

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Village of FRANKLIN

Local Law No. 1 of the year 2023

A local law adopted to prohibit smoking on public property within the Village of
Franklin, NY

Be it enacted by the of the Village of Franklin of the

(Name of Legislative Body)

County of Delaware

as follows:

Section 1. Local Law No. 1 of 2023 - Smoking prohibited.

A. No person shall smoke or use any tobacco product, cannabis product or other nicotine or cannabis delivery system within any public park in the Village of Franklin, on any Village property, or in any Village property. This prohibition against the smoking of tobacco and cannabis products includes all public and Village owned spaces within the Village of Franklin.

B. For purposes of this section, to smoke and/or utilize any tobacco or cannabis products shall mean to burn a lighted cigar, cigarette or pipe, and/or to use any other substance which contains tobacco and/or cannabis and also includes electronic cigarettes, vapor devices and chewing tobacco. It shall not include cannabis-infused foods, nicotine patches or nicotine gum.

C. While appropriate signage may be posted designating the parks and any other areas referred to herein as "smoke-free zones", the presence or absence of signs shall not be a defense to a violation of this section.

D. Any person who violates any provision of this Local Law shall be guilty of a violation, punishable by a penalty of fifty dollars (\$50.00).

Section 2. This Local Law shall become effective immediately upon passage and filing with the Secretary of State of the State of New York.

Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____, 20____, in accordance with the applicable provisions of law.

* ~~Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.~~

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5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

~~(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)~~

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ / _____, above.

(Seal)

Clerk of the county legislative body, City, Town or Village
Clerk or officer designated by local legislative body

Date: 1/10/2023

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)