

# Warren County Board of Supervisors

## RESOLUTION NO. 160 OF 2025

**RESOLUTION INTRODUCED BY SUPERVISORS WILD, DRISCOLL, ETU, MADAY, BEAN, PATCHETT AND MERLINO**

### **ADOPTING THE WARREN COUNTY SMOKING, TOBACCO AND CANNABIS USE POLICY**

WHEREAS, the County Attorney requested and the Personnel, Administration & Higher Education Committee agreed to adopt the Warren County Smoking, Tobacco and Cannabis Policy, and recommended that the same be advanced to the Board of Supervisors for consideration and approval, now, therefore, be it

RESOLVED, that the Warren County Smoking, Tobacco and Cannabis Policy, annexed hereto as Schedule "A," be and the same is hereby adopted as the official policy for Warren County, and be it further

RESOLVED, that any and all prior Warren County Smoking, Tobacco and Cannabis Use Policies, Resolutions or parts thereof inconsistent with the annexed Warren County Smoking, Tobacco and Cannabis Use Policy are hereby repealed effective April 11, 2025.

SCHEDULE “A”

WARREN COUNTY SMOKING, TOBACCO AND CANNABIS USE POLICY

A. PURPOSE

The purpose of this policy is to ensure compliance with federal and state law on the use of tobacco products, cannabis and/or cannabinoid-hemp products in places of employment, including public buildings, and areas immediately surrounding the workplace.

The New York State Clean Indoor Air Act (“Act”) prohibits smoking and vaping in all places of employment, County Buildings/Facilities, and County motor vehicles. Smoking or vaping activities are strictly prohibited within fifty (50) feet of the entryway to County Buildings/Facilities. The purpose of this policy shall be to comply with the New York State Clean Act and to protect Warren County employees and the general public visiting County Buildings/Facilities from the dangers of secondhand smoke.

B. DEFINITIONS

**Cannabis:** All parts of the plant of the genus Cannabis (commonly referred to as marijuana, weed, and pot among other acronyms) the seeds and resin extracted from any part of the plant and every compound derived from the plant, as more fully defined by section 3(5) of the New York State Cannabis Law.

**Cannabis Product:** Products for use by a cannabis consumer which contains cannabis, concentrated cannabis, or cannabis-infused products, as defined by section 3 of the New York State Cannabis Law.

**Cannabinoid-hemp:** Cannabinoid hemp products governed pursuant to Chapter 1 of the Laws of 2020 to govern the production and sale of products associated with the cannabinoid hemp flower and include CBD products including tinctures, oils, topicals, pills, capsules, food and/or beverages.

**County Building/Facility:** A County “building/facility” shall be defined as any facility that the county owns, leases, operates and/or maintains.

**County Real Property:** All real property titled or leased to the County of Warren.

**Electronic Cigarette - Vape:** An electronic cigarette or vape is a device that simulates smoking. It consists of an atomizer, a power source such as a battery, and a container such as a cartridge or tank.

**Entryway:** An egress or entrance into a facility or building.

**Smoking:** The New York State Clean Air Act defines smoking as burning tobacco, cannabis and/or cannabinoid-hemp products.

**Tobacco:** The leaves of cultivated tobacco prepared for use in smoking, chewing, or as snuff.

**Vaping:** The use of an electronic cigarette or vape.

**C. REGULATIONS AND PROCEDURES**

This policy applies to all County departments, County officers and employees, and the general public when present at or near County Buildings/Facilities.

1. The use of tobacco products and cannabis products, including smoking and vaping, are strictly prohibited in County Buildings/Facilities. County motor vehicles; and within fifty (50) feet of the entrance of any County Building/Facility. The Warren County Sheriff, Superintendent of Public Works and the Director of Facilities shall have the responsibility and authority to designate specific smoking areas within their jurisdictions per the conditions prescribed by the New York State Clean Air Act and this policy.
2. Cigarette butts shall be properly disposed of in the containers available for disposal in areas where smoking is permitted. Under no circumstances shall cigarette butts be disposed of in the building vestibules, inside County buildings, or in trash cans. The containers shall be placed at locations determined by the Buildings and Grounds Department, and the Warren County Sheriff's Office, but in no event less than fifty (50) feet from any County building.
3. The Buildings and Grounds Department shall be responsible for prominently posting and properly maintaining signage describing the prohibitions set forth in this policy for County Buildings/Facilities and where smoking, and vaping, as well as the use of tobacco products and cannabis products are prohibited by this policy.
4. A written or electronic copy of this policy shall be provided to all County officers and employees.
5. County officers and employees who smoke, vape or use tobacco products or cannabis products in prohibited areas are in violation of New York State Law and County policy and will be subject to appropriate disciplinary actions.
6. Each department head, or their designee, shall be responsible for:
  - a. Taking disciplinary action against employees who violate this policy; and
  - b. Making a good faith effort to ensure that the members of the general public comply with this policy within their department's work locations.
7. County employees who witness a violation of this policy should notify their supervisor and/or department head. If the violation persists, employees may contact the County Administrator directly at (518) 761-6539 or by email.

**D. EXCEPTIONS**

To the extent that the terms and conditions of this Policy conflict with any terms and conditions provided by any smoking and tobacco policy now in place for the Countryside Adult Home or the Warren County Correctional Facility, the specific term or condition in question shall be governed by the smoking and tobacco policy for the Countryside Adult Home and the Warren County Correctional Facility.

**E. EFFECTIVE DATE**

This policy to be effective upon approval by Warren County Board of Supervisors and all prior policies are hereby rescinded and replaced.