

4.1

By Legislators Hasman, Maffucci, Hughes-Smith and Blankley

Intro. No. _____

MOTION NO. _____ OF 2023

**PROVIDING THAT LOCAL LAW (INTRO. NO. 73 OF 2023) ENTITLED “AMENDING
CHAPTER 323 OF THE MONROE COUNTY CODE” BE ADOPTED**

BE IT MOVED, that Local Law (Intro. No. 73 of 2023) entitled “Amending Chapter 323 of
the Monroe County Code” be adopted.

File No. 23-0031.LL

ADOPTION: Date: _____

Vote: _____

4.2

By Legislators Hasman and Blankley

Intro. No. 73

LOCAL LAW NO. ____ OF 2023

ENACTING A LOCAL LAW AMENDING CHAPTER 323 OF THE MONROE COUNTY CODE

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. Section 323-29 of the Monroe County Code is hereby amended to read as follows:

§ 323-29 Controlled substances and Vaping

A. No person shall use, carry, transport or sell within a park any marijuana, narcotic drug, hallucinogen or controlled substance as defined in § 220.00, or drug paraphernalia as defined in § 220.50 of the New York State Penal Law. Violations of this section will be prosecuted in accordance with the New York State Penal Law. Violators will be subject to the penalties prescribed therein.

B. No person shall use an electronic cigarette, as that term is defined in New York State Public Health Law § 1392-aa, within (1) one-hundred (100) feet of a county-operated lodge or shelter currently being rented and occupied within a park; or (2) one-hundred (100) feet of a county-operated playground within a park. This provision shall not apply to County employees within outdoor areas of a park that are: (1) not open to the public (e.g., park maintenance areas), and (2) designated by the County for such use.

Section 2. If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 3. This local law shall take effect in accordance with the provisions of the Municipal Home Rule Law and the Monroe County Charter.

Agenda/Charter Committee; February 27, 2023 - CV: 5-0

File No. 23-0031.LL

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF LOCAL LAW: _____

Deleted language is stricken

Added language is underlined