



Legislation Text

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Int. No. 759

By Council Members Holden and Marmorato

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the exhalation of smoke at a person's face with the intent to harass, annoy or alarm such person

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-184 to read as follows:

§ 10-184 Unlawful exhalation of smoke. a. Definitions. As used in this section, the term "smoke" means the smoke or vapor produced by inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, little cigar, pipe, water pipe, herbal cigarette, non-tobacco smoking product, or any similar form of lighted object or device designed for human use or consumption by the inhalation of smoke.

b. Unlawful exhalation of smoke. It is unlawful for a person, with the intent to harass, annoy or alarm another person, to exhale smoke so that such smoke is directed at the face of such other person.

c. Criminal penalty. Any person who violates subdivision b of this section shall be guilty of a misdemeanor punishable by up to one month in jail, or a fine of up to \$500, or both.

d. Civil penalty. Any person who violates subdivision b of this section shall be liable for a civil penalty of up to \$500, which may be recoverable in a proceeding before the office of administrative trials and hearings, pursuant to chapter 45-A of the charter.

§ 2. This local law takes effect 90 days after it becomes law.

1/9/2024

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