

The Town of Lake Pleasant Aquatic Invasive Species Prevention Law

ARTICLE A: INTRODUCTION

Section 1. Authority

This local law is adopted pursuant to the authority granted the municipality in Section 10 of the Municipal Home Rule Law and in Section 130(6) of the Town Law.

Section 2. Title

This local law shall be known as “The Town of Lake Pleasant Aquatic Invasive Species Prevention Law.”

Section 3. Purpose

The purpose of this local law is to prevent the introduction and spread of aquatic invasive species into and within the waters of the Town of Lake Pleasant, and to thereby protect aquatic native species populations, biodiversity, and aquatic recreational activities for the public good.

Section 4. Applicability

The provisions of this law shall apply in addition to the provisions of any other local law or ordinance adopted by the municipality. Where there is a conflict the more restrictive provision shall apply.

Section 5. Definitions

For the purposes of this local law, the following terms shall have the following meaning:

1. "Aquatic animals" shall mean an animal that spends part of its life in water; including, but not limited to, freshwater, estuarine and wetland species.
2. "Aquatic plants" shall mean plants living in the water or at the shoreline, and includes roots, rhizomes, stems, leaves or seeds; including freshwater, estuarine and wetland species.
- 3 "Boater" shall mean the operator of the boat or towing vehicle.
4. "Invasive species" shall mean any species listed by the NYS DEC as being invasive to the waters of New York. Such species include, but are not limited to, Eurasian water milfoil (*Myriophyllum spicatum*), variable leaf milfoil (*Myriophyllum heterophyllum*), water chestnut (*Trapa natans*), curly-leaf pondweed (*Potamogeton crispus*), Brazilian waterweed (*Egeria densa*), zebra mussels (*Dreissena polymorpha*), and round goby (*Neogobis melanostomus*)
5. "Standing water" shall mean bilge water and other water inside boat compartments that could easily be removed by pump or hand.
6. "Water body" shall mean any freshwater or estuarine lake, river, pond, stream or wetland existing in the state, whether publicly or privately owned, including the banks and

shores thereof.

ARTICLE B: PROHIBITED ACTS

No watercraft or trailer shall enter or exit a water body of the Town unless the boater removes all aquatic plants and/or animals from inside and outside his/her vehicle, watercraft, trailer, or any other equipment that had previously come in contact with any water body. The boater must also remove any standing water that is visible to the unaided eye from the boat and trailer before they enter a water body. Removed items must be discarded away from the shoreline.

Exceptions:

- 1) Those persons with a permit to do such activities.
- 2) Those persons who have legally purchased bait or harvested fish.
- 3) Those persons who have legally taken waterfowl.

ARTICLE C: PENALTY FOR NONCOMPLIANCE.

Any person who violates this local law is guilty of a criminal violation and is punishable with a maximum two hundred fifty dollar fine.

ARTICLE D: ADMINISTRATION AND ENFORCEMENT

Section 1. Complaints

Any person may file a complaint with any state, county or local law enforcement officer having jurisdiction that a violation of this law may have taken place.

Section 2. Enforcement

This law may be enforced by the Hamilton County Sheriff's Department or any other law enforcement officer having jurisdiction.

ARTICLE E: ENACTMENT

This local law shall become effective upon written notice of filing by and with the New York State Department of State.