

 <p>NEW YORK STATE OF OPPORTUNITY.</p> <p>Parks, Recreation and Historic Preservation</p> <p>Section: Operations</p>	<p>Policy Title: Policy on No Smoking Areas at State Parks and Historic Sites</p> <p>Directive: OPR-POL-007</p> <p>Effective Date: 05/27/2015</p>
--	--

Summary

This Policy implements 9 NYCRR Section 386.1, the regulation adopted by the Office of Parks, Recreation and Historic Preservation (OPRHP) that authorizes the Commissioner to establish outdoor no smoking areas at parks, recreational facilities and historic sites under OPRHP’s jurisdiction. *(See Notice of Adoption and Notice of Proposed Rulemaking published in the State Register on February 27, 2013 and December 5, 2012, respectively at <http://docs.dos.ny.gov/info/register/2013/feb27/pdf/rulemaking.pdf> at p.7 and <http://docs.dos.ny.gov/info/register/2012/dec5/pdfs/rules.pdf>, at p.10).*

Policy

The following areas are designated as no smoking and shall be delineated with signs informing the public.

Additionally, under Parks, Recreation and Historic Preservation Law Section 3.11 and GOV-POL-007, OPRHP’s Regional Directors have authority to establish additional no smoking areas at OPRHP facilities for specific events of limited duration, and to delineate those areas with signs informing the public.

It is expected that patrons will voluntarily comply with the regulation and this Policy, however, anyone who fails to comply could be issued a ticket for a violation that usually includes a fine up to \$250 and may also require payment of a mandatory surcharge. (See, PRHPL §§ 27.11 and 27.12; Penal Law §§ 10.00(3) and 80.05(4)).

NYS OPRHP No Smoking Areas by Region

<u>Allegheny Region</u>	
Region-wide	All swimming beaches within the area defined by the sand beach
	All playgrounds or playground fixture
	Within 50 feet of bathhouses and concession stands areas
	All patron facility buildings
	All picnic shelters, pavilions and event tents
	Within 50 feet of entrances to park office buildings, maintenance shops and park office buildings
Allegheny State Park	Group camps including Camp 5, Camp 12 and Camp Allegheny
	Quaker Amphitheatre
Midway State Park	Amusement rides, carousel, arcade, picnic shelter and concession areas.
<u>Central Region</u>	
Region-wide	All swimming beaches within the area defined by the sand beach
Playgrounds	All, and within 50 feet of any playground or playground fixture
Shelters, Pavilions and Event Tents	Within 50 feet of all shelters, pavilions and event tents
Concession Areas/ Nature Areas	All and within 50 feet of the concession locations
Bathhouses and Concession Stands	All and within 50 feet of bathhouses and concession stands
Chittenango Falls	All shelters and pavilions and tents, and within 50 feet of the Falls Overlook Area
Glimmerglass	All shelters and pavilions and tents, and within 50 feet of the covered bridge
Sandy Island Beach and Boardwalk	Except picnic areas and parking lots
Fort Ontario	Inside the walls of the historic fort and within 50 feet of the sally port entrance
Herkimer Home	Throughout the entire facility except main parking lot and picnic area

Lorenzo State Historic Site	No smoking throughout the facility except specifically designated areas.
Oriskany Battlefield	No smoking throughout the facility except specifically designated areas.
Steuben Memorial	No smoking throughout the facility except specifically designated areas.
State Park at the NYS Fairgrounds	Within the entire park boundary
<u>Finger Lakes Region</u>	
Buttermilk Falls State Park	Swimming Area
	Playgrounds
	Pavilions and shelters
	Comfort stations and bathhouse
Cayuga Lake State Park	Sandy beach area
	All picnic shelters
	Park contact stations
	Playgrounds
Fair Haven Beach State Park	Comfort stations and bathhouse
	Swimming beaches
	Diving channel
	Within 50 feet of concession and bathhouse entrances
	Playgrounds
	Comfort Stations and bathhouse
Fillmore Glen State Park	Pavilions and shelters
	Swimming area
	Playgrounds
	Comfort stations and bathhouse
Ganondagan State Historic Site	Pavilions and shelters
	Within 50 feet of visitor center
Keuka Lake State Park	Longhouse
	Swimming Beach
Long Point State Park	Picnic Shelter
	Swimming area
	Bathhouse
Mark Twain State Park	Playground
	Rain shelters, tents and pavilions
Robert H. Treman State Park	Comfort stations
	Swimming area
	Playgrounds

