

**LOCAL LAW NO. 6 OF 2012  
COUNTY OF ROCKLAND  
STATE OF NEW YORK**

(Introduced by: Hon. Alden H. Wolfe)

**WOLFE/EARL: M.V.**

A local law amending the Rockland County Multiple Dwelling Smoking Policy Act.

Be it enacted by the legislature of the county of Rockland as follows:

Section 1. Legislative Intent.

Section 349-19 of the Rockland County Multiple Dwelling Smoking Policy Act provides definitions for the local law, which was intended to require that owners of multiple dwelling rental properties develop and implement a smoking policy that details where and when smoking is permitted in the multiple dwelling rental property, if at all. However, there has been some confusion as to the application of this law due to some ambiguity in several of the definitions.

This amendment makes some minor changes to the definitions so as to clarify the intent and application of the Rockland County Multiple Dwelling Smoking Policy Act.

Section 2. The definitions contained in Section 349-19 are hereby amended and reads as follows:

**MULTIPLE DWELLING**

Any dwelling which is either rented, leased, let or hired out, to be occupied, or is occupied as the temporary or permanent residence or home of three or more households living independently of each other This does not include condominium units, cooperative apartments and/or property owned by a homeowners' association.

**OWNER**

Any person who, alone or jointly or severally with others:

- A. Shall have legal title to any multiple dwelling, with or without accompanying actual possession thereof; or
- B. Shall have charge, care, or control of any dwelling or dwelling unit, as owner, lessee, mortgagee or vendee in possession, assignee of rents, or as a receiver; or an executor, administrator, trustee, or guardian of the estate of the owner. Any agent for any of the above shall be bound to comply with the provisions of this article to the same extent as if he were the owner.

Section 3. Effective date.

This local law shall take effect immediately upon filing with the New York State secretary of state.

The vote resulted as follows:

Ayes:	16	(Legislators Carey, Day, Earl, Grant, Hood, Jr., Jobson, Low-Hogan, Meyers, Moroney, Paul, Schoenberger, Soskin, Sparaco, Wieder, Wolfe, Cornell
U.A. Nay:	01	(Legislator Murphy)