

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 1990**

No. 48

Introduced by Council Member Crispino—read and referred to the Committee on Parks, Recreation and Cultural Affairs. Amended June 22, 1990. Ordered reprinted and laid over.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to the creation of a vessel regulation zone.

Be it enacted by the Council as follows:

Section one. Legislative findings. The council hereby finds that the lagoon in the Pelham Bay Park is a source for such recreational activities as fishing and rowing for many people and serves as the site to launch canoes, kayaks and other motorless boats. However, the lagoon also is used by persons in speedboats, some of which are trailed by water-skiers, that leave large wakes which present hazards for other recreational activities, not to mention the possible erosion of shore front property. Under the State Navigation Law, the city has the authority to designate speed limits within certain clearly identified bodies of water. Therefore, to ensure a safer environment in the lagoon in Pelham Bay Park, the council hereby finds that this body of water should be designated a vessel regulation zone and that a maximum speed limit of four miles per hour be imposed to better ensure the public's safety.

§2. Title 10 of the administrative code of the city of New York is hereby amended by the addition of a new section, 10-158 to follow 10-157, to read as follows:

§10-158 Vessel regulation zone. a. Description. That portion of the body of water contained within the county of the Bronx, known as the lagoon within pelham bay park, whose limits are: on the northeast, latitude 40° 52' 40", longitude 73° 47'; on the northwest, latitude 40° 52' 57", longitude 73° 47' 38"; on the southeast, latitude 40° 51' 54", longitude 73° 49' 12"; and on the southwest, latitude 40° 52' 4", longitude 73° 48' 25", and which does not exceed one thousand feet from the shore line at low water mark, shall be designated a vessel regulation zone, as set forth under section 46 of the navigation law of the state of New York.

b. Regulation. The maximum vessel speed limit within this vessel regulation zone shall be four miles per hour. The commissioners of the police department and the department of parks and recreation shall be required to enforce said speed limit. "Vessel", as defined for purposes of this section, shall not include a crew racing shell. "Crew racing shell" shall mean any shell, gig, barge or other boat designed primarily for practice or racing, propelled by oars or sweeps, in the sport of crew or scull racing conducted by a private or public educational institution, school, academy, college, university or association of any of the preceding or by any amateur sports club or association or by the United States or International Olympics Committee and shall not include canoes, rowboats or lifeboats.

c. Posting of speed signs. There shall be posted by the commissioner of the department of parks and recreation on the shore near the boundaries of this vessel regulation zone, signboards facing the water and bearing thereon in large letters, "Vessel Regulation Zone, Speed Limit 4

miles per hour". Such signboards shall be conspicuously placed and of sufficient size to be easily readable by a person using such waters.

d. Penalties. Any person violating any of the regulations including the speed limit as set forth in this section shall be guilty of a misdemeanor punishable upon conviction by a fine not exceeding fifty dollars or by imprisonment for not more than ninety days or by both.

e. Exemptions. The provisions of this section shall not apply to any vessel while actually competing in a duly authorized regatta, provided notice of such regatta has been filed with the Bronx county clerk and the department of parks and recreation at least ten days prior to the occurrence of such event and provided that no single sponsor of such regatta be allowed to conduct more than six within any calendar year.

§3. Such same code is hereby amended by the addition of a new section 18-131, to follow 18-130, to read as follows:

§18-131 Posting of signs. The commissioner shall be required to post signs pursuant to section 10-158 of this code, for the vessel regulation zone established in the lagoon within the Pelham Bay Park.

§4. This local law shall take effect thirty days after its enactment into law and after approval by the New York State commissioner of parks, recreation and historic preservation.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, S.S.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on June 30, 1990, and approved by the Mayor on July 17, 1990.

CARLOS CUEVAS, City Clerk, Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed local law (Local Law 48 of 1990, Council Int. No. 426-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on June 30, 1990;
31 for, 0 against

Was approved by the Mayor on July 17, 1990.

Was returned to the City Clerk on July 17, 1990.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel