

**RESOLUTION NO. 278 -2014, ADOPTING LOCAL LAW
NO. 12 -2014, A LOCAL LAW TO AUTHORIZE TOBACCO-
FREE POLICY FOR SUFFOLK COUNTY COMMUNITY
COLLEGE**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on March 4, 2014 a proposed local law entitled, "**A LOCAL LAW TO AUTHORIZE TOBACCO-FREE POLICY FOR SUFFOLK COUNTY COMMUNITY COLLEGE**"; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. 12 -2014, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO AUTHORIZE TOBACCO-FREE POLICY FOR
SUFFOLK COUNTY COMMUNITY COLLEGE**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County of Suffolk was one of the first municipalities in the nation to adopt a law restricting smoking in certain indoor areas, including health care facilities, places of public assembly and movie theaters.

This Legislature further finds that the County's original anti-smoking statute was adopted in 1984 after a Surgeon General's report identified the dangerous effects of secondary and tertiary smoke generated by cigars, cigarettes and pipes.

This Legislature also finds that in the years following that law's adoption, public awareness of the dangerous effects of smoking and second hand smoke, and the enormous costs associated with treating diseases caused by smoking, continued to grow.

This Legislature determines that since its original adoption in 1984, this Legislature has amended the County's anti-smoking statute in order to prohibit smoking in additional locations, including some outdoor locations, and to cover additional smoking and tobacco products, including e-cigarettes.

This Legislature further finds that in the mid-1990's, the County's anti-smoking law was amended to prohibit smoking in the buildings and on the grounds of any nursery school, preschool, day-care center, elementary school, or secondary school within the County of Suffolk.

This Legislature finds that Suffolk County Community College's Board of Trustees has expressed a desire to adopt a tobacco-free policy on its campuses and requested that this Legislature authorize their adoption of such a policy.

Therefore the purpose of this law is to authorize and empower the College Board of Trustees to adopt a tobacco-free policy.

Section 2. Amendment.

Chapter 754 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 754: Smoking

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§ 754-3. Limitations and restrictions.

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- I. The Trustees of Suffolk County Community College are hereby authorized and empowered to adopt additional restrictions on smoking and tobacco use on College property including the adoption of a tobacco-free policy which will prohibit smoking and tobacco use in all buildings and facilities and on all grounds owned by the County which are controlled and managed by the College and used for college purposes.

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Section 3. Applicability.

This law shall apply to actions occurring on or after the effective date of this law.

Section 4. Severability.

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 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

This law will take effective sixty (60) days after its filing in the Office of the Secretary of State.

___ Underlining denotes addition of new language.

DATED: April 29, 2014

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: May 28, 2014

After a public hearing duly held on May 14, 2014
Filed with the Secretary of State on June 1, 2014