

**ARTICLE FOR SALE**

**READER NOTICE:** This newspaper will never knowingly accept any advertisement that is illegal or considered fraudulent. We advise that before responding or sending money ahead of time, you check with the local Attorney General's Consumer Fraud Line and/or the Better Business Bureau. This newspaper cannot be held responsible for any negative consequences that occur as a result of you doing business with these advertisers. Thank you.

**MATTRESS OUTLET** all new twins, full, queens in stock. Kings & odd sizes available. Wood headboards & steel bed frames. 2-1/2 miles north of Penn Yan along Rte. 14A. 315-536-8206.

**DOCK SECTION** 18 feet long. Frame and wood planks included \$400.00. Cash and carry. Call 516-698-0347.

**GOOD COTTAGE FURNITURE.** Some Annie Sloan painted and some non. Open by chance or appointment. 315-536-4946.

**SWIMMING POOL PARTS.** Hayward sand filter with pump. Good working condition. Call 585-526-5280.

**KITCHEN STOVE,** Hot-point 30" excellent condition. Round oak table with 8/leaves, seats up to 20. 315-536-4898.

**ARTICLE FOR SALE**

**25' SWIMMING POOL.** Pump, filter included, needs new liner. \$1000 or B/O. 607-243-9551.

**REAL ESTATE**

**ATTN: HUNTERS - 35 acres - \$54,900** Hardwoods & evergreens, spring, brook. Great hunting. Owner terms! 888-701-1864 For location & photos, go to NewYorkLandandLakes.com

**ADJACENT TO STATE LAND** 50 acres - \$89,900 Hardwoods, brook, trophy deer & turkey. Term avail! 888-650-8166 . For location & photos, go to NewYorkLandandLakes.com

**LOG HOMES** Manufactured locally. Buy direct from manufacturer, SAVE! Call Finger Lakes Log Homes for brochure 607-936-6636.

**STORAGE RENTALS**

**BETWEEN THE LAKES MINI-STORAGE:** Small/large units available. Easy access, in Dundee/Wayne. Affordable rates. 607-292-3397.

**CONCORD COUNTRY MINI STORAGE** run by the Simmons Bunch. Call us and we'll SQUEEZE out a grape price for you. 315-536-4795.

**STORAGE RENTALS**

**\*HOBSON ROAD STORAGE, INC.** Mini storage. 3 sizes, call for availability. Next to The Windmill. Phone 315-521-6657.

**FARM EQPMNT & SERVICES**

**FOR SALE: D10 Allis Chalmers,** wheel weights, chains and additional equipment. Excellent Condition. Make Offer, 585-967-8450.

**KICKER RACKS, BALE CARRIERS,** low-profile bale carriers, slant bar feeders, headlock feeders. B&E Mfg., Penn Yan, NY. 315-536-9513.

**CONTRACTORS & SERVICES**

**A CLEAN chimney** is a safer chimney. Call Sir William Chimney Sweep. We clean, repair or replace your old chimney. Call 1-800-216-9520 or 315-536-6080.

**BROKEN APPLIANCES?** Don't wait! Call Universal Appliance. Guaranteed, insured, professional service. 315-789-2788.

**LONG DISTANCE Moving Company.** Out of state move \$799. Long Distance Movers. Get Free quote on your Long distance move. 1-800-490-4510.

**HOUSEHOLD APPLIANCES.** Refurbished. Comes with a 90 day guarantee! Call for more information. 315-789-2788.

**\*SEPTIC TANK CLEANING\***, We are available weekdays, nights & weekends. Call Van Dyke Septic @ 607-535-2410.

**FOOT CARE BY BRIDGET.** Will provide basic foot & toenail service in your own home. Call 315-694-2962 for information.

**CONTRACTORS & SERVICES**

**\*NEED SOMETHING REMOVED?** I will remove any unwanted items, for a small fee. 315-521-5825 or 315-651-0400.

**STEVE'S CLEAN OUTS,** houses - garages - barns, and small tree removal. Call 315-748-9079.

**FRAN SMITH Septic Tank Service.** Tanks pumped and repaired. Distribution boxes replaced. 607-243-5441.

**KENNEDY PAINTING** - professional quality interior/exterior since 1994. Extensive references. 315-694-6685.

**AUTO INSURANCE,** phone quotes. Douglas B. Miles Agency, Inc. 607-243-7200

**WANTED TO BUY**

**NEED CASH - LOOKING TO BUY-** Unwanted items, Antique & collectibles of all Kinds, Antique Long Guns, Sterling silver, Coin Operated machines, Coins, Jewelry, Diamond Rings, Pictures, Oil Paintings, Military items, Railroad items, Old tools, Old trunks, Fishing items, Advertising items and signs, crocks, Indian Artifacts, Arrowheads, Barns, Attics, Basements, & Estates etc etc. All Sales Confidential - Call Ted Siri. 607-377-2819.

