

Chapter 52

WALKS, BEACHES AND PUBLIC PLACES

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GENERAL REFERENCES

General provisions --See Ch. 1.
 Animals --See Ch. 5.
 Bicycles --See Ch. 10.
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 Peace and good order --See Ch. 38.
 Vehicles and traffic --See Ch. 50.

§ 52-1. Obstructions, billboards and notices restricted.

No person shall build any encumbrance or obstruction in, on or over any walk, beach or public place or erect any billboard or signboard or post any notice in any public place within the village, except upon permission, in writing, from the Board.

§ 52-2. Littering. [Amended 7-15-1983 by L.L. No. 13, 1983; 9-17-1988 by L.L. No. 7, 1988]

- A. No person shall discard or dispose of any ashes, garbage, cans, bottles, paper, grass, brush, wood cuttings, waste or refuse matter in, on, alongside or over any walk, beach or other's property within the village.
- B. Refuse containers provided by the Village for the disposal of litter such as cans, bottles and paper shall not be used for the disposal of household refuse, garbage or other matter described in subsection A of this section.

§ 52-3. Defacing of authorized notices or signs prohibited.

No person shall tear or deface any sign, notice, handbill or ordinance posted within the village by authority of the Board.

§ 52-4. Posting of handbills. [Added 7-14-1990 by L.L. No. 10, 1990¹]

- A. The posting of any commercial handbill, notice, flier or advertisement (a "notice") upon any public property, including utility poles, signs or public buildings, is prohibited.
- B. A notice that is distributed to individual residences shall be placed in a secure manner so as not to blow free or otherwise become or give the appearance of litter.

§ 52-5. Excavations and constructions.

No person shall open or excavate the surface of the soil or sand, erect or cause to be erected any telephone, telegraph or electric transmission pole, string any wires, construct any conduits or lay pipes in, over, under or upon any walk, beach or public place within the village without authorization, in writing, from the Board.

§ 52-6. Use of Village property.

No person shall use any public dock, beach, playground, building, athletic field, Village equipment or other Village property in violation of any regulation promulgated by the Board or without payment of any fee for such use as may be established by the Board.

§ 52-7. Abandoned property. [Added 5-31-1980 by L.L. No. 5, 1980; amended 7-14-1990 by L.L. No. 10, 1990]

Any boat, bicycle, wagon, clothing or other property whose ownership is not readily identifiable and which is left unattended at or adjacent to any public walk, dock, beach or other public place for a period exceeding ten (10) days shall be considered abandoned property and may be removed by the Village. The costs of such removal may be charged to the claimant of such property and collected in such manner as provided by law. Such property, if unclaimed within thirty (30) days of such removal, may be sold at public auction or otherwise disposed of at the discretion of the Board.

§ 52-8. Obstructions by bicycles. [Added 7-14-1990 by L.L. No. 10, 1990]

¹ Editor's Note: This local law also renumbered former §§ 52-4 through 52-6 as §§ 52-5 through 52-7, respectively.

No bicycle, wagon or other pedal-operated or foot-propelled vehicle shall be parked on any village walk or other public area so as to obstruct or otherwise impede the free flow of traffic or pedestrians.

§ 52-9. Overnight storage of freight on docks prohibited.

No freight or other personal property, intended for transshipment to or from the village by boat, shall be left upon the village docks overnight, without the express written permission of the Board. The Village may remove any such freight or property to a place of storage, with the costs of such removal to be borne by the owner of such property, and neither the Village nor its agents shall assume any liability for any loss or damage to any such property removed in said manner.

§ 52-10. Stored Items.[Added 12-9-2000 by L.L. No. 2, 2000; Amended 11-14-2001 by L.L. No. 6, 2001; Amended 11-20-2002 by L.L. No. 6 of 2002; Amended 11-2-2008 by L.L. No 8 of 2008]

- A. Village residents and their guests may store their wagons, bicycles and beach chairs, (collectively, a “Stored Item”) in or on any designated dock, rack, shed or other facility or property of the Village (collectively, a “Village Facility”) as provided for in this Section. Neither the Village nor its officers, employees, elected officials or agents shall be responsible to any person for the loss of or damage to any Stored Item stored by such person in or on a Village Facility, including in connection with any removal, impoundment or disposal of such Stored Item in accordance with this Section. Stored Items other than wagons, bicycles and beach chairs may be stored in or on a Village Facility only with specific written consent of the Village.
- B. Wagons and beach chairs stored in or on any Village Facility shall be required to have prominently displayed thereon the last name and/or Saltaire address of the owner of such Stored Item. Bicycles locked or otherwise affixed to any rack provided by the Village of Saltaire shall be required to have prominently displayed on such bicycle the last name and/or Saltaire address of the owner or to have affixed thereto a registration sticker issued by the Village of Saltaire.
- C. No person shall attach a locking or affixing device to any Village Facility except for the sole purpose of fastening a Stored Item thereto. No person shall seek to reserve storage space for any Stored Item on any Village Facility by the use of locks, chains or other devices which prevent access to such space by others.
- D. The Village Board may by regulation adopt rules regarding the placement of Stored Items in, on or attached to any Village Facility and require that such Stored Items shall be removed from any Village Facility during specified periods of the year.

- E. The Village may remove, impound and/or dispose of any Stored Item located or stored on Village property not in compliance with this Section or with regulations that may be enacted relative to this Section, provided that the Village have given at least twenty-four hours written notice of its intention to remove, impound or dispose of such Stored Items, except that notice shall not be required in the event of an emergency situation as determined by the Village Administrator or a Village Security Officer. For the purpose of this section, the notice shall set forth the alleged violation of this Section and the remedies available to the Village and shall be given to the person whose name is displayed on the Stored Item or who is the owner or resident of the real property referenced by the address displayed on the Stored Item or the bicycle registration by leaving the a copy of such notice in a conspicuous location at the address of such person in the Village of Saltaire. The owner of the Stored Item that is removed, impounded or disposed of pursuant to this Section shall be liable to the Village for any costs incurred by the Village in conjunction with the removal impoundment or disposal. If the owner of such Stored Item does not retrieve his Stored Item within ten (10) calendar days after the Village gives notice of the alleged violation of this Section, such Stored Item shall be deemed abandoned and the Village shall have the authority to dispose of such Stored Item in any manner deemed appropriate by the Village, including but not limited to destruction, thereof, Removal, impoundment or disposal shall not be the exclusive penalty for violation of this Section.
- F. A violation of this Section, including regulations that may be enacted relative to this Section, shall be punishable by a fine of up to \$250 and the right to store property in or on a Village Facility for a period not to exceed thirty (30) days, and any person or party in violation of this Section shall be subject to the issuance of an appearance ticket to appear before the Saltaire Village Justice Court.