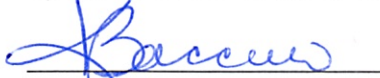


**NOTICE OF PUBLIC HEARING
COUNTY OF COLUMBIA**

PLEASE TAKE NOTICE that the Columbia County Board of Supervisors shall hold a public hearing on the 12th of February, 2020 at 7:00pm in the Board of Supervisors Chambers, First Floor, 401 State Street, Hudson, New York 12534, concerning the proposed enactment of Local Law No. 3-2020: Establishing immunization requirements for camps in the County of Columbia.

Copies of said proposed local law are available in the Office of the Clerk of the Board of Supervisors.

By order of the Clerk of the Board,



Kelly S. Baccaro
January 22, 2020

Local Law Filing

New York State Department of State
Divisions of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, New York 12231-0001
www.dos.state.ny.us/corps

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
~~City~~ of Columbia
~~Town~~
~~Village~~

Local Law No. 3 of the year 2020

A local law: establishing immunization requirements for camps in the
County of Columbia

Be it enacted by the Board of Supervisors of the
(Name of Legislative Body)

County
~~City~~ of Columbia as follows:
~~Town~~
~~Village~~

BE IT ENACTED, by the Board of Supervisors of the County of Columbia, as follows:

Section I. Legislative Intent:

WHEREAS, New York State Public Health Law Section 2164 sets forth immunization requirements for students attending public, private, or parochial school in New York State (see Appendix); and

WHEREAS, municipalities are permitted by New York State Municipal Home Rule Law Section 10 to enact local laws relative to the health and wellbeing of persons or property within their jurisdiction; and

WHEREAS, the Board finds that camps in its jurisdiction are vulnerable to comparable threats to the health and wellbeing of persons and property as those relating to public, private, or parochial schools in New York State; and

WHEREAS, no New York State Public Health Law sets forth immunization requirements for camps; and

WHEREAS, the Board finds that requiring immunization of campers and camp staff members in Columbia County is necessary to safeguard the health and wellbeing of persons and property in the jurisdiction of Columbia County.

Section II. Definitions:

The following terms have the following meanings:

1. The term "camp" shall mean and include any camp operated within Columbia County, pursuant to New York State Public Health Law (PHL) §2100, §308(d), §1303 and §1304, and State Sanitary Code 10 NYCRR 7-2.2, including overnight, summer day, or traveling summer day camp, or any non-regulated camp.
2. The term "camper" shall mean and include any person age eighteen years and under enrolled as a participant in a camp.
3. The term "staff" shall mean and include any persons engaged to perform any work on behalf of a camp, whether compensated, uncompensated or volunteering to perform such work. However, this local law shall not apply to volunteers who have limited contact with campers either through proximity to campers or limited time of exposure. Such exemption shall be utilized at the discretion of the camp director, or any other individual to whom such authority is delegated by officials of the camp with which the individual is associated, with the review and approval of the Health Department.
4. The term "health practitioner" shall mean any person authorized by law to administer an immunization.
5. The term "medical exemption" shall mean submission of the medical exemption request form promulgated by the New York State Department of Health that has been completed in strict compliance with the requirements of such form and signed by a licensed physician no more than one (1) year prior to the last date upon which the individual who is the subject of such form is anticipated to be a camper or staff member.

Section III. Requirements:

1. It is hereby mandated that prior to camp entry, the camp health director shall verify that all campers and staff members have evidence of immunity to poliomyelitis, mumps, measles, diphtheria, rubella, pertussis, tetanus, and varicella, which meets the standards approved by the United States public health service for such biological products, and which is approved by the department under such conditions as may be specified by the public health council or a valid medical exemption.
2. Upon arrival to camp, the camp operator, health director or designee shall screen campers and staff members and as part of the initial health screening pursuant to the camp's safety plan, for signs or symptoms of the poliomyelitis, mumps, measles, diphtheria, rubella, pertussis, tetanus, and varicella. Additionally, the camp operator or health director shall request staff members and parents or guardians of campers to notify the camp operator or health director if such staff member or camper has had any possible exposures to the poliomyelitis, mumps, measles, diphtheria, rubella, pertussis, tetanus, or varicella twenty-one days prior to attending camp and/or during the camp season.
3. No camp operator shall permit any camper or staff member to attend camp unless such camper or staff member has provided evidence of immunity to poliomyelitis, mumps, measles, diphtheria, rubella, pertussis, tetanus, and varicella, or a valid medical exemption, to the camp operator or camp health director.
4. Evidence of immunity includes:
 - a. Laboratory evidence of immunity; OR
 - b. All of the following:

- i. In the case of measles, mumps, and rubella, laboratory confirmation of measles or birth before 1957; and
- ii. Written documentation from a health care provider that the camper or staff member has received an adequate dose or doses of an immunizing agent against poliomyelitis, mumps, measles, diphtheria, rubella, pertussis, tetanus, and varicella, which meets the standards approved by the United States public health service for such biological products, and which is approved by the department under such conditions as may be specified by the public health council; and
- iii. Written documentation from a health care provider that any camper or staff member born on or after January first, nineteen hundred ninety-four or on or after September first, two thousand seven, shall have received a booster immunization containing diphtheria and tetanus toxoids, and an acellular pertussis vaccine, which meets the standards approved by the United States public health service for such biological products, and which is approved by the department under such conditions as may be specified by the public health council; and
- iv. Written documentation from a health care provider that any camper or staff member entering or having entered seventh grade and twelfth grade or a comparable age level special education program with an unassigned grade on or after September first, two thousand sixteen, shall have received an adequate dose or doses of immunizing agents against meningococcal disease as recommended by the advisory committee on immunization practices of the centers for disease control and prevention, which meets the standards approved by the United States public health service for such biological products, and which is approved by the department under such conditions as may be specified by the public health and planning council.

5. All camp operators shall maintain records of camper and staff screening for signs or symptoms of measles illness or recent exposure to measles, and shall make these records available for review to the Columbia County Department of Health at the time of camp inspections. Any immune camper or staff member who was exposed to measles within the twenty-one days prior to attending camp or during the camp season shall be monitored for signs and symptoms of measles while at camp, and the camp operator or health director shall immediately report any such to Columbia County Department of Health and the New York State Department of Health.

6. Any staff member or camper who has not previously received such immunization shall receive the necessary immunization against poliomyelitis, mumps, measles, diphtheria, rubella, pertussis, tetanus, and varicella, as provided in subdivision four of this section from a health practitioner. Vaccinations should be received two weeks prior to the start of work/camp to provide immunity.

7. If any staff member or those in a parental relationship with a camper are unable to pay for the services of a private health practitioner, such individual shall be presented to the health officer of Columbia County, who shall then administer the immunizing agent without charge to the individual, with such cost to be borne by the individual's health insurance provider. In the event the individual is uninsured, such cost shall be borne solely by Columbia County.

8. The health practitioner who administers such immunizing agent against poliomyelitis, mumps, measles, diphtheria, rubella, pertussis, tetanus, and varicella, to any such individual shall give a certificate of such immunization to individual or, if the individual is a minor, to the person in parental relation to such individual.

In addition to any other remedy available to Columbia County Department of Health as provided by law, a fine of \$2,000 for each violation shall be issued for noncompliance herewith. Each day a violation continues shall constitute a separate and distinct violation herewith. (PHL §309)

The Columbia County Public Health Director is directed to undertake the actions necessary to enforce this local law.

Section V. Exceptions:

Notwithstanding the foregoing, a camp operator may permit a camper or staff member who is in the process of receiving the measles vaccine to attend or work at a camp. A camper or staff member is "in the process of receiving the needed vaccine" or "in-process" if the camper or staff member has received at least a first dose of vaccine, has an appointment to complete a second dose of measles vaccine twenty-eight days after the first dose was administered. If a camper is in attendance or staff member is working at a camp when the second dose is scheduled, such camper or staff member shall receive the second dose, or the camper or staff member shall be excluded from camp after the expiration of the age appropriate interval for each vaccine.

Section VI. Validity and Severability:

If any section or part of this local law, or the application thereof to any person or circumstances, is adjudged invalid or unconstitutional, then such adjudication shall not invalidate or impair the validity or force or effect of any other section or part of this local law or the application of this local law, or any section, provision, or part thereof, to other persons or circumstances.

Section VII. Effective Date:

This local law shall take effect immediately upon filing with the Office of the Secretary of the State.

A copy of this local law shall be posted at all Columbia County camps and filed with the New York State District Health Office.

Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2020 of the County of Columbia was duly passed by the Board of Supervisors on February 12, 2020 in accordance with the applicable provisions of law.

~~2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2020 of the County of Columbia was duly passed by the Board of Supervisors on _____, 2020 and was (approved)(not approved)(repassed after disapproval) by the Chairman of the Board of Supervisors and was deemed duly adopted on _____, 2020 in accordance with the applicable provisions of law.~~

~~3. (Final adoption by referendum.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2020 of the County of Columbia was duly passed by the Board of Supervisors on _____, 2020, and was (approved)(not approved)(repassed after disapproval) by the Chairman of the Board of Supervisors on _____, 2020. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____, 2020, in accordance with the applicable provisions of law.~~

~~4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2020 of the County of Columbia was duly passed by the Board of Supervisors on _____, 2020, and was (approved)(not approved)(repassed after disapproval) by the Chairman of the Board of Supervisors on _____, 2020. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____, 2010 in accordance with the applicable provisions of law.~~

5. (City local law concerning Charter revision proposed by petition)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2020 of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____, 2020 became operative.~~

~~6. (County local law concerning adoption of Charter.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. ____ of 2020 of the County of Columbia, State of New York, having been submitted to the electors at the General Election of November ____, 2020, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.~~

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

(Seal)

Kelly Baccaro, Clerk of the Columbia
County Board of Supervisors

Date: February 12, 2020