**CASH FOR CARS:** We Buy Any Condition Vehicle, 2000 and Newer. Competitive Offer! Nationwide FREE Pick Up! Call Now For a Free Quote! 888-366-5659.

**BUYING: OLD books,** journals, diaries, ledgers, photo albums, etc.. Call Paul Calhoun., 259 Lake Street, Penn Yan. 315-244-5003.

**PIECE OF property** in Penn Yan or near the edge for a double wide mobile home. Karen Morse, 607-243-8342.

**WANTED TO BUY**

**CASH FOR CARS:** We Buy Any Condition Vehicle, 2000 and Newer. Nation's Top Car Buyer! Free Towing from Anywhere! Call Now: 1-888-995-2702.

**CARS/TRUCKS WANTED!!!** We buy 2000-2015 Cars/Trucks, Running or Not! Nationwide. Free Pickup! Call 1-888-416-2208.

**CASH FOR COINS.** Collections, hoards. Fair and honest dealings since 1964. Tom Gleason. 315-536-4141.

**FOR RENT**

**2 BEDROOM HOME.** \$1,100 per month, plus utilities. Call 315-536-9886.

**LARGE, 2 BEDROOM UPSTAIRS APARTMENT** in country setting. \$750/mo plus utilities. Available in June. 315-694-1581.

**LARGE 2BR, 1BA,** country ranch P. Y. area. No pets, no smoking. Appliances included. First month and security deposit. \$850/month. Available June 1st. Call 315-694-1233.

**OFFICE SPACE** For Rent. 207-1/2 Lake Street, Penn Yan. 40'x70' office space with large reception area, 3 individual offices, conference room, utility room, handicapped accessible male and female rest rooms, kitchen. Fully carpeted. All utilities included. Geothermal heated and cooled. We will paint walls to suit. Minimum 5-year lease. Call John: 315-374-2194 or Bill: 315-374-2009.

**PORTABLE TOILETS FOR RENT.** Handicapped and wash station rentals available. Van Dyke Septic 607-535-2410. Rock Stream, NY.

**INSTRUCTION**

**5-HOUR COURSE** Required for Driver's Test: Offered approximately every two weeks at Penn Yan Middle School. For Dates and Details: www.driverdon.com, 1-607-566-8507 Driver Don's Driving School, Avoca.

**HEALTHCARE CAREER TRAINING ONLINE.** Start a New Career in Medical Billing & Coding. Medical Administrative Assistant. To learn more, call Ultimate Medical Academy. 855-525-0425

**PHARMACY TECHNICIAN - ONLINE TRAINING AVAILABLE!** Take the first step into a new career! Call now: 888-981-2455.

**\*\*PIANO/HARP LESSONS.\*\*** Trudy Moon, 122 Keuka St., Penn Yan, 315-536-3129. Celtic harp, Highland and small pipes for receptions.

**AUTO SALES & SERVICE**

**2002 CHRYSLER Sebring Sedan.** Recent A/C, brakes, tires. Asking \$1,000/OBO. 315-694-8696.

**BOATS & EQUIPMENT**

**2009 BOSTON WHALER** Montauk 150. 60 hp Mercury motor, 4 stroke. \$18,500, excellent condition. 315-536-0314.

**1994 SEA-DOO** Bombadier, 2-seater, runs great. Trailer & lift included. \$850/OBO. 315-536-3622.

**HELP WANTED**

**AIRLINES ARE HIRING** - Get FAA approved hands on Aviation training. Financial aid for qualified students - Career placement assistance. CALL Aviation Institute of Maintenance 1-866-296-7094.

**NOTICE**

The Prattsburgh Water Department is accepting applications for the position of part time laborer/water assistant. The position is as needed with no minimum schedule. Please call 607-522-3730 for more information or stop in at 19 North Main Street to fill out an application.

