

LOCAL LAW 7 OF 2021 ADDING CHAPTER 179  
TO THE SWEDEN TOWN CODE CONCERNING  
USAGE OF TOBACCO, VAPING, E-CIGARETTE  
AND THC- CONTAINING PRODUCTS ON TOWN PROPERTY

Be it enacted by the Sweden Town Board, County of Monroe, State of New York  
(hereinafter referred to as the Board), as follows:

SECTION 1. TITLE (§179-1)

This Local Law shall be referred to as "Local Law 7 of 2021 Adding Chapter 179 to the Sweden Town Code Concerning Usage of Tobacco, Vaping, E-Cigarette and THC-Containing Products Use on Town Property.

SECTION 2. AUTHORIZATION (§179-2)

This Local Law is adopted pursuant to the New York State Constitution Article IX, Town Law §261-§264 and Municipal Home Rule Law §10.

SECTION 3. PURPOSE AND INTENT (§179-3)

The Town of Sweden (hereinafter referred to as Sweden) has a responsibility to protect the health, safety, welfare and quality of life to Sweden residents, Sweden employees and the public at large. It is acknowledged and recognized that tobacco, vaping, e-cigarette and/or THC-containing products can contribute to significant health concerns and/or death to individuals. Consequently, individuals using property owned and/or maintained by Sweden are entitled to an environment devoid of tobacco, vaping, e-cigarette and THC-containing products in order to promote the best interests of the public.

SECTION 4. – PROHIBITED USAGE OF TOBACCO, VAPING,  
E-CIGARETTE AND THC-CONTAINING PRODUCTS (§179-4)

A) The prohibitions and restrictions set forth in this section pertain to properties owned and/or maintained by Sweden.

B) All usage of THC-containing products are prohibited and restricted at all properties owned and/or maintained by Sweden.

C) All usage of tobacco, vaping and/or e-cigarette are prohibited and restricted at the Sweden Town Park and the Sweden Community Center. The foregoing prohibitions and restrictions apply to all sections of the Sweden Town Park and the Sweden Town Community Center including all town buildings, enclosed office spaces, conference rooms, meeting rooms, private offices, restroom facilities, auditoriums, gymnasiums, sports fields, trails or walkways, water parks, hallways, playgrounds and vehicles.

D) All usage of tobacco, vaping and/or e-cigarette are prohibited and restricted at the Sweden Town Hall, Sweden Highway Department Garage, Sweden Farmer's Museum and all cemeteries owned, operated or maintained by the Town of Sweden except for specific designated areas in said locations to be identified by signage conspicuously placed for the public to see.

E) As is deemed necessary from time to time, the Sweden Employee Handbook is to be amended to reflect the policy set forth herein.

#### SECTION 5. DISCIPLINARY ACTION (§179-5)

Any Town employee or official who is determined to have violated this Local Law is subject to appropriate disciplinary action including loss of wages, suspension of employment and/or termination of employment. Sweden reserves the right to additionally pursue legal recourse if appropriate.

#### SECTION 6. PENALTY FOR OFFENSES (§179-6)

A) Any person determined to be in violation of this Local Law may be ejected and removed from Town property.

B) Any person who is determined to be in violation of this Local Law shall be punishable by a fine of not less than \$75.00 or no more than \$150.00, and/or imprisonment of up to fifteen (15) days for each violation.

SECTION 7. SEVERABILITY AND/OR VALIDITY (§179-7)

If any clause, sentence, paragraph, subdivision, section or part of this Local Law, or the application thereof to any person, individual, firm or corporation, or circumstance, shall be adjudged by a 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 Local Law, or in its application to the person, individual, firm or corporation, or circumstance, directly involved in the controversy in which said order or judgment shall be rendered.

SECTION 8. EFFECTIVE DATE (§179-8)

This Local Law shall take effect upon the date it is filed in the Office of the New York State Secretary of State in accordance with the Municipal Home Rule Law §27.

Dated: Brockport, New York  
November 30, 2021