	Shelters and pavilions
	Comfort stations and bathhouse
Sampson State Park	Swimming beach
	Comfort stations and bathhouse
	Concession
	Pavilions and shelters
	Playgrounds
Seneca Lake State Park	Beach area
	Within 50 feet of the Spray park
	Pavilions and shelters
	Comfort stations and bathhouse
	Within 50 feet of Playgrounds
	Within 50 feet of concession stand
Stony Brook State Park	Concession deck
	Playgrounds
	Picnic shelters
	Swimming area
Taughannock Falls State Park	Swimming beach
	Comfort station and bathhouse
	Pavilions and shelters
	Within 50 feet of concession
	Playgrounds
Watkins Glen State Park	Pavilions and shelters
	Pool deck
	Comfort station and bathhouse
	Playgrounds
	Concessions
<u>Genesee Region</u>	
Region-wide	All swimming beaches (except smoking will be allowed on beaches at Hamlin Beach State Park where swimming is prohibited)
	All bathhouses and within 50 feet of any bathhouse
	All concessions and within 50 feet of any concessions
	All playgrounds and within 50 feet of any playground
	All picnic shelters at Hamlin Beach State Park, and within 50 feet of such shelter
	All campground recreation buildings and within 50 feet of these structures
Letchworth Council Grounds	All areas except the parking lot

<u>Long Island Region</u>	
Region-wide	All sandy beach areas, boardwalks, all developed (formal) playing fields, pavilions and shelters
	All swimming Pool Complexes
	All playgrounds and tennis courts and within 50 feet of any playground or tennis court
	Within 50 feet of all picnic pavilions & fixed covered seating areas. (All sun shelters and rain shelters with seats and/or benches shall be considered fixed covered seating areas)
	Within 50 feet of all building entrances and exits including concession areas
	Within 50 feet of all gas station complex locations
Preserves	All areas within the preserve
Bayard Cutting Arboretum	All areas except parking lots
Planting Fields Arboretum	All areas except parking lots
Jones Beach Bandshell and the Adjacent Seating area at the Central Mall at Jones Beach State Park	Within 50 feet of the Bandshell
Games Areas at Jones Beach State Park	Paddle tennis, shuffleboard, and miniature golf
Volleyball Courts at Jones Beach and Robert Moses State Parks	
Jones Beach Theatre including the entire Jones Beach Theatre complex, which is the fenced-in area on the north side of Zach's Bay beachfront throughout the box office, backstage area and the Plaza.	All areas except designated smoking areas
<u>New York City Region</u>	
Bayswater State Park	All areas except sidewalk outside of gates on Mott Avenue and Point Breeze Place
Clay Pit Ponds Preserve	All areas except parking lots at office and environmental interpretation center
East River State Park	All areas except sidewalks along Kent Avenue
Gantry Plaza State Park	All areas except sidewalks along Center Boulevard
Riverbank State Park	All areas except parking lot west of main entrance
Roberto Clemente State Park	All except parking lot on lower level [southeast corner]

Niagara Region	
Artpark State Park	All areas except parking lot
Beaver Island State Park	Queuing area for purchasing food and beverages at the Beaver Island Clubhouse and within 50 feet of the pro shop, restaurant and starter booth at the Beaver Island Golf Course
Buffalo Harbor State Park	Beach area, pier, marina break-wall and within 50 feet of all playgrounds and pavilions
DeVeaux Woods State Park	Within 50 feet of the outdoor ice rink, restrooms, playground
Evangola State Park	Covered porch of the recreation building and all areas where outdoor environmental education programs are being conducted, and within 50 of entrance/ exits of all park facilities and buildings, designated beach area, bathhouse including snack bar area, recreational center which includes nature center building, and basketball and tennis courts
Fort Niagara State Park	Including pool; playgrounds; picnic shelters; bathhouse and pool area; fish cleaning station; in lines; and within 50 feet of these structures
Four Mile Creek State Park	Playgrounds, restrooms and within 50 feet of these structures
Golden Hill State Park	boat launch, picnic shelters; Lighthouse; restrooms; gazebo; campground office; playground; basketball courts; and within 50 feet of these areas
Knox Farm State Park	Within 50 feet of all park structures
Niagara Falls State Park	Visitor Center – Front and rear patio areas
	Discovery Center – Patio area surrounding the building, the ramp to the roof and including the roof;
	Cave Upper – Lobby area, including DNC food area, and the stationary queuing line for the elevators from the Kodak booth to the elevators;
	Cave lower – all areas, the elevators/tunnel/walkways/decks;
	Trolley & Information Booths – queueing lines for the cashier and the trolleys;
	Heritage Park – Gazebo;
	Top of the Falls restaurant – all patio areas;

