

**VILLAGE OF HIGHLAND FALLS
INTRODUCTORY LOCAL LAW
AMENDING CHAPTER 106 OF THE VILLAGE CODE**

BE IT ENACTED by the Village Board of Trustees of the Village of Highland Falls, County of Orange, State of New York, as follows:

Section 1. Legislative intent.

The Village of Highland Falls Board of Trustees hereby finds and determines that it is in the interest of the residents of the Village to modify the local law governing the application for and issuance of fishing and boat permits to provide the Board additional flexibility to modify the application and fee structure.

Section 2. Authority.

This local law is enacted by the Board of Trustees pursuant to its authority to adopt local laws under the New York State Constitution and Section 10 of the Municipal Home Rule Law.

Section 3. Scope.

This local law shall apply to all fishing and boat permits.

Section 4. Chapter 106, titled “Fishing and Boat Permits,” of the Code of the Village of Highland Falls is hereby amended as follows:

Section 106-1, titled “Permits Available,” shall be deleted in its entirety and replaced with the following:

§ 106-1. Fishing permit required.

- A. A fishing permit issued by the Village Clerk shall be required to fish in the water supply system of the Village of Highland Falls.
- B. Permits shall be available for a one-year term beginning June 1 through May 31 of each year.
- C. A permit application and fee schedule shall be established by resolution of the Board of Trustees and modified in the same manner from time to time and may include a schedule of fees, fines, duties and responsibilities of permittees.
- D. Permittees shall be subject to the conditions set forth in this Chapter. Failure to adhere to the conditions shall result in forfeiture of the permit and fines as set forth herein.

Section 106-2, titled "Applicant requirements," shall be deleted in its entirety and replaced with the following:

§ 106-2. Permit requirements.

An applicant for a fishing permit:

- A. Shall be a resident of the Town of Highlands.
- B. Shall be licensed by the State of New York Conservation Department.

Section 106-5, titled "Boats," shall be deleted in its entirety and replaced with the following:

§ 106-5. Responsibility of permittees who use boats while fishing in the water supply system of the Village of Highland Falls.

- A. Only manually operated or electrically operated boats shall be allowed in the water supply system of the Village of Highland Falls.
- B. The boat owner shall have sole responsibility for the boat and compliance with these regulations.
- C. The owner shall be jointly responsible for removing the boat from the water and taking it away from the area at the end of each fishing day. Failure to remove the boat may be cause for denial of a permit the following year.
- D. Boats not removed by the owner may be removed by the Village and impounded at the owner's sole expense.

Section 106-7, titled "Provisions subject to amendments," is hereby deleted in its entirety and the following sections are renumbered accordingly.

Section 5. Supersession, of Inconsistent Laws, if any.

The Village Board hereby declares its legislative intent to supersede any provision of any local law, rule, or regulation and any provision of the state Village Law or other special law that may be declared inconsistent or in conflict with this local law.

Section 6. Severability.

If any section, part or provision of this local law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this local law or the application thereof,

Section 7. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.