**Penn Yan Central School District**

**Building Substitute** - One (1) position available at each school for the 2018-19 school year. Teacher Certification required. Guaranteed up to 175 days of work during school year. \$100/day. To apply, submit an online application at: <https://pennyan.recruitfront.com/>

**TOWN OF JERUSALEM POSITION OPENING**

**WATER SYSTEM OPERATOR/WASTEWATER MAINTAINER (PROVISIONAL FULL-TIME):** Town of Jerusalem seeks qualified applicants for this union position. Minimum qualifications: Graduation from high school or possession of a high school equivalency diploma and either: (a) Two (2) years of experience in a semi-skilled profession; or (b) Two (2) years of experience in water distribution and wastewater collection. In addition, applicant must possess a valid New York State driver's license, and have some computer knowledge and complete NYS DOH certification within one year of appointment. Position requires weekend on call availability and preference will be given to Town of Jerusalem residents. Salary \$16.00 per hour with Medical and Dental benefits. Applications are available and must be submitted to Yates County Personnel Dept., 417 Liberty St., Penn Yan, NY 14527, online at [www.yatescounty.org](http://www.yatescounty.org) or call (315) 536-5112 for further information. Deadline for applying is Tuesday, July 31, 2018.

**Pathways, Inc.** we put people first

**CONABLE HOUSE CR (BATH, NY): SENIOR COUNSELOR, RECREATION SPECIALIST**  
**LAKE BREEZE CR (CANANDAIGUA, NY): SENIOR COUNSELOR, COUNSELOR**

We are recruiting for Full Time Senior Counselors, Recreation Specialist, and Counselor positions for our Community Residences for youth with Serious Emotional Disturbances ages 5-12 in Bath, NY and ages 13-17 years in Canandaigua, NY. These positions will make a difference in the lives of youth helping them to develop behaviors and skillset they need to function more cohesively in their home and community. These positions are full time, mostly evening shifts. Staff are responsible for assuring that youth are supervised and cared for in a safe and therapeutic manner, they are involved in delivering services to youth, modeling positive behaviors and creating a home like environment for the youth to grow and develop. The Senior Counselor will assist in service planning, monitoring youth's progress, providing crisis intervention and behavioral management, and proper documentation of information and protocols. In addition to these duties the Recreation Specialist is responsible for the day-to-day implementation of youth's recreational programs. It is preferred that Senior Counselor/Recreation Specialist candidates have a Bachelor's degree in Social Work, Psychology, or a related Human Services Field. An Associate's Degree in Social Work, Psychology, or a related Human Service Field and five years' experience working with children/adolescents with serious emotional disturbances will be considered. Counselor positions require at least a high school diploma, at least 18 years of age, and experience working with youth with SED. All candidates must have a valid driver's license to meet agency requirements. To Apply: Complete your application online at [www.pathwaysforyou.org](http://www.pathwaysforyou.org) and forward your résumé/letter of interest to [hr@pathwaysforyou.org](mailto:hr@pathwaysforyou.org).

**HELP WANTED: SALES ASSOCIATE**

**Area:** Finger Lakes Region  
**Job Title:** Sales Associate  
**Requirements:** Own vehicle needed. High school diploma required. Sales experience preferred. Flexible hours, set your own hours. Full or Part Time.  
**Description:** Sales representative to cover the Finger Lakes area. Needs to be a self starter, with a motivated desire to sell. Good writing and communication skills. Must have professional appearance and conduct. Need basic computer knowledge. Other duties as assigned.  
**Contact:** Rich (315) 694-2486

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REMEDY STAFFING IS HIRING  
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Offering \$11.30 to Start  
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Production  
315-781-6200  
Apply online at [www.remedystaff.com](http://www.remedystaff.com)  
Search for Geneva, New York



**DRIVER**

**Suburban Propane, a nationwide provider of propane & related services has the following opening in their Penn Yan, NY location:**  
**CDL DRIVER Job ID 2030**  
Qualifications include a HS Diploma or equivalent, Class B CDL w/Hazmat and tanker endorsements, clean driving record. Strong team player with excellent customer service skills, propane delivery experience preferred, flexible schedule with after hrs. call-outs, heavy lifting required.  
For additional information, please visit our website at: [www.suburbanpropane.jobs](http://www.suburbanpropane.jobs). Click Career Opportunities and search for job opening ID 2030.  
As part of our hiring process, DOT physicals, background checks and pre-employment drug tests are performed. Suburban Propane is proud to be an Equal Opportunity, Affirmative Action Employer of Females, Minorities, Individuals with Disabilities and Protected Veterans in accordance with all applicable laws.

