

Introduced by Presiding officer Richard Nicoletto, Minority Leader Keyan Abrahams, Dep. Presiding Officer Howard Kopel, Alt. Dep. Presiding Officer Denise Ford, Legislators Siela Bynoe, Carrie Solages, Debra Mule, C. William Gaylor, Vincent Muscarella, Ellen Birnbaum, Delia DeRiggi Whitton, James Kennedy, Thomas McKeivitt, Laura Schaefer, John Ferretti, Arnold Drucker, Rose marie Walker, Joshua Lafazan, Steven Rhoads
LOCAL LAW 4-2019

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A LOCAL LAW TO AMEND THE NASSAU COUNTY ADMINISTRATIVE CODE IN RELATION TO INCREASING THE CIVIL PENALTIES ASSOCIATED WITH THE SALE OF AGE RESTRICTED PRODUCTS TO INDIVIDUALS UNDER THE AGE OF TWENTY-ONE

Passed by the Nassau County Legislature on April 22, 2019

Voting: Ayes:17, Nays: 0, Abstained: 0

Became a Local Law on April 30, 2019 with the Approval of the County Executive

APPROVED AS TO FORM

Majority Counsel

WHEREAS, Title H of the Nassau County Administrative Code prohibits the sale of age-restricted products, including tobacco and e-cigarette related products, to any person under the age of twenty-one, and contains certain prohibitions regarding the accessibility, display and marketing of such products; and

WHEREAS, the civil penalties associated with Title H may not serve as an effective deterrent to the violation of this important law; NOW THEREFORE

BE IT ENACTED, by the County Legislature of the County of Nassau as follows:

Section 1. §9-25.6 of the Nassau County Administrative Code is amended as follows:

§9-25.6. Violations and Penalties

Violations of any provision of this Title, exclusive of sections 9.25-7 and 9-25.8 of this Title, shall be punishable by a civil penalty of a minimum of five hundred (\$500.00), but not to exceed one thousand dollars (\$1,000) for a first violation, and a minimum of one thousand dollars (\$1,000), but not to exceed two thousand dollars (\$2,000) for each subsequent violation.

§2. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person 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 hereof, 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 or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

§3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8.N.Y.E.C.L. section 0101 et. seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5(c)(20) and (27) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§4. Effective Date. This Local Law shall take effect immediately.

APPROVED



County Executive

DATE 4-30-19