

(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 Walden

Local Law No. 2 of the year 2011.

A local law amending Chapter 112 of the Code of the Village of Walden entitled “Parks” to prohibit smoking in all Village parks and to establish appropriate penalties for violations thereof.

Be it enacted by the BOARD OF TRUSTEES of the VILLAGE OF WALDEN as follows:

SEE ATTACHED


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

(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. 2 of 2011 of the Village of Walden was duly passed by the Board of Trustees on January 11, 2011, in accordance with the applicable provisions of law.

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.



Lori Pinckney, Village Clerk
Village of Walden

(Seal)

Date: 1-13-2011

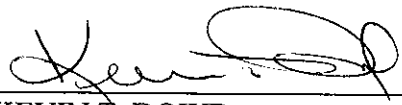
(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK

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COUNTY OF ORANGE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



KEVIN T. DOWD

Attorney for the Village
Title

Village of Walden

Date: 1/13/2011

INTRODUCTORY LOCAL LAW I-7 OF 2010

A LOCAL LAW AMENDING CHAPTER 112 OF THE CODE OF THE VILLAGE OF WALDEN ENTITLED "PARKS" TO PROHIBIT SMOKING IN ALL VILLAGE PARKS AND TO ESTABLISH APPROPRIATE PENALTIES FOR VIOLATIONS THEREOF.

BE IT ENACTED by the Board of Trustees of the Village of Walden as follows:

SECTION 1.

The Village of Walden is fortunate to have approximately 143 acres of designated park land for the use and enjoyment of all of its citizens. The Board of Trustees wants to encourage the use of Village Parks by promoting healthy activities in a clean and safe environment. To that end, the Board of Trustees believes that it is imperative to prohibit smoking in Village Parks as there is overwhelming scientific evidence that smoking and the inhalation of secondhand smoke is dangerous to the health of smokers and non-smokers alike and that secondhand smoke is especially dangerous to children. The Board further finds that the disposal of cigarette butts on the grounds of the Village Parks is a blight on the inherent beauty of the Parks and an unnecessary maintenance cost that can be avoided. The Board of Trustees, therefore, enacts this Local Law to foster the public health, safety and general welfare of its citizens.

SECTION 2.

Chapter 112 of the Code of the Village of Walden entitled "Parks" is hereby amended by enacting a new Section 112-6 as follows:

§112-6. Smoking prohibited.

No person shall smoke any tobacco product within any of the parks designated in §112-1 of this Chapter.

SECTION 3.

Chapter 112 of the Code of the Village of Walden entitled "Parks" is hereby amended by enacting a new Section 112-7 as follows:

§112-7. Enforcement.

The Village of Walden Police Department is hereby authorized to enforce the provisions of §112-6.

SECTION 4.

Chapter 112 of the Code of the Village of Walden entitled "Parks" is hereby amended by enacting a new Section 112-8 as follows:

§112-8. Penalties for offenses.

Any person who violates the provisions of §112-6 of this Chapter shall, upon conviction thereof, be guilty of an offense which is punishable by a minimum fine of \$50 and a maximum fine of \$250.

SECTION 5. Savings Clause.

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 6. Effective Date.

This Local Law shall take effect upon filing in the Office of the Secretary of State in Albany.