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Level: Intermediate

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# CLASSIFIED ADS

TO PLACE A CLASSIFIED AD call 315-536-4422, email MadelineVerdi@Chronicle-Express.com, or bring it to 138 Main St. Penn Yan • Monday-Friday 8:30 a.m.-4:30 p.m.

## HEALTH AND BEAUTY

**OXYGEN - ANYTIME.** Anywhere. No tanks to refill. No deliveries. The All-New Inogen One G4 is only 2.8 pounds! FAA approved! FREE info kit: 844-748-5821.

**OXYGEN - ANYTIME.** Anywhere. No tanks to refill. No deliveries. The All-New Inogen One G4 is only 2.8 pounds! FAA approved! FREE info kit: 1-855- 839-1738

## ANNOUNCEMENTS

**AMBA BLOOD SCREENING PROGRAM:** The Dundee Rotary Club will be sponsoring their annual AMBA Blood Screening program. Saturday, June 23rd from 6-10 am at the Dundee Fire Hall, 12 Union Street. COST: \$40, Optional tests available. Call AMBA at 800-234-8888 Monday-Friday 8:30a-5p. (Please provide your Physician name and address at the time of the call).

## ANNOUNCEMENTS

**SMALL ANIMAL AUCTION.** Saturday, June 16th starting at 9:00am. Selling... Chickens, Ducks, Eggs, Rabbits and related items, Finger Lakes Livestock Exchange 3 miles east of Canandaigua on Routes 5 & 20. Randal Weaver 315-521-7479, Nelson Weaver 315-719-3459, Finger Lakes Livestock 585-394-1515.

## ANNOUNCEMENTS

**SUPPORT OUR** Service Members, veterans and their families in their time of need. For more information visit the Fisher House website at [www.fisherhouse.org](http://www.fisherhouse.org)

## RUMMAGE & ESTATE SALES

**HUGE NEIGHBORHOOD** garage sale. Thur-Sat, June 21-23. 111 Court Street, PY. Furniture, household items, glass, tools.

## RUMMAGE & ESTATE SALES

**JUNE 15TH-16TH,** 10a-3p. 3687 Rt 14A. Household, lots of bedding items, some antiques, furniture and lots of misc.

**1832 NORTH MAIN STREET, PY.** Two days only June 21st and 22nd. 8am-5pm. Something for everyone.

**JUNE 15-16,** 116 Youngs Street, Penn Yan. Golf clubs, wooden bowls, dishes, tables, bakers rack, etc. 8a-5p

## SEEDS, PLANTS, SHRUBS

**CLEARANCE SALE** at Sunshine Farm Greenhouse. Baskets, bedding plants and perennials. 3720 Lakemont-Himrod Road, Himrod. Mon-Sat 8:30am-7pm. 607-243-5466.

## PRODUCE FOR SALE

**STRAWBERRIES, FRESH PICKED DAILY.** Also more in season produce. Clearance sale on bedding plants. Hillside Produce/Greenhouse, 4418 Lakemont-Himrod Road, Dundee. 607-243-8097.

# LEGAL NOTICES

### LEGAL NOTICE

Notice of Formation of EELPOT ENTERPRISES, LLC. Arts. of Org. filed with Secy. of State of NY (SSNY) on 4/27/18. Office location: Ontario County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: The LLC, 17186 Eelpot Road, Naples, NY 14512. Purpose: any lawful activity. **LE10425-19PN6**

### NOTICE OF FORMATION OF LIMITED LIABILITY COMPANY

(1) Name: Stork Family Properties, LLC (the "LLC"). (2) Articles of Organization of the LLC were filed with the Secretary of State NY ("SSNY") on May 2, 2018 (3) Its office location is to be in Yates County, State of New York. (4) The SSNY has been designated as agent of the LLC upon whom process against it may be served. The post office address to which the SSNY shall mail a copy of any process against the LLC is 1773 N. Main Street, Penn Yan, NY 14527. (5) Purpose: Any lawful act or activity. **LE10437-20PN6**

process to: 47 Walling Street Victor, New York 14564. The purpose of the Company is any lawful activity. **LE10457-22PN6**

