWAYS — That portion of the Hudson River within or bounding the Village of Tarrytown to a distance of 1,500 feet from the shore.

§ 93-3. Discharges from boats. [Amended 7-16-2007 by L.L. No. 7-2007]

- A. No garbage, oil, sludge, paper, refuse, debris, sewage or waste material of any kind shall be thrown, deposited, discharged or permitted to fall from any boat into any part of the Village waterways.
- B. The operator of any boat club or marina that provides docking for more than 20 boats shall be required to make known to all vessel owners or operators that have boats which are [i] equipped with marine toilet facilities and [ii] domicile or rent boat slips from such boat club or marina on a seasonal or temporary basis, that a dye tablet must be placed in the toilet and holding tank of said boats. It shall be the responsibility of the aforementioned boat club or marina to provide the requisite dye tablets to the vessel owner or operator, and it shall be the responsibility of the vessel owner or operator to place the dye tablet in the toilet and holding tank of said boat upon either the arrival or launching of said vessel at the boat club or marina. The type of dye tablet to be used under these provisions shall be specified by the Harbor Master on an annual basis.

§ 93-4. Toilet facilities.

The owner and operator of every boatyard or marine service yard which provides berths for boats and the owner and operator of every yacht club, marine service yard or any other property which provides at such club, yard or property accommodations for berthing dinghies or other tenders for boats equipped with toilets, moored or operated in village waterways, shall maintain suitable toilet facilities on shore for the accommodation of the users of said boats and shall post a sign clearly visible to the users of said boats, reading in substance as follows: "The local law governing the use of the harbor and waterways of the Village of Tarrytown and the Clean Water Act, 33 U.S.C. §§ 1251-1376, prohibit discharging contents of boats into the Hudson River within a 1,500-foot distance of the shoreline. The owner and person in charge of each offending boat is liable for the penalty prescribed."