

LOCAL LAW OF THE TOWN OF LAKE GEORGE

FOR THE YEAR 2022

No. 5-2022 (Resolution 144-2022)

---

**A LOCAL LAW**

**To amend the municipal code of the Town of Lake George, in relation to the Town Code, *Be it enacted by the Town Board of the Town of Lake George as follows:***

**Section 1. Chapter 117, Section 6 of the Municipal code of the Town of Lake George is amended as follows:**

**Article I  
Usher Park**

**[Adopted 5-8-1978; amended 9-12-2022 by L.L. 5-2022]**

**§ 117-6 Rules and regulations.**

A. Hours of operation. The hours of operation of the park shall be at the discretion of the Board, but in any case shall not be earlier than 6:00 a.m. or later than 10:00 p.m.

B. Alcoholic beverages and outdoor cooking. There shall be no alcoholic beverages and/or outdoor cooking in the park at any time, except with the express permission of the Board by majority vote.

C. Age requirements. No person under the age of eight shall use the park unless accompanied by a person 14 years old or over.

D. Park equipment. No person shall use any park equipment owned by the Town of Lake George without first having signed for the same with a park attendant, and the person signing shall return equipment the same day.

E. Other equipment. Other equipment owned by a person other than the Town of Lake George shall not be used in the park without the permission of an attendant.

F. Activities. The following activities may be conducted in the park. Any other activity may be conducted in the park only with the permission of an attendant:

- (1) Basketball.
- (2) Tennis.
- (3) Volleyball.

- (4) Shuffleboard.
- (5) Badminton.
- (6) Use of playground.
- (7) Picnics.
- (8) Walking.
- (9) Pickleball

#### G. Domestic Animals Prohibited

(1) It shall be unlawful for any person to bring or otherwise possess any domestic animal of any kind, leashed or otherwise, within the area designated as the Ushers Park Beach and Ushers Park and Playground. Users who bring domestic animals onto the beach will be asked to leave immediately.

(2) The only exemption from this rule is for guide dogs, service dogs and hearing dogs, per New York State Civil Rights Law, Article 4-B, and the Americans with Disabilities (ADA Act). Note that New York law applies only to dogs, not other animals.

(a) A service dog is a dog that has been, or is being, trained to work or perform tasks for a person with a disability (including psychiatric disabilities).

(b) A guide dog is a dog that has been, or is being, trained to assist a person who is blind.

(c) A hearing dog is a dog that is being or has been trained to assist a person with a hearing impairment.

(3) The ADA or New York definition does not include what some call "emotional support animals": animals that provide a sense of safety, companionship, and comfort to those with psychiatric or emotional disabilities or conditions. Although these animals often have therapeutic benefits, they are not trained to perform specific tasks for their handlers. Under the ADA and New York law, owners of public accommodations are not required to allow emotional support animals, only service dogs (which includes psychiatric service dogs). These laws also don't apply to regular pets.

**Section 2. Chapter 117, Section 15 of the Municipal code of the Town of Lake George is amended as follows:**

#### **Article II**

#### **Diamond Point Beach and Playground**

**[Adopted 6-13-1983; amended in its entirety 9-10-2018 by L.L. No. 2-2018; amended again 6-14-2021 by L.L. 3-2021, amended again 9-12-2022 by L.L. 5-2022]**

**§ 117-15 Rules and regulations for beach.**

- A. Hours of operation. The hours of operation of the beach shall not be earlier than 7:00 a.m. or later than 10:00 p.m.

- B. Parking. No parking shall be allowed in front of the fence or along the south side of Lake Road. Diagonal parking, restricted for beach use only, is limited to the north side of Lake Road, between the hours of 7:00 a.m. and 10:00 p.m. No cars, trucks or motorcycles shall be permitted to enter the dock area. Violators will be towed. Violations are subject to a fine of \$25, plus towing charges.
- C. Picnicking. Picnicking will be allowed in an area so designated for the same.
- D. Swimming and conduct. No one under the age of 10 years shall use the beach unless accompanied by a mature, responsible adult. Swimming is an authorized activity only when the lifeguard is on duty, between the hours of 9:30 a.m. and 6:00 p.m. Swimming is allowed inside the rope and float perimeter only. The lifeguard/attendant, when on duty, assumes responsibility for the safety and operation of the dock and beach. The lifeguard/attendant has the authority to expel a user from the dock or beach area for breach of safety or conduct that he deems contrary to the welfare of other users or if the user is in violation of any of the Diamond Point Rules and Regulations.
- E. Safety equipment and furniture must not be altered, moved or used by unauthorized persons.
- F. Emergency signals must be observed. Swimmers must leave swimming areas immediately upon the signal or request of lifeguard. Patrons are not permitted to use whistles.
- G. People under the influence of alcohol or narcotics are prohibited from using the beach. The park and beach are an alcohol- and smoke-free facility.
- H. Glass bottles or items (other than eyeglasses), sticks, stones or any object which is not part of regular equipment items are not allowed in the swimming area.
- I. Abusive or foul language is prohibited.
- J. Town residents only. Only persons with a Town issued Lake George Diamond Point Beach identification (ID) card for the Diamond Point Beach Card Reader, and no more than four (4) of their guests, may use the beach facility. The sole exemption to this rule is identified in 117-J (7). Identification (ID) cards are not transferable and replacement cards shall cost \$25 each. Town staff at Diamond Point Beach may use their discretion in allowing more than four (4) guests for Town residents, based on the current capacity of the facility or other factors. Proof of residency requirements shall be as follows:
  - (1) Personal visit to Town center, not phone call or mail, to obtain the ID card or key-fob
  - (2) Property tax receipt (if owner) or rental lease agreement from landlord (if renter). No seasonal or short-term renters are allowed at the residents-only facility.

- (3) Driver's license or other picture ID showing Lake George address
  - (4) Town of Lake George resident only, not school district.
  - (5) Children under 16 must be accompanied by parent or guardian to secure card, and parent or guardian must prove residency.
  - (6) Each person in household must have ID card.
  - (7) Exemption from full-time residency requirement. Users of Diamond Point Beach with a seasonal residency (but not necessarily ownership of a property), such as the residency at a seasonal campground, of at least one month each year, whom can also prove to the Town that they had access to, and an ID card for, the Diamond Point Beach prior to or during the year 2000, will be exempt from the residency requirements above and may be granted an ID card for Diamond Point Beach at the Supervisors discretion, as agreed upon by the Buildings and Grounds Director.
- K. Children under the age of 10 years of age should be accompanied in the water by a mature, responsible adult who has swimming abilities.

**Section 3. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this chapter or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this chapter, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 4. Effective Date.**

This local law shall take effect once filed with the office of the New York State Secretary of State.