### LEGAL NOTICE

10059 East Bluff Drive, LLC (LLC) filed Arts. of Org. with NY Secy. of State (SS) on 11/9/17. LLC's office is in Yates Co. SS is designated as agent of LLC upon whom process against it may be served. SS will mail a copy of any process to 11987 East Bluff Dr., Keuka Park, NY 14478. LLC's purpose: any lawful activity. **LE10460-23PN6**

### NOTICE OF FORMATION OF LLC

Wildflower Properties LLC filed articles of organization with the New York State Secretary of State on 05/21/2018 with an effective date of formation of 05/21/2018. Its principal place of business is located in Ontario County. The Secretary of State has been designated as agent upon whom process may be served. A copy of any process shall be mailed to 1109 Pilgrim Pass, Victor, NY 14564. The purpose of the LLC is to engage in any lawful activity for which Limited Liability Companies may be organized under Section 203 of the New York Limited Liability Company Law. **LE10461-23PN6**

### LEGAL NOTICE

Block 100 LLC. Filed 5/16/18. Office: Ontario Co. SSNY designated as agent for process & shall mail to: C/O Charlie Ruel, 145 Pulteney St Apt, Geneva, NY 14456. Purpose: General. **LE10462-23PN6**

### LEGAL NOTICE

Notice of Formation of Pharma/OTC Packaging Line Consulting, LLC. Arts. Of Org. filed with Secy. of State of NY (SSNY) on 05/09/2018. Location: County of Yates. SSNY has been designated as agent of the LLC upon whom process against it may be served: the LLC, 6893 E. Bluff Drive, Penn Yan, NY 14527. Purpose any lawful act. **LE10463-23PN6**

### LEGAL NOTICE

Notice of formation of DACYN, LLC. Articles of Organization filed with the Secretary of State of New York (SSNY) on June 1, 2018. Office location: Ontario County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to the LLC, 1008 Talahatchee Lane, Keytesville, Mo 65261-2171. Purpose: any lawful activity. **LE10464-24PN6**

### NOTICE OF FORMATION OF LIMITED LIABILITY COMPANY

Notice is hereby given articles of organization of Northeast Metal Roofing & Siding, LLC filed with the New York State Secretary of State on June 4, 2018 stated that (1) its name is "Northeast Metal Roofing & Siding, LLC", (2) its office is to be located in Yates County, (3) its principal business location is 2474 Italy Friend Road, Penn Yan, New York (4) the Secretary of State is designated as agent for service of process and showing 2474 Italy Friend Road, Penn Yan, New York 14527 as the address to which the Secretary of State shall mail a copy of any process against it served upon him or her and (5) the character or purpose of its business

### LEGAL NOTICE

Notice of Formation of Jim and Sharon's Dressage Horse, LLC. Articles of Organization filed with the New York Department of State on May 2, 2018. Its office is located in Ontario County. The Secretary of State has been designated as agent upon whom process against the Company may be served. SSNY shall mail a copy of

is Metal Roofing and Siding Manufacturing, any activities incidental to those purposes and any business purposes permitted under the New York Limited Liability Company Law. **LE10465-24PN6**

### LEGAL NOTICE

SENECA LAKE CHALET LLC Articles of Org. filed NY Sec. of State (SSNY) 5/29/2018. Office in Ontario Co. SSNY desig. agent of LLC whom process may be served. SSNY shall mail process to 11 Bay View Terrace, Geneva, NY 14456, which is also the principal business location. Purpose: Any lawful purpose. **LE10466-24PN6**

### LEGAL NOTICE

**NOTICE IS HEREBY GIVEN** that Articles of Organization were filed with the Secretary of State ("SSNY") for Sweet Acres Creamery LLC on May 7, 2018. The company has been formed to engage in any lawful act or activity for which limited liability companies may be organized under the LLC. The county in which the office of Sweet Acres Creamery LLC is to be located is Ontario. The street address of the principal business location is 1116 Route 5 & 20, Geneva, New York 14456. The SSNY has been designated as agent upon whom process against it may be served and the post office address to which the SSNY shall mail a copy of any process against it served upon him or her is 1289 Old Pre-Emption Road, Lyons, NY 14489. **LE10467-24PN6**

