

LOCAL LAW NO. 2-1960
CHAUTAUQUA COUNTY

A Local Law Amending Chapter 780 of the Laws of 1950, as Amended, Relating to the Repeal of the Licensing Provisions of Said Act and Changing the Provisions thereof Relating to Violations of the Rules and Regulations of the Chautauqua County Navigation Commission

BE IT ENACTED, by the Board of Supervisors of the County of Chautauqua as follows:

Section 1. Paragraphs 1, 2, 2a, 2b, 2c, 2d, and 3 of Section 5 and Sections 8, 9, 11, and 13 are hereby repealed.

Section 2. Section 10 of said act as amended is hereby amended to read as follows: Any person violating any provision of this Act or any rule or regulation prescribed thereunder shall be guilty of an offense, and on conviction be subject to a fine not to exceed Fifty Dollars. An offense is a violation of the Chautauqua County Navigation Commission Act as amended, or any rule or regulation of the Chautauqua County Navigation Commission adopted pursuant thereto where a penalty is prescribed which is not declared by said Act to be a misdemeanor. An offense is not a crime, and the penalty imposed therefore shall not be deemed for any purpose a penal or criminal penalty, and shall not affect or impair the credibility as a witness, or otherwise, of any person convicted thereof. Courts and judicial officers heretofore exercising jurisdiction over such acts and violations as misdemeanors or otherwise shall continue to exercise jurisdiction over offenses as herein defined, and for such purpose only, such acts and violations shall be deemed misdemeanors and all provisions of law relating to misdemeanors, except as herein otherwise expressly provided, shall apply to such offense, except however, that no jury trial shall be allowed for a person charged with such an offense. Any member of the Chautauqua County Navigation Commission, any peace officer, sheriff or his deputy, may issue a summons to a person charged with an offense under this Act, or under the Navigation Act of the State of New York, returnable before a court having jurisdiction of such offense, on a form to be furnished by such Navigation Commission. Any justice of the peace in any Justice's Court in any Town which borders on the Lake, or navigable inlet or outlet, on which the violation is alleged to have been committed shall have jurisdiction of such offense, except an offense committed within the borders of the City of Jamestown, in which event the City Judge of said City shall have jurisdiction.

Section 3. This Act shall take effect immediately.

Adopted by Board of Supervisors: 5/13/60

R/C Vote: 33 Yes

4 Absent

Adopted as Local Law 2-60