



Town of Concord

DARLENE G. SCHWEIKERT
TOWN CLERK
TAX COLLECTOR
(716) 592-4948
(716) 592-0123 FAX

May 14, 2024

NYS Department of State
Division of Corporations, State Records & Uniform Commercial Code
One Commerce Plaza
99 Washington Avenue
Albany, New York 12231

To Whom It May Concern:

Enclosed please find Local Law No. 1 of 2024, which was adopted by the Town Board on May 9, 2024, at their Town Board Meeting. The Law is entitled, "Replacing Chapter 199 of the Code of the Town of Concord: Chapter 199 Smoking."

Sincerely,

Darlene G. Schweikert
Town Clerk

Enclosure

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.

County City Town Village
(Select one.)

of Concord

Local Law No. 1 of the year 2024

A local law Replacing Chapter 199 of the Code of the Town of Concord: Chapter 199 Smoking
(Insert Title)

Be it enacted by the Town Board of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Concord

as follows:

Local Law #1 of Year 2024
Town of Concord, County of Erie
Local Law Amending the Code of the Town of Concord:

Repealing Chapter 199 Smoking replacing said Chapter 199 Smoking as follows:

Chapter 199 Smoking

Section 199-1. Smoking Prohibited.

A. Purpose. The purpose of this section is to preserve the public health and welfare by creating a healthier community, and a cleaner environment by prohibiting the use of any tobacco products and smoking of any kind in all Town buildings and on Town properties, including but not limited to: Town parks, playgrounds, trails and athletic fields and regardless of whether such properties are owned or leased by the Town.

B. The use of tobacco products and smoking of any kind, including but not limited to, cigarettes, pipes, cigars, smoke-less tobacco, cannabis, vaping and the use of electronic cigarettes, or other cartridge devices, is prohibited at or in all Town properties, buildings or structures. The use of any tobacco products and smoking is also prohibited during any event-permitted or sponsored by the Town.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

- C. It is unlawful for any person to dispose of any tobacco or smoking materials, including, but not limited to, cigarette/cigar butts and filters or vape cartridges within any Town building, Town park, Town playground, or Town athletic field in any manner other than in a trash receptable.
- D. "No Use of Tobacco or Smoking" signs shall be placed at or near the entrance to Town properties and buildings.
- E. This tobacco and smoking law shall be prominently posted upon the Town Bulletin Board and in each separate building in which Town employees work.
- F. Employees, volunteers, students, guests, visitors, clients, caretakers, family members, vendors or other persons using or present in Town buildings or on Town properties who are violating this section of the law may be removed from said building or property if they fail to comply with a reasonable directive to refrain from such activities.

Section 199-2. Penalties for Offenses.

- A. Any person who shall violate any provision of this Chapter shall be punished by a fine not to exceed \$250 per occurrence.
- B. In addition to this penalty, the Town Supervisor or the designee of the Town Supervisor, may revoke for a period of one year any and all Town-issued permits, licenses, and/or passes held by an individual or organization in violation of this Chapter. Further, any individual or organization in violation of this Chapter may be removed from, and refused admission to, any area stated in this Chapter.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2024 of the (County)(City)(Town)(Village) of Concord was duly passed by the Town of Concord Town Board on May 9 2024, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* 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.

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 1 above.

Doreen G. Schuckert

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

Date: May 13, 2024