### LEGAL NOTICE

Date: May 16, 2018  
Applicant: Greenidge Generation, LLC 590 Plant Rd PO Box 187 Dresden, NY 14441-0187  
Facility: Greenidge Station 590 Plant Rd Dresden, NY 14441  
Application ID: 8-5736-00004/00017  
Permit(s) Applied for: Article 19 Air Title V Facility  
Project is Located: Torrey, Yates County  
Project Description: The New York State Department of Environmental Conservation (Department) has reviewed the application for Emission Reduction Credits (ERCs) dated June 19, 2017 resulting from the permanent shutdown of three coal-fired boilers (specifically, Boiler 4, Boiler 5, and Boiler 6) at Greenidge Station located at 590 Plant Road in Dresden, New York. Based on this review, the Department is approving emission reduction credits in accordance with the facility's authority to combust coal from its permit for all boilers at this facility, and the associated Title V permit was surrendered in 2012. That permit action is the basis for the creation of ERCs referenced in this notice. Availability of Application Documents: Filed application documents, and Department draft permits where applicable, are available for inspection during normal business hours at the address of the contact person. To ensure timely service at the time of inspection, it is recommended that an appointment be made with the contact person. State Environmental Quality Review (SEQR) Determination: Project is not sub-

ject to SEQR because it is a Type II action. SEQR Lead Agency: None Designated

### State Historic Preservation Act (SHPA) Determination:

The proposed activity is not subject to review in accordance with SHPA. The application type is exempt and/or the project involves the continuation of an existing operational activity.

### Coastal Management:

This project is not located in a Coastal Management area and is not subject to the Waterfront Revitalization and Coastal Resources Act.

### DEC Commissioner Policy 29, Environmental Justice and Permitting (CP-29)

It has been determined that the proposed action is not subject to CP-29.

### Opportunity for Public Comment:

Comments on this project must be submitted in writing to the Contact Person no later than June 15, 2018, or 30 days after the publication date of this notice, whichever is later.

Contact: Scott Sheeley NYSDEC Region 8 6274 E Avon-Lima Rd Avon, NY 14414 (585) 226-5382 DEP.P8@dec.ny.gov **LE10468-24PN1**

### REQUEST FOR PROPOSALS (RFP)

### FEASIBILITY STUDY SERVICES FOR KEUKA OUTLET TRAIL STUDY

The Outlet Trail is located in the Village of Penn Yan, on the Keuka Outlet. It is the intention of the Village to provide a walking and biking trail along this scenic route with improvements that will enhance the experience and provide a better connection to existing waterfront parks.

The Village of Penn Yan requests proposals from engineers, landscaped architects, or other licensed design professionals for development of a feasibility study to more clearly define issues with and provide solutions for implementation.

Detailed specifications will be available at the front counter on the first floor of the Village Office at 111 Elm Street in Penn Yan, NY and can be picked up free of charge weekdays between 7:30 am and 4:30 pm beginning June 13, 2018.

Proposals, along with a signed Non-Collusion Certificate, must be clearly labeled and received no later than 4:00 p.m. on Tuesday, July 10, 2018.

Submissions should include three (3) hard copies as well as one electronic version (.pdf format) sent to:

Brent C. Bodine, Director of Public Works The Village of Penn Yan 111 Elm Street, PO Box 426, Penn Yan, NY 14527 Email: [bbodine@villageof-pennyan.com](mailto:bbodine@villageof-pennyan.com)

Minority and Women's Business Enterprises are strongly encouraged to apply. **LE10469-24PN1**

### LOCAL LAW FILING COUNTY OF YATES

### LOCAL LAW 1-18 ENTITLED: PROHIBITING THE USE OF TOBACCO, NICOTINE, OR OTHER LIKE SUBSTANCES UPON REAL PROPERTY & VEHICLES OWNED OR LEASED BY THE COUNTY OF YATES

Be it enacted by the Legislature of the County of Yates as follows:

### Section 1: Findings

The Legislature of the County of Yates finds that the use of tobacco, nicotine, or other like substances on real

property and vehicles owned or leased by the County of Yates should be prohibited in order to:

A. Protect the public health, safety and general welfare by eliminating exposure to secondhand smoke and residue produced as the result of the use of tobacco, nicotine, and other like substances;

B. Acknowledge the need of nonsmokers, especially children, to breath smoke-free air, recognizing the danger to public health which secondhand smoke causes;

C. Recognize that the need to breath air free of the disease-causing toxins in secondhand smoke should have priority over the desire and convenience of Tobacco-Use on real property or vehicles owned or leased by the County of Yates;

D. Recognize the right and benefit to municipal residents and visitors to be free from unwelcome secondhand smoke and residue from tobacco, nicotine, and other like substances while on real property or in a vehicle owned or leased by the County of Yates;

E. Encourage and will support the cessation of tobacco use by all persons to promote longevity and reduce disease and its costs to society.

