



Legislation Text

File #: Int 0444-2004, Version: *

Int. No. 444

By Council Members Weprin, Fidler, Koppell, Seabrook, Comrie, James, Gennaro, Vann, Gerson, Recchia, Stewart, Nelson, McMahon and Oddo

A Local Law to amend the administrative code of the city of New York, in relation to banning the sale of novelty lighters and prohibiting the sale of all lighters to persons under eighteen years of age.

Be it enacted by the Council as follows:

Section One. A new section 10-163 is hereby added to chapter one of title 10 of the administrative code of the city of New York to read as follows:

§10-163. Prohibition on sale of certain cigarette lighters.

a. Definitions. For the purpose of this section:

(1) “Novelty lighter” means any flame-producing device or apparatus primarily used by consumers to ignite cigarettes, cigars and pipes that have entertaining audio or visual effects, or that depicts (logos, decals, art work, etc.) or resembles in physical form or function articles commonly recognized as appealing to or intended for use by children under five years of age. This includes, but is not limited to, lighters that depict or resemble cartoon characters, toys, guns, watches, musical instruments, vehicles, toy animals, food or beverages, or that play musical notes or have flashing lights or other entertainment features. A novelty lighter may operate on any fuel, including butane or liquid fuel.

(2) “Person” shall include any natural person, corporation, partnership, firm, organization or other legal entity.

b. It shall be unlawful for any person to manufacture, sell or offer for sale, deliver, possess or use, or attempt to use, a novelty lighter.

c. It shall be unlawful for any person to sell, offer for sale or deliver any flame-producing device or apparatus primarily used by consumers to ignite cigarettes, cigars and pipes to an individual under eighteen years of age.

d. This local law shall not apply to matches or any other lighting device intended primarily for igniting materials other than smoking materials, such as fuel for fireplaces or for charcoal or gas-fired grills.

§2. This local law shall take effect immediately.