	Maid of the Mist – front patio areas, to include bench seating, queue lines and tower deck
Reservoir State Park	Basketball, tennis and floor hockey courts; picnic shelter; playground; softball fields; restrooms; outdoor ice rink; and within 50 feet of these structures
Whirlpool State Park	Restroom, picnic shelter and playground
Wilson Tuscarora State Park	playgrounds and within 50 feet of restrooms
Special Events	Regional Directors are delegated authority to identify certain public events as “No Smoking” events
<u>Palisades Region</u>	
Bear Mountain State Park	Pool deck and playground
Beaver Pond	Playground
High Tor State Park	Pool deck
Rockland Lake State Park	Pool deck
Tallman Mountain State Park	Playground
Minnewaska State Park	All swimming beach areas
Bear Mountain Zoo	The entire facility
<u>Saratoga/Capital Region</u>	
Region-wide	All pavilions, playgrounds and within 50 feet of areas in front of all bathhouses, concession stands and all building entrances and exits
Bennington Battlefield	Within 50 feet of any historic structure
Cherry Plain Campground	Swimming beach and playgrounds
Crown Point Historic Site	Within 50 feet of any historic structure
Fort Crailo Historic Site	Within 50 feet of any historic structure
Grafton Lakes State Park	Swimming beach
	Inside fenced area of bathhouses
	Concession stand patio
	All playgrounds
John Boyd Thacher State Park	All playgrounds
	Concession stand patio
John Brown Farm Historic Site	Within 50 feet of any historic structure
Johnson Hall Historic Site	Within 50 feet of any historic structure
Max V. Shaul Campground	Playground
Mine Kill State Park	Pool deck; concession stand patio; playground
Moreau Lake Campground	Swimming beach; concession stand patio and playgrounds
Peebles Island State Park	Within 50 feet of any historic structure

Saratoga Spa State Park	Victoria pool deck
	Peerless pool deck
	Geyser area playground
	Peerless area playgrounds
Schodack Island State Park	Playgrounds
Schoharie Crossing Historic Site	Within 50 feet of any historic structure
Schuyler Mansion Historic Site	Within 50 feet of any structure
Thompson's Lake Campground	Swimming beach; playgrounds
<u>Taconic Region</u>	
Region-wide	All swimming beaches within the sandy areas
	Within 50 feet of all bathhouse and concession areas
	All shelters, pavilions, tents and playgrounds
FDR State Park	Inside area of pool fence; pool deck; pool concession area; bathhouse; inside of boat rental fence; on the fishing pier; and within 50 feet of the fence surrounding the pool complex
The Dinsmore Clubhouse	Upper and lower patios and within 50 feet of the restaurant
Walkway over the Hudson bridge and approaches	All areas except parking lots and specifically identified smoking areas
Norrie Environmental Center	All areas except parking lot
Norrie Point Marina docks	All docks within the marina
Rockefeller State Park Preserve	The entire facility
Taconic Outdoor Education Center	The entire facility
Copake Iron Ore Pit Swimming Area	All areas within the designated swimming area
<u>Thousand Islands Region</u>	
Region-wide	All playgrounds
Beaches	Beach and swimming areas as defined by the ropes
Sackets Harbor Battlefield State Historic Site	Within 50 feet of any historic structure
Beach bathhouses/ concessions	All and within 50 feet of these structures
Rock Island Lighthouse State Park	The entire island
Wellesley Island State Park	Within 50 feet of nature center building and on associated nature trails
Point Au Roche State Park	Within 50 feet of nature center building and on associated nature trails

Higley Flow State Park	Within 50 feet of nature center building and on associated nature trails
<u>Statewide</u>	All Regional Directors are delegated the authority to designate any special event as a "non-smoking" event

Other Related Information

Any questions regarding implementation of this Policy should be directed to Marc Talluto, Director of Agency Operations.

History

05/27/2015 Date this Policy became effective.