
(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 TIVOLI

LOCAL LAW NO. 1 of 2019

A local law providing for the repeal of Chapter 71, Smoking, and providing for the amendment of Chapter 159, Parks regarding smoking, vaping, and the use of electronic cigarettes

Be it enacted by the Village Board of the Village of Tivoli as follows:

Section 1. Legislative intent. The implementation of the New York State Clean Indoor Air Act and Dutchess County Code Chapter 252 have superseded the Village’s smoking regulations, rendering Village Code Chapter 71 unnecessary. The Board of Trustees finds that eliminating such redundancies from the Village Code makes enforcement more efficient and is in the public interest. As smoking, vaping, and using electronic cigarettes is a public health hazard, the Board of Trustees finds that it is in the public interest to ensure that Memorial Park is smoke-free.

Section 2. Chapter 71 of the Village of Tivoli Code, entitled “Smoking”, is hereby repealed in its entirety.

Section 3. Section 159-3 of the Village of Tivoli Parks Law, entitled, “Prohibited Activities” is hereby amended by replacing the text of subsection N to read as follows:

“N. Smoking, vaping, and the use of electronic cigarettes shall be prohibited.”

Section 4. Severability. If any provision of this local law or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of this local law or the application thereof to other persons and circumstances.

Section 5. Effective Date. This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.