



TOWN OF SHELTER ISLAND

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Chapter 36

BEACHES AND PARKS

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[HISTORY: Adopted by the Town Board of the Town of Shelter Island as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Docks-See Ch. 53.
Littering-See Ch. 84.

ARTICLE I Self-Supporting Improvements [Adopted 7-9-1963]

- § 36-1. Title.
This article shall be known as the "Beach Ordinance of the Town of Shelter Island."
- § 36-2. Establishment as self-supporting improvements.
It is hereby determined that the three Town beaches known as Crescent Beach, Tuthill's Beach and Silver Beach, as hereinafter more particularly described, are here and now established as self-supporting improvements, pursuant to § 141 of the Town Law.
- § 36-3. Definitions.
As used in this article, the following terms shall have the meanings indicated:

BEACH - Crescent Beach, Tuthill's Beach or Silver Beach as described in § 36-4 hereof.

PARKING STICKERS - A sticker issued by the office of the Town Clerk to residents as defined in this article. Such stickers are available for periods of one week, one month or for a season, and shall be displayed on the motor vehicle. For the purposes of this article, "one week" shall mean a period of any seven consecutive days; "one month" shall mean a period of any 31 consecutive days; and "season" shall mean the period from the Friday preceding the observance of Memorial Day through Labor Day of any year. [Added 3-16-2001 by L.L. No. 5-2001; Amended 5-30-2009 by L.L. No. 4-2008, effective 6-5-2008]

PLACES OF LODGING - Hotels, motels, tourist cabins, camps, rooming houses, guest cottages and inns.

RESIDENTS- All domiciliaries, owners of real property and lessees of real property situate in the Town of Shelter Island and members of their immediate families, all registered guests of hotels, inns, motels, guest cottages, rooming houses and camps, which hotels, etc., are situate in the Town of Shelter Island.

§ 36-4. Description of boundaries.

A. Tuthill's Beach. All that certain plot, piece or parcel of land situate, lying and being at Shelter Island, Suffolk County, New York, generally bounded and described as follows: Northerly by lands now or formerly of Tuthill; easterly by Midway Road and lands now or formerly of Florence Smith; southerly by 620 feet, more or less, on Shelter Island Sound; westerly by lands now or formerly of Tuthill and Dickerson Creek.

B. Crescent Beach. All those certain plots, pieces or parcels of land situate, lying and being at Shelter Island, in the Town of Shelter Island, Suffolk County, New York, generally bounded and described as follows:

(1) Parcel 1. Northerly by Peconic Bay 720 feet, more or less; easterly by lands of George Behringer 48 feet, more or less, southerly by Shore Road 720 feet, more or less, and westerly by land of Havens 28 feet, more or less.

(2) Parcel 2. Northerly by Shore Road 400 feet, more or less; easterly by land of Charles Strobel, 400 feet, more or less; southerly by land of Charles Strobel, 400 feet, more or less; and westerly by land of Charles Strobel; except, however, a parcel of land having a frontage on said Shore Road of 40 feet and a depth of 75 feet upon which is erected a store building used and occupied by Charles Strobel.

C. Silver Beach. All that portion of Silver Beach Bar, known as "Reservation C", lying easterly and northerly of the easterly boundary of Reservation B, said boundary line being 560 feet northeasterly from the lands of Reservation A. [Added 9-10-1963]

§ 36-5. Use restricted to residents; exceptions.

Only residents of the Town of Shelter Island, as defined in § 36-3 hereof, may make any use of the beach areas, as they are defined in § 36-4 hereof. However, guest of domiciliaries, owners of real property and lessees of real property situate in Shelter Island may use said beaches.

§ 36-6. Parking stickers. [Amended 4-18-1966; 5-23-1966; 7-18-1967; 5-8-1967; 4-19-1996 by L.L. No. 7-1996]

A. All motor vehicles or motorcycles using the parking areas adjacent to all public beaches owned or leased by the Town of Shelter Island shall display a sticker which will be issued by the Town Clerk to domiciled residents of the Town of Shelter Island.

B. The Town Board shall establish, on its own motion, the hours of the day and dates on which it will be necessary for a motor vehicle or motorcycle to display a parking sticker while parked at any parking area adjacent to any town-owned or leased beach. [Amended 3-16-2001 by L.L. No. 5-2001]

C. The Town Board shall establish, on its own motion, the fee to be charged for parking stickers issued on a weekly, monthly and seasonal basis. [Added 3-16-2001 by L.L. No. 5-2001]

D. Proprietors of hotels, motels, bed-and-breakfasts, tourist cabins, rooming houses and inns which are situated in the Town of Shelter Island may purchase parking stickers in quantity for the fee as established by Town Board resolution for sale to residents of their establishment for the same fee. [Added 3-27-1998 by L.L. No. 1-1998; amended 3-16-2001 by L.L. No. 5-2001]

§ 36-7. Glass Containers Prohibited. [Added 7-29-1968]

The possession, use or transporting of glass containers or bottles of any description is prohibited on all public beaches owned or leased by the Town of Shelter Island.

§ 36-8. Penalties for offenses. [Amended 6-12-1981 by L.L. No. 2-1981]

An offense against the provisions of this article shall constitute a violation under the Penal Law and shall be punishable by a fine of not more than \$250 or by imprisonment for not more than 15 days, or both.

ARTICLE II
Use
[Adopted 7-11-1980]

§ 36-9. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

BEACH - All premises immediately contiguous to and lying under the water controlled by the Town of Shelter Island.

MOTOR VEHICLE - Any self-propelled transportation device mount tracks, treads or wheels or any number or combination thereof.

PARK - Any premises or area owned by the Town of Shelter Island and maintained by it or its licensees for recreation or open-space purposes.

PUBLIC BEACH - Wade's Beach, Crescent Beach and Shell Beach.

§ 36-10. Use of motor vehicles restricted.

No motor vehicle shall be permitted to enter on or to use the beaches and parks as a speedway or raceway or for the purpose of joyriding.

§36-11. Camping.

No person shall camp or sleep on the beaches, parks or other public property in the Town of Shelter Island, except civic and social groups who have obtained permission from the Town Government.

§ 36-12. Injurious substances.

No person shall throw, break, cast, lay or deposit a glass bottle or pieces of crockery or glass or garbage or refuse or any injurious substance of any kind or nature on any beach or park.

§ 36-13. Animals restricted.

Between Memorial Day and Labor Day in each year, it shall be unlawful for any person owning, possessing, harboring or having custody of any animal to allow or permit such animal to be at or upon any public beach.

§ 36-14. Nude bathing.

No person shall come upon, remain within or use a public beach either in the daytime or at night, while in the nude.

§36-14.1. Trapping on Town property. [Added 3-10-2006 by L.L. No. 1-2006]

No person shall be allowed to place traps upon any Town park or beach property, except that "have a heart" traps may be used upon obtaining advance permission from the Town Board.

§36-14.2. Commerce on Town property. [Added 8-4-2017 by LL No. 7-2017, effective 8-14-2017]

No person shall solicit or engage in any business, trade or commercial transaction on a Town beach or park, or on streets within 500 feet of the boundary of any Town beach, landing or park, except as permitted by agreement with the Town Board. This shall cover any activity involving the sale of merchandise or services, or for which any fee, payment, donation or other consideration is required or requested.

§36-15. Penalties for offenses. [Amended 6-12-1981 by L.L. No. 2-1981]

An offense against the provisions of this Article shall constitute a violation under the Penal Law and shall be punishable by a fine of not more than two hundred fifty dollars (\$250.) or by imprisonment for not more than fifteen (15) days, or both.