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Chapter 228

Vessels and Waters

[HISTORY: Adopted by the City Council of the City of Saratoga Springs 5-18-1992. Amendments noted where applicable.]

Article I

Speed and Operation of Vessels

§ 228-1 **Intent.**

The provisions of this chapter are intended to regulate the speed and operation of vessels while being operated or driven upon any waters within the City of Saratoga Springs. This chapter is enacted in accordance with the provisions of § 46-a of the Navigation Law of the State of New York.

§ 228-2 **Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

VESSEL

Includes every description of a floating craft or other contrivance used on or capable of being used as a means of transportation in the water.

§ 228-3 **Speed and operation.**

[Amended 7-21-1998]

No vessel shall be operated on any part of the following described waterways located within the City of Saratoga Springs: beginning at a point on the western shore of Saratoga Lake, said point being more specifically described as North 1,113,157, East 661,414; thence northeasterly along the western shore of Saratoga Lake and Fish Creek to a point, said point being more specifically defined as North 1,114,630, East 663,580; thence southeasterly along an azimuth of 54°, 09 minutes, to a point, said point being more specifically defined as North 1,114,235, East 664,115; thence southwesterly along the center line of Saratoga Lake and Fish Creek to a point more specifically described as North 1,112,937, East 662,178; thence easterly along an azimuth of 73°, 54 minutes, to the point or place of beginning (all coordinates refer to the New York State Plane Coordinate System, East Zone), in a manner or at a speed that causes a wake that unreasonably interferes with or endangers a dock, pier, raft, float, vessel or other property or endangers the health, safety and welfare of any person, but in no event at a speed exceeding five miles per hour.

§ 228-4 **Exceptions.**

The provisions of § 228-3 above shall not apply to any of the following:

- A. An authorized agent of the federal, state or municipal government when operating a vessel while responding to an emergency situation. **[Amended 7-17-2001]**
- B. A vessel actually competing in a regatta or boat race authorized under § 34 of the Navigation Law of the State of New York.

§ 228-5 **Enforcement.**

Any person authorized to enforce the provisions of the Navigation Law may enforce the provisions of this chapter.

§ 228-6 **Penalties for offenses.**

Any person who operates a vessel in violation of this chapter shall be guilty of a violation punishable to the same extent as a violation of § 45 of the Navigation Law of the State of New York.

Article II
Public Launching Facilities

[Added 7-3-2007]

§ 228-7 **Intent.**

The intent of this article is to establish a basis for permitting and regulating activity on any facility established by the City of Saratoga Springs for use by the public to launch vessels. Nothing in this article is to be construed as superseding any provision of the Navigation Law of the State of New York.

§ 228-8 **Definitions.**

As used in this article, the following terms shall have the meanings indicated:

PUBLIC LAUNCHING FACILITY

Any facility established by the City of Saratoga Springs for use by individuals licensed by the City to launch vessels into a body of water.

RESIDENT OF THE CITY

Any individual who owns, or lawfully possesses for a period of three months or more, one or more residential dwelling units within the City.

§ 228-9 **License required; application.**

- A. No individual shall use any public launching facility without first obtaining a license therefor from the Commissioner of Accounts.
- B. An application for a license to use a public launching facility shall be filed in the Office of the Commissioner of Accounts. The application shall be signed by the applicant and shall contain the following information:
- (1) The name, address, and telephone number of the applicant.
 - (2) The name, address, and telephone number of each person in the applicant's household who will be using the public launching facility.
 - (3) Satisfactory proof that the applicant is a resident of the City.
 - (4) Any other information deemed necessary by the Commissioner of Accounts for the reasonable review of the application.

§ 228-10 **Issuance of license.**

Upon review of the submitted application, and upon a finding that the applicant has provided all information required, the Commissioner of Accounts shall issue a license to the applicant. The Commissioner shall have authority to impose reasonable conditions on any license issued. The Commissioner shall also have authority to refuse to issue a license based upon a determination that the applicant has not satisfactorily met the requirements for same, or that the issuance of the license would adversely affect public health, safety, and welfare.

§ 228-11 **Regulations for use.**

Every licensee under this article shall comply with regulations established by the City Council and

incorporated as Addendum A of this article.

§ 228-12 **Fees.**

[Amended 9-17-2013]

Fees under this article shall be as established from time to time by [resolution of]-the City Council[.] for licensure under this code. A schedule of all such fees will be available for review in the Office of the City Clerk and on the City's webpage.

A. Payment of the applicable fee under this section shall be due upon filing or renewal of the application.

§ 228-13 **Penalties for offenses.**

Any persons who, by himself or herself or by an agent or employee, shall conduct any activity described in this article without a license, or who shall violate any of the provisions of this article, or who, having had a license revoked or suspended, shall continue to conduct any activity described in this article, shall, upon conviction, be subject to the penalties set forth in Chapter **1**, General Provisions, Article **III**, of the Code.

Attachments:

[228a Regs for Use](#)

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