

**LOCAL LAW 4 OF 2005**  
**A LOCAL LAW AMENDING CHAPTER 168, PARKS AND RECREATION AREAS, OF**  
**THE VILLAGE CODE AS IT RELATES TO FISHING RESTRICTIONS AT**  
**MILL STREET PARK**  
**ADOPTED AUGUST 11, 2005**

Section 1. Findings. The Village of Horseheads Board of Trustees finds, after investigation, that the restrictions imposed upon fishing in Mill Street Park, and the intent behind the imposition of such restrictions as well as the act of making fishing available at this site, have been continuously violated by thoughtless and uncaring individuals. The effect is that the efforts of local government, non-profit organizations and individuals to provide a learning environment for minors and a recreational environment for the disabled is being disturbed. Accordingly it is apparent that to preserve this opportunity, additional restrictions need be imposed.

Section 2. Amendment. Section 168-8, Mill Street Park, of Chapter 168, is deleted in its entirety. The following is inserted in its place and stead:

All sections of this chapter shall apply to the Mill Street Park recreation area. In addition, the following special use provisions are applicable to this facility:

- A. Fishing shall be prohibited from October 15 to April 1.
- B. A two-trout limit per person, per day is in effect at all times during which fishing is permitted. The practice of catch and release is encouraged.
- C. Fishing is restricted to:
  - 1. persons 15 years of age and under;
  - 2. governmental, private and non-profit agencies/groups representing, sponsoring or advocating for disabled and handicapped persons recognized or approved by the Village Board of Trustees or the Village Manager of the Village of Horseheads. Such agencies/groups will request permits from the Village Clerk.
- D. Persons 13 years of age through 15 and persons fishing under a permit shall use artificial lures only. Persons under the age of 13 may use worms. No corn or other live bait is permitted.
- E. The Village Manager may designate periods for open fishing by the general public, and may impose additional restrictions or waive restrictions during such periods.
- F. The Village maintains no full-time park personnel on-site at Mill Street Park. Fishing and activities at the park are at the individual's own risk.
- G. The New York State Environmental Conservation Law and regulations shall

apply to this park, except as otherwise provided herein.

- H. An adult may assist a child by casting or retrieving a fishing line or fishing rod provided that the child stays within arms reach of the assisting adult and is actively involved in the fishing activity. An adult may assist a child by baiting hooks, removing fish from the line, netting fish, preparing the fishing rod for use and untangling the line.

Section 3. Repealer. Any local law, ordinance or resolution of the Village in conflict herewith is hereby repealed to the extent of such conflict or inconsistency, except that this repeal shall not effect or prevent the prosecution or punishment of any person for any act done or committed in violation of any local law, ordinance, or regulation hereby repealed prior to the effective date of this local law.

Section 4. Severability. In the event any clause, sentence, section or other part of this local law is declared to be invalid, such invalidity shall not effect the remainder of this law.

Section 5. Effective Date. This local law shall take effect as provided by law.

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