

§ 228-1Purpose.

Article I Smoking on Town Property

[Adopted 11-3-2021 by L.L. No. 13-2021]

§ 228-1Purpose.

The purpose of this article is to prohibit smoking on all Town properties, including at all Town of Glenville parks and their facilities, as well as picnic areas, sports areas, playgrounds and parking lots owned or operated by the Town of Glenville. The Town Board hereby finds that a potential health hazard exists from allowing smoking on said premises both from smoke and from the debris created by discarded cigarettes and other smoking materials. The Town of Glenville declares that smoking in and upon certain Town-owned property is deleterious to such property and harmful to the health of persons using and enjoying such Town-owned lands. Accordingly, and based upon the authority of the Town of Glenville to regulate the use of its property and the authority of the Town to enact laws in furtherance thereof, including, but not limited to, Town Law §§ 64 and 130, Public Health Law § 1399-r, and the Municipal Home Rule Law § 10, the Town of Glenville adopts this article in furtherance of the health, welfare, and safety of the Town and its residents.

§ 228-2Smoking prohibited.

The smoking, principally, but not exclusively, meaning the use, ignition, and/or consumption of tobacco, cannabis as defined in § 222.00 of the Penal Law, or cannabinoid hemp as defined in § 3 of the Cannabis Law and other combustible products designed to be inhaled through cigarettes, cigars, pipes, vapes and similar devices, or carrying of lighted cigarettes and/or cannabis and other smoking materials, on all Town properties, including Town of Glenville parks and their facilities, as well as picnic areas, sports areas, playgrounds and parking lots owned or operated by the Town of Glenville is hereby prohibited.

§ 228-3Effect upon other laws.

This article shall in no way limit or alter any restriction upon smoking imposed by any law of the State of New York.

§ 228-4Penalties for offenses; enforcement.

A.

Any person convicted of a violation of this article shall be guilty of a violation and punished by a warning for their first offense, \$50 for a second offense and a fine of not more than \$100 for each offense thereafter.

B.

The Town of Glenville Police Department, or any other agency, officer or employee designated by the Town Board by resolution, shall be charged with the enforcement of this article.