

**BOARD OF TRUSTEES
INCORPORATED VILLAGE OF OCEAN BEACH**

LOCAL LAW NO. 4 OF 2023

A local law to amend Chapter 123 of the Village Code to allow ball-playing at Village-designated areas

BE IT ENACTED, by the Board of Trustees of the Incorporated Village of Ocean Beach, as follows:

Section 1. Section 123-7 and 123-13 of Chapter 123 of the Village Code, entitled “Peace and Good Order”, is hereby amended, enacted and added to the Village Code as follows:

§ 123-7 Ballplaying and other amusements on beaches.

No person shall engage in ballplaying, frisbee throwing, any game of catch of any nature or the flying of kites on any of the beaches in the Village of Ocean Beach, or immediately adjacent to the Village of Ocean Beach, within a distance of 1,500 feet, except on the oceanfront beaches of the Village of Ocean Beach between the hours of 7:00 p.m and 8:00 a.m. No person shall otherwise so engage in ballplaying, frisbee throwing, any game of catch of any nature or the flying of kites or any act of amusement on the beaches or roads or public places within said village so as to annoy, interfere with or endanger persons or property on said walks or roads, beaches or public places, **except in any areas so designated by the Village for such activities.**

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§ 123-13 Use of tennis courts, volleyball courts, or other ball-playing designated areas; penalties for offenses.

A.

No person shall make use of a tennis court, **volleyball court, or other ball-playing designated areas** owned or leased by the Village of Ocean Beach

unless such person, prior to such use, shall have prepaid **any** required fees for such use.

Section 2. This local law shall take effect immediately upon filing with the Office of the Secretary of State.

Section 3. Authority.

The Board of Trustees of the Village of Ocean Beach is authorized to adopt this local law pursuant to Municipal Home Rule Law 10(1)(i), 10(1)(ii)(a)(6), 10(1)(ii)(a)(9-a) and 10(2).

Section 4. Severability.

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section 5. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.

<u>Aye</u>	<u>Nay</u>	
_____	_____	Mayor James S. Mallott
_____	_____	Trustee Marco Arment
_____	_____	Trustee Matthew M. Blake
_____	_____	Trustee Dawn L. Hargraves
_____	_____	Trustee Christopher F. Norris

Dated: _____, 2023

Jonneigh M. Adrion – Village Clerk
