



THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK

Date: April 9, 2014

Sponsored by Council Members: Webb, Mihalko, Berg, Motsavage, Matzo, Rennia, Papastrat

Introduced by Committee: Planning and Community Development

ORDINANCE

*entitled*

AN ORDINANCE AMENDING CHAPTER 410  
OF THE CODE OF THE CITY OF  
BINGHAMTON, REGARDING THE SALE OF  
TOBACCO PRODUCTS NEAR SCHOOLS

WHEREAS, the Council of the City of Binghamton wishes to amend the Code of the City of Binghamton, § 410-24, *Performance standards*, regarding the sale of tobacco products near schools.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That § 410-24 of the Code of the City of Binghamton, entitled *Performance standards*, is hereby amended as follows:

§410-24. Performance standards [Amended 7-20-09 by Ord. No. 23-2009; Amended 9-7-13 by Ord. No 13-049; Amended 04-23-14 by Ord. No 14-19]

N. Tobacco Sales Near Schools Prohibited. The sale of tobacco and tobacco products (including but not limited to: cigarettes, cigars, pipe tobacco, chewing tobacco and electronic cigarettes) is prohibited within 500 feet of any property boundary of any public or private elementary or secondary school. The provisions of this section shall not preclude the occupancy, maintenance, and occupancy of any tobacco retailer that existed lawfully prior to the effective date of this Section. Such uses shall be subject to nonconforming use regulations in Article XII.

Section 2. That this Ordinance shall take effect immediately.

I hereby certify the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a meeting held on 4/23/14. Approved by the Mayor on 4/25/14.

Introductory No. O14-17

Permanent No. 014-19

Sponsored by City Council Members:  
Webb, Mihalko, Berg, Motsavage, Matzo, Rennia,  
Papastrat

AN ORDINANCE AMENDING CHAPTER 410 OF  
THE CODE OF THE CITY OF BINGHAMTON,  
REGARDING THE SALE OF TOBACCO  
PRODUCTS NEAR SCHOOLS

The within Ordinance was adopted by the Council of  
the City of Binghamton.

Date APRIL 23, 2014  
[Signature]  
City Clerk

Date Presented to Mayor  
4/23/14

Date Approved  
[Signature]  
Mayor

	Ayes	Nays	Abstain	Absent
Motsavage	✓			
Mihalko	✓			
Rennia	✓			
Webb	✓			
Papastrat	✓			
Matzo	✓			
Berg	✓			
Total	7	0	0	0

Code of the City of Binghamton

Adopted  Defeated

7 Ayes 0 Nays 0 Abstain 0 Absent