

DONALD B. STREET
MAYOR
HENRY E. RAPER
TOWN MANAGER

Town of Nashville



LOUISE W. HINTON
MICHAEL W. COLEMAN
CHARLES P. TAYLOR
LARRY D. TAYLOR

AN ORDINANCE AMