

Intro. Res. No.1340-2021

Laid on Table 5/11/2021

Introduced by Legislators Caracappa, Kennedy, Flotteron, Spencer, Donnelly, Hahn, Anker and
Mazzarella

**RESOLUTION NO. 560-2021, ADOPTING LOCAL LAW
NO. 22-2021, A LOCAL LAW TO UPDATE THE COUNTY'S
SMOKING REGULATIONS TO INCLUDE MARIJUANA**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on May 11, 2021, a proposed local law entitled, "**A LOCAL LAW TO UPDATE THE COUNTY'S SMOKING REGULATIONS TO INCLUDE MARIJUANA**"; now, therefore be it

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

LOCAL LAW NO. 22-2021, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO UPDATE THE COUNTY'S SMOKING
REGULATIONS TO INCLUDE MARIJUANA**

**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 New York State recently legalized the recreational use of marijuana.

This Legislature also finds and determines that the legalization of marijuana should be reflected in Chapter 754 of the SUFFOLK COUNTY CODE, which regulates smoking.

Therefore, the purpose of this law is to amend Chapter 754 of the SUFFOLK COUNTY CODE to include a definition for marijuana.

Section 2. Amendments.

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

Chapter 754. Smoking

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§ 754-2. Definitions.

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INDOOR SERVICE LINE - Any service line located within retail or other public establishments in which more than one person is giving or receiving services of any kind.

MARIJUANA - any part of the plant genus Cannabis whether growing or not; the seeds thereof; the resin extracted from any part of the plant, including hashish and hash oil; any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not

include the mature stalks of the plant; fiber produced from the stalks; oil or cake made from the seeds of the plant; any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom); or the sterilized seed of the plant which is incapable of germination.

MINOR - An individual under the age of 18 years.

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SMOKING - The combustion of any cigar, cigarette, tobacco, marijuana, or any similar article or any other combustible substance in any manner or in any form or the heating or ignition of an e-cigarette which creates a vapor.

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Section 3. Applicability.

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

Section 4. 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)(26), (27) and (33) 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 in that the action constitutes routine or continuing administration and management not including new programs or major reordering of priorities that may affect the environment. 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 5. Effective Date.

This law shall take effect immediately upon its filing in the Office of the Secretary of State.

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED: June 22, 2021

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: July 19, 2021
After a public hearing duly held on July 8, 2021
Filed with the Secretary of State on July 29, 2021