

 <p>New York State 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: 06/13/2022</p>
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Summary

This Policy implements 9 NYCRR Section 386.1, the Office of Parks, Recreation and Historic Preservation’s (OPRHP) regulation authoring the Commissioner to establish no smoking areas at parks, recreational facilities and historic sites under the agency’s jurisdiction.

Policy

9 NYCRR § 386.1 prohibits the smoking of tobacco or any other product at no smoking areas designated by the Commissioner. Consistent with the definition of tobacco products used in the Food and Drug Administration’s regulations at 21 CFR 1100, 1140 and 1143, this prohibition includes electronic cigarettes (e-cigarettes), vaporizers, vape-pens, vaping, hookah pens, e-pipes and all other electronic nicotine delivery systems or vapes tobacco products.

In addition to the areas designated by this Policy, under Parks, Recreation and Historic Preservation Law Section 3.11 and GOV-POL-007 on Powers, Functions and Duties of the Regional Directors and Assistant Regional Directors, Regional Directors may establish additional no smoking areas at OPRHP facilities for specific events of limited duration and delineate those areas with signs informing the public.

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

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

NYS OPRHP No Smoking Areas by Region

Allegany Region

Region-wide	<p>All swimming beaches within the area defined by the sand beach</p> <p>All playgrounds or playground fixture</p> <p>Within 50 feet of bathhouses and concession stands areas</p> <p>All patron facility buildings</p> <p>All picnic shelters, pavilions and event tents</p> <p>Within 50 feet of entrances to park office buildings, maintenance shops and park office buildings.</p>
Allegany State Park	<p>Group camps including Camp 5, Camp 12 and Camp Allegany</p> <p>Quaker Amphitheatre</p>
Midway State Park	<p>Amusement rides, carousel, arcade, picnic shelter and concession areas</p>

Central Region

Region-wide	<p>All swimming beaches within the area defined by the sand beach</p> <p>All, and within 50 feet of any playground or playground fixture</p> <p>Within 50 feet of all shelters, pavilions and event tents</p> <p>All and within 50 feet of the concession locations</p> <p>All and within 50 feet of bathhouses and concession stands</p>
Chittenango Falls	<p>All shelters and pavilions and tents, and within 50 feet of the Falls Overlook Area</p>
Glimmerglass	<p>All shelters and pavilions and tents, and within 50 feet of the covered bridge</p>
Sandy Island Beach and Boardwalk	<p>Except picnic areas and parking lots</p>
Fort Ontario	<p>Inside the walls of the historic fort and within 50 feet of the sally port entrance</p>
Herkimer Home	<p>Throughout the entire facility except main parking lot and picnic area</p>
Lorenzo State Historic Site	<p>No smoking throughout the facility except specifically designated areas</p>
Oriskany Battlefield	<p>No smoking throughout the facility except specifically designated areas</p>

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

Genesee Region

Region-wide	All swimming beaches (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
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All picnic shelters and pavilions and within 50 feet of such structures

All campground recreation buildings and within 50 feet of these structures

Letchworth Council Grounds

All areas except the parking lot

Letchworth Nature Center

Within 50 feet of the building and within the Butterfly Garden, Outdoor Classroom, Bird Observation Area and associated pathways

Long Island Region

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 State Park

Within 50 feet of the Bandshell

Paddle tennis, shuffleboard, and miniature golf areas within the Games Area

Volleyball courts

Robert Moses State Park

Volleyball courts

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 where designated smoking areas are established

New York City Region

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 the parking lot and specifically designated smoking areas
Beaver Island State Park	Queuing area for purchasing food and beverages at the Falconwood and within 100 feet of the pro shop, restaurant, and starter booth at the Beaver Island Golf Course Within 100 feet of all playgrounds and pavilions.
Buffalo Harbor State Park	Beach area, pier, marina break-wall and within 50 feet of all playgrounds and pavilions, buildings, and structures
DeVeaux Woods State Park	Within 100 feet of the outdoor ice rink, restrooms, playground
Evangola State Park	Within 100 feet of all playgrounds, pavilions, 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	Inside the pool complex Within 100 feet of all playgrounds, pavilions, bathhouse, fish cleaning station, and queuing lines Within the Old Fort Niagara complex, and within 100 feet of the visitor center.
Four Mile Creek State Park	Within 100 feet of all playgrounds, comfort stations, pavilions, camp office and camp store
Golden Hill State Park	Within 100 feet of all playgrounds, pavilions, comfort stations, Lighthouse, gazebo, Camp office, and basketball courts
Knox Farm State Park	Within 100 feet of the Dog Park, restrooms, and all other structures
Niagara Falls State Park	Within 100 feet of all queuing lines, restrooms, pavilions, and within 100 feet of all structures including: 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 concession food service and outdoor dining 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;

Luna Island, Stedman`s Bluff, Terrapin Point and Prospect Point;

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	<p>Within 100 feet of all playgrounds, pavilions, restrooms</p> <p>Within 100 feet of basketball, tennis and floor hockey courts, softball fields, outdoor ice rink</p> <p>Within 100 feet of the Warming Pavilion</p>
Whirlpool State Park	Within 100 feet of all playgrounds, pavilions, and buildings
Wilson Tuscarora State Park	Within 100 feet of all playgrounds, pavilions, restrooms, and Bathhouse
Woodlawn Beach State Park	<p>Within the designated beach area</p> <p>Within 100 feet of the Bathhouse complex and all other structures</p>

Palisades Region

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

Saratoga/Capital Region

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

Taconic Region

Region-wide	All swimming beaches within the sandy areas Within 50 feet of all bathhouse and concession areas All shelters, pavilions, tents and playgrounds
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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

Thousand Islands Region

Region-wide	All playgrounds Beach and swimming areas as defined by the ropes
Sackets Harbor Battlefield State Historic Site	Within 50 feet of any historic structure, beach bathhouse or concessions structure
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

Statewide

All Regional Directors are delegated the authority to designate any special event as a "non-smoking" event.

Other Related Information

No other related information.

History

- 06/13/2022 Policy updated to include designated areas within Woodlawn Beach State Park.
- 03/01/2017 Policy updated to clarify treatment of e-cigarettes, vaping and other ENDS, and to update list of designated no smoking areas.
- 05/27/2015 Policy created.