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**TOWN OF SCHROON**  
**LOCAL LAW NUMBER \_\_\_\_\_ OF 2012**

A local law in relation to preventing the introduction and spread of aquatic species into the waters of the Town of Schroon

**TITLE:** This local law shall be known as "The Town of Schroon Aquatic Invasive Prevention Law."

**PURPOSE:** The purpose of this local law to provide guidance to all residents and visitors to the waters of the Town of Schroon to prevent the introduction and spread of non-native invasive species, animals, plants, etc. into and within the waters of the Town of Schroon, and to protect aquatic native species populations, biodiversity, and aquatic recreational activities for the public good.

**APPLICABILITY:** The provisions of this law shall apply in addition to any other local law or ordinance, or any New York State laws, regulations, etc. Where there is a conflict, the most restrictive provision shall apply.

**DEFINITIONS:**

**"Invasive Species"** are non-native species that can cause harm to the environment or to human health. As a threat to our biodiversity, they have been judged second only to habitat loss. Invasive species shall include all plants and animals that are listed by the New York State Department of Conservation, Department of Agriculture, and other agencies as detrimental to native vegetation, animal, fish, shellfish, wildlife, or natural resources.

**"Habitat loss"** is a problematic effect on our ecosystems including all natural systems that includes agriculture, forests, food supply, wildlife, fish, shellfish, infrastructure, industry, gardens, pets, recreation, human health, and our environment.

**Users:** A person, individual, firm, partnership, company, society, corporation, association, group, government entity, or others seeking access to or use of the waters of the Town of Schroon.

**Launch:** To place a watercraft, dock, or other floatable device into or on the waters of the Town of Schroon, including any activity that takes place within fifty feet of the high water mark, moving by trailer or other device, or carrying said object.

Watercraft: A motorized or non-motorized boat, canoe, kayak, or other vessel capable of being used or operated as a means of transportation in or on water.

"Waters" means all lakes, ponds, rivers, streams, creeks, and all other places wet (more than one foot of water), impounding reservoirs, springs, wells, estuaries, marshes, inlets, canals, within the territorial limits of the Town of Schroon, and all other bodies of surface or underground water, natural or artificial, inlands, fresh, public or private, which are wholly or partially within the Town of Schroon or within its jurisdiction.

Standing water: shall mean bilge water or other water inside a water vessel's compartments and shall be removed before launch of said vessel.

**PROHIBITIONS** – (Unlawful activities):

1. It shall be unlawful for any person to launch or attempt to launch a watercraft into the waters of the Town of Schroon with any aquatic invasive species, plant or animal, or parts thereof, visible to the human eye on or attached to any part of the watercraft, motor, or trailer, or other launching device. All exterior areas of the craft, motor, and trailer shall be inspected including, but not limited to, rudder, anchor, other appurtenant, equipment, gear that may come in contact with the water. Whenever possible a Lake Steward will be on duty at the primary Schroon Lake boat launch near the Public Beach and the boat launch at the Paradox Lake State Campground. The function of the Lake Steward is to insure user's compliance with this local law and offer helpful advice and/or assistance. Failure to comply or follow the Lake Steward's instructions will result in the boat registration number being taken and forwarded to the Essex County and Warren County Sheriff Departments, and to the DEC.

Private lake-front property owners are requested to enforce this local law on all their crafts before allowing them access to the waters in the Town of Schroon

2. All persons utilizing boat launches within the Town of Schroon shall be required to first pass through the bilge emptying area in an area where they will insure that their bilges, live wells, and other water containing wells are drained. All vegetation, animal and other foreign objects shall also be deposited in this area.

3. All persons before placing a dock or other device on to the waters will inspect said device to insure it is free of all vegetation, animal, and other foreign matter.

**EXCEPTIONS:** The Prohibitions shall not apply to:

1. The carrying and use of legal bait for the purpose of fishing, consistent with all applicable laws and regulations related to bait fish.
2. The use of above water line native vegetation for camouflage of the craft, decoys, or other such items for the purpose of hunting, consistent with all applicable laws and regulations.
3. Pets or hunting dogs.
4. The intentional transport of plants or animals, including for food, landscaping, habitat restoration, or other home related activity, provided they are fully secured within the craft.

**ENFORCEMENT:**

This local law shall be enforced by the Essex County and Warren County Sheriff Departments, the DEC, or other enforcement officer having jurisdiction in the same manner as a traffic violation.

**VIOLATION:**

Any person found guilty in court of a violation of this local law shall be subject to such fines or sentence prescribed by the local court with a maximum fine not to exceed \$250. Additionally, at the discretion of the local court, the New York State Boater Registration Office may be contacted by the court to request the suspension of the craft's registration.

**SEVERABILITY:**

If any section, subdivision, paragraph, subparagraph, clause, or item of this local law is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

This local law shall take effect immediately upon written notice of filing by and in the New York State Department of State.