

TOWN OF HENDERSON SPECIAL ANCHORAGE AREAS RULES AND REGULATIONS

(Revised by board action November 14, 2024)

1. Operation of the Special Anchorage Areas is under control and supervision of The Town Board Town of Henderson, and any one who is appointed to oversee said operation at the discretion of the Town of Henderson Board. (appointed representative)
2. The following attached forms shall be the official forms to be used in conjunction with the operation and administration of the Special Anchorage Areas unless and until modified by resolution of the Town of Henderson Board.
3. A mooring permit fee may be charged. Said fee shall be set by resolution of the Town of Henderson Board (from time to time) based upon the expenses budgeted for the current year as necessary for the proper maintenance and upkeep of the Special Anchorage Area and the number of permits issued.
4. **All completed applications, along with a check or money order made payable to the Town of Henderson, shall be returned to the Town Clerk at 12105 Town Barn Road, Henderson, NY 13650.** The Town Clerk will mark the application “PAID”, deposit the funds as per state regulations, and deliver the application to (appointed individual or individuals). All mooring permits shall be in effect for the period April 1 through November 1 of the permit year.
5. The Henderson Town Board passed a resolution that “the Henderson Town Board will continue charging a mooring fee of \$150 for those moorings paid prior to March 1 of the current year and \$175 for those paid during the period of March 1 through March 31 of the current year. The Board will charge \$200 for any incomplete application received during the month of March which would result in making that application late (after 01 April of the current year.) According to #73-6 – D of Chapter 73, Boating Local Law #3 of the Town of Henderson Codification “any mooring site that is not renewed by 01 April of the current year will constitute a forfeiture of all rights to the site and be considered abandoned.” This extends that deadline two weeks, reserving that mooring so as to give those applicants who submitted incomplete applications a chance to comply before the forfeiture of site is applied.
6. The completed Mooring Permit Application shall consist of
 - A. the application form, filled out and signed
 - B. the release form signed and notarized the first year of mooring ownership. A new release form signed and notarized must be resubmitted each three years with each mooring inspection and with a change of boat.
 - C. a check or money order for the amount in accordance with paragraph 5 above.
 - D. Tackle inspection report (to be filed out by inspecting diver) every three years for a site that tackle is owned by the applicant.
7. Leasing or subletting of moorings shall not be permitted.
8. Mooring buoys and pickup buoys shall be removed from ground tackle and replaced with winter stick or cable to shore by the permit holder from approximately November 1 of the expiring permit year until approximately April 1 of the subsequent permit year.
9. Proper ground tackle, conforming to the requirements of the Special Anchorage Area specifications must be used and approved by a certified diver prior to final issuance of a mooring permit. Purchase, installation, maintenance and removal of the ground tackle are the responsibility of the permit holder. Divers should be registered with the Town of Henderson so that they are aware of the inspection and report requirements.
10. Upon termination of permit, the ground tackle will be
 - A. removed from the site at the owner’s expense. If the owner has not removed the tackle within 30 days after notice from the Henderson Town Board, the tackle becomes property of the Town of Henderson per Henderson Chapter 73 Boating Law, or

- B. transferred to the new permit holder, after approval by the Town Board or its approved representative or
 - C. Disposed of in a manner meeting all navigation laws and environmental conservation laws, rules and regulations.
11. Visiting moorings shall be provided for transient vessels.
 12. The releaser further agrees that
 - A. The right to use the mooring location is personal to the releaser and shall not be assigned or sublet without the prior written consent of the Town of Henderson Board.
 - B. He, she or they will be solely responsible for maintaining owned ground tackle in safe and proper working order, and that it will be inspected by a certified diver, at least once every three years or sooner based on the certified diver's report. If the mooring is not inspected in 4 years a notice will be sent to the mooring owner that the mooring must not be used until a new survey report, which shows it is in acceptable condition, is received by the town. Failure to supply the town with a new survey report in the 4th year will be cause for revocation of the mooring permit the following year.
 - C. That any vessel shall not be moored in the Special Anchorage Area prior to May 1 and that the vessel must be removed from the Special Anchorage Area by November 1 of the said permit year.
 13. Appointed Representative, upon evidence of any unsafe condition being present at the Special Anchorage Area, is authorized to take immediate corrective action and then notify the Henderson Town Board.
 14. Appointed representative shall maintain a continuous record of receipt of mooring applications by date of application, and annual issuance of mooring permits shall in general be made in order of receipt of completed and satisfactorily complying applications subject to the following considerations:
 - A. The issuance of a permit to an applicant shall depend upon the availability of a site within the Special Anchorage Area suitable for the vessel and ground tackle specified in the application.
 - B. Permit holders of the year proceeding the current permit year shall be permitted to renew their permit provided.
 - A new complete application is received and paid for **PRIOR to April 1** of the current permit year as outlined in paragraph 5 above.
 - Their vessel and ground tackle described in the application comply with the regulations at the mooring site assigned in the preceding year.
 - Must actually have moored his vessel at said site during one or both of the two preceding permit years, or have received prior approval in writing, from the appointed representative for any absence.
 - C. Appointed representative shall have discretionary power to relocate mooring sites for the safety and welfare of vessels within the Special Anchorage Area.
 15. Any violation of the Town of Henderson Special Mooring Area Local Law or the regulations governing the Special Mooring Area shall be grounds for revoking a mooring permit, and if necessary shall be prosecuted in the Town of Henderson Justice Court upon filing of any violation by the Henderson Town Board or Appointed Representative. Prosecution shall be by the Town of Henderson Attorney, or an attorney appointed by the Town of Henderson for the purpose of such prosecution.
 16. I further understand and consent that the Town of Henderson Town Board may from time to time amend Local Law 73 of the Town of Henderson and agree to any and all such amendments. Local Law 73 is available on the Town Of Henderson web site.
 17. Information concerning the Special Anchorage Area can be obtained by Contacting:

Appointed Representative
 Jim Weber
 (315) 243-0877 (cell)