

VILLAGE OF VOORHEESVILLE
RESOLUTION No. ___ of 2025

WHEREAS, the Village of Voorheesville Board of Trustees agrees with the Capital District Tobacco Free Coalition and its goals to create tobacco, cannabis and vape-free zones at local parks; and

WHEREAS, smoking and second-hand smoke are believed to be responsible for the premature deaths of tens of thousands of Americans each year from lung cancer, heart disease, respiratory illness and other diseases; and

WHEREAS, many smokers start smoking before the age of 18 years; and

WHEREAS, to help role model non-smoking behavior to children and youth; and to provide youth and families with a safe, smoke-free environment the Village seeks to ensure certain spaces are free of these behaviors.

NOW, THEREFORE, it is resolved that the Village of Voorheesville Board of Trustees resolves to hold as tobacco, cannabis and vape-free the Jim Nichols Park, Hotaling Park; Pine Street Park; Scotch Pine Park; Tork's Hill Park; and all other Village owned and maintained park land not otherwise specified. Appropriate signage, provided by the Capital District Tobacco Free Coalition will be posted the zones. This resolution will become effective on September 1, 2025.

Trustee _____ raised the motion to approve, Trustee _____ seconded the motion, and upon roll call the vote of the Board was as follows:

Mayor Straut	Aye / Nay / Absent / Abstain
Deputy Mayor Berger	Aye / Nay / Absent / Abstain
Trustee Stevens	Aye / Nay / Absent / Abstain
Trustee Wilson	Aye / Nay / Absent / Abstain
Trustee Winchell	Aye / Nay / Absent / Abstain

The resolution was thereupon declared duly adopted.

Dated: August____, 2025.

Barbara Maughan, Village Clerk



Local Law Filing Instructions

**PLEASE FOLLOW THESE INSTRUCTIONS
WHEN FILING LOCAL LAWS IN THE OFFICE OF THE SECRETARY OF STATE**

1. Each local law shall be filed in the office of the Secretary of State within 20 days after its final adoption or approval as required by section 27 of the Municipal Home Rule Law. The cited statute provides that a local law shall not become effective before it is filed in the office of the Secretary of State.
2. Each local law to be filed shall be an original certified copy.
3. Each local law shall be filed on a form provided by the Department of State. Copies of the local law text must be attached to the form. Only legible copies will be accepted.
4. Submit only the local law form and the text of the local law.
5. In the case of a local law amending a previously enacted local law, the text must be that of the law as amended. Do not include any matter in brackets, with a line through it, italicized or underscored to indicate the changes made. The printed introductory bill number for the proposed local law and explanatory matter must be omitted.
6. The date of filing of a local law is the date on which the local law is placed on file by the Department of State. The Department of State will assign a local law number for indexing purposes. The Department of State's Index Number for a local law may be different from the local law number ascribed by the legislative body of the local government.

It is suggested that municipalities use introductory identifying bill numbers for proposed local laws. After the local law is enacted (and approved by the voters, if required), the local law should then be numbered and submitted to the Department of State for filing.

7. Each copy of a local law filed in the office of the Secretary of State shall have affixed to it a certification by the Clerk of legislative body or other officer designated by the local legislative body. Please complete the appropriate certification on the Department's local law filing form.
8. A copy of each local law may be mailed or delivered to:

NYS Department of State
State Records Unit
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231.

(DO NOT FILE THIS INSTRUCTION SHEET WITH THE LOCAL LAW)



Department of State
Corporations, State Records & UCC

New York State
Department of State
DIVISION OF CORPORATIONS,
STATE RECORDS AND
UNIFORM COMMERCIAL CODE
One Commerce Plaza
99 Washington Ave.
Albany, NY 12231-0001
dos.ny.gov

Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

_____ of the year 20 25

Local Law Title: Smoking, Vaping and Tobacco Use on Village Property

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

County City Town Village
(Select one)

of Voorheesville as follows on the attached pages:
(Name of Local Government)

For Office Use Only

Department of State Local Law Index Number: _____ of the year 20 ____

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

Local Law Filing

(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 ascribed as local law number _____ of 20²⁵ of the (County)(City)(Town)(Village) of Voorheesville was duly passed by the Board of Trustees _____ on _____ 20²⁵ 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, ascribed as local law number 2 of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was _____ (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was _____ (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____.

(Name of Legislative Body)

(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, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was _____ (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local 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.

(Name of Legislative Body)

(Elective Chief Executive Officer)*

* 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.

Local Law Filing

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the City of _____ having 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 thereto, ascribed as local law number _____ 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 the paragraph _____ above.

(Seal)

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

(Date)

Local Law No. 2. Smoking, Vaping and Tobacco Use on Village Property

[HISTORY: Adopted by the Village Board of the Village of Voorheesville __-__-2025 by L.L. No. __-2025.]

1. Legislative Intent.

The intent and purpose of this Local Law is to preserve and improve the public's health by improving the air quality and environmental quality in public areas owned and operated by the Village of Voorheesville. The Village of Voorheesville hereby finds that the secondary effects of smoking, vaping and the use and disposal of smokeless tobacco pose a threat to the health, safety, and well-being of the Village's residents. A prohibition of these activities will eliminate exposure to secondhand tobacco smoke, cannabis smoke, and the by-products of smokeless tobacco.

2. Definitions.

As used in this Local Law, the following terms shall have the meanings indicated:

ELECTRONIC CIGARETTE or E-CIGARETTE

An electronic device that delivers vapor which is inhaled by an individual user and shall include any refill cartridge and any other component of such device.

SMOKELESS TOBACCO

Tobacco that is chewed or snuffed rather than smoked.

SMOKING

The inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe containing tobacco, cannabis or any other matter or substance.

VAPING

The use of an electronic cigarette or e-cigarette containing a cartridge or pod in which a vapor can be inhaled and exhaled.

3. Prohibition in Outdoor Areas and Facilities Owned and/or Operated by the Village.

Smoking, vaping and the use of smokeless tobacco are prohibited in the following Town-owned facilities and places:

- A. Voorheesville Village Hall, 29 Voorheesville Avenue;
- B. Garage/Department of Public Works, 449 New Salem Road, #2;
- C. Waste Water Treatment Plant, Stoningham Hill Road;
- D. Jim Nichols Park;
- E. Hotaling Park;

- F. Pine Street Park;
- G. Scotch Pine Park;
- H. Tork's Hill Park; and
- I. Pump Stations at the following locations: Pine Street and Grove Street.

4. Enforcement.

Notices of violation of this Local Law may be issued by the Village or by the officers of any other law enforcement agency having jurisdiction in Albany County.

5. Penalties for offenses.

Any person committing an offense against any provision of this Local Law shall, upon conviction thereof, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding \$250 for a first offense and not exceeding \$500 for a second offense.

6. Severability.

If any part of this Local Law shall be deemed by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Local Law.

7. Placement of Signs.

The Commissioner of Public Works is authorized, within funds appropriated therefor, to purchase signs giving notice of this Local Law, and to post those signs where smoking, vaping and smokeless tobacco is prohibited. The failure of the Commissioner to post such a sign in any particular area shall not be a defense against a charge of violating this Local Law.

8. When Effective.

This Local Law shall take effect immediately and shall apply to any applications pending as of the effective date of this Local Law.