

TOWN OF CANDOR  
LOCAL LAW No. 4 1989

A LOCAL LAW LIMITING THE USE OF POWER BOATS ON THE WATERS OF  
THE CATATONK CREEK NEAR THE UPPER DAM FORMERLY KNOWN AS THE  
MILL POND

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF CANDOR AS FOLLOWS:

SECTION 1. Purpose. The Town Board of the Town of Candor, hereby finds and determines that the unrestricted use of power or motor boats on the waterways within the Town of Candor can pose a potential threat to the health and safety of the residents of the Town of Candor and to the wildlife within the Town of Candor. It is the purpose of this local law to provide for the health, safety and welfare of the residents of the Town of Candor, and to protect the environment and wildlife of the Town of Candor by limiting the use of power or motor boats within the Mill Pond area located within the Town of Candor.

SECTION 2. Definitions. For the purpose of this local law, the following terms shall have the meanings set forth hereinafter:

(a) "Motor Boat" or "Power Boat" shall be deemed to mean and include a mechanically propelled vessel having a source of power other than steam and not more than 65 feet in length. The words include a craft, temporarily or permanently equipped with a detachable motor or motors commonly known as an outboard motorboat.

(b) "Mill Pond" shall mean the waters of the Catatonk Creek located within the boundaries of the premises conveyed to the Town of Candor by Ward and VanScoy Inc., by deed dated August 9, 1977 and recorded in the Tioga County Clerk's Office on August 10, 1977 in book 379 of Deeds at Page 377.

SECTION 3. Prohibition. No person shall operate a motor or power boat within the Mill Pond which boat is equipped with a motor with the power capacity in excess of 2 horsepower.

SECTION 4. Penalty. Upon conviction, a violation of this local law shall be deemed an offense and shall be punishable by a fine not exceeding \$50.00 for each and every such offense or imprisonment for a period not to exceed fifteen days, or both.

SECTION 5. Separability Clause. If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not affect, impair or invalidate the remainder of this local law but shall be confined in its operation to the clause, sentence, paragraph, section or part of this local law that shall be directly involved in the controversy in which such judgment shall have been rendered.