### Section 2: Definitions

As used in this Local Law, "use of tobacco, nicotine, or other like substances" or "tobacco, nicotine, or other like substances use" shall mean and include, but not be limited to, the burning and/or lighting of a cigar, cigarette, pipe, electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, vape pen, any cartridge or other component of the device or related product or any other matter or product which contains tobacco, nicotine, or other like substances; or the chewing, holding in the mouth, and/or expectorating of chewing tobacco, nicotine, or other like substances; or the use of any other matter or substance which contains tobacco, nicotine, or other like substances.

### Section 3: Prohibition

Use of tobacco, nicotine, or other like substances shall be prohibited upon all real property and vehicles owned or leased by the County of Yates. The term "real property" as used in this Local Law, shall mean and include real estate, lands and any structures, buildings or facilities located upon said real estate and lands.

### Section 4: Exceptions

The provisions of this Local Law shall not apply to:

A. Roadways and right of ways located within the county road system established under section 115 of the New York State Highway Law;

B. A moving vehicle not owned or leased by the County of Yates which is in the process of exiting or entering real property owned or leased by the County of Yates.

### Section 5: Posting of Signs

"TOBACCO, NICOTINE, OR OTHER LIKE SUBSTANCES USE IS PROHIBITED" or "NO USE OF TOBACCO, NICOTINE, OR OTHER LIKE SUBSTANCES" signs, using the international symbols (where possible) shall be prominently and conspicuously posted upon the entrance to all real property and vehicles where tobacco, nicotine, or other like substances use is regulated by this Local Law. Such signs shall be protected from tampering, damage, removal or concealment.

### Section 6: Violations and Penalties

It shall be unlawful for any person to use tobacco, nicotine or other like substances in any area where such use is prohibited by the provisions of this Local Law.

Any person who violates any provision of this Local Law shall be guilty of a violation, punishable by a civil penalty not to exceed one thousand dollars (\$1,000.00).

### Section 7: Enforcement

A. For the purposes of this Local Law the term "enforcement officer" shall mean the Yates County Legislature or its designee. The enforcement officer may cause to have issued and served upon the person complained against a written notice, together with a copy of the complaint made against him, which shall specify the provision of the Local Law of which such person is said to be in violation and a statement of the manner in which that person is said to violate it and shall require the person so complained against to answer the charges of such complaint at a public hearing before the Legislature or its designated hearing officer at a time not less than fifteen (15) days after the date of service of the notice.

B. The Legislature may serve, together with a copy of the complaint, a stipulation to the person complained against. The stipulation offer shall allow the person complained against to enter into a stipulation under the terms and conditions as set forth in the stipulation offer. The person complained against shall have the option of entering into the stipulation or proceeding with a formal hearing.

C. If the enforcement officer determines after a hearing that a violation of this Local law has occurred, a civil penalty may be imposed by the enforcement officer pursuant to Section 6 of this Local Law. Nothing herein shall be construed to prohibit an enforcement officer from commencing a proceeding for injunction relief to compel compliance with this Local Law.

D. Any person who desires to register a complaint under this Local Law may do so with any appropriate County official.

E. The decision of any hearing officer shall be reviewable pursuant to Article seventy-eight of the Civil Practice Law and Rules.

F. The enforcement officer, subsequent to any final determination, may bring an action to recover the civil penalty provided in Section 6 of this Local Law.

G. In addition to the above penalties, County employees in violation of this policy may be subject to appropriate disciplinary procedures to be determined by their supervisor and in accordance with all applicable Civil Service Rules and Contract language.

H. Nothing in this Local Law shall create a right of action in any person against the County or its agents to compel enforcement of this Local Law against private parties.

### Section 8: Other Applicable Laws

This Local Law shall not be interpreted or construed to permit tobacco, nicotine, or other like substances use where it is otherwise restricted by other applicable laws.

### Section 9: Severability

If any provision, clause sentence or paragraph of this Local Law or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this Local Law which can be given effect without the valid provision or application, and to this end the provisions of this Local Law are declared to be severable.

### Section 9: Effective Date

This Local Law shall take effect on January 1, 2019 **LE10470-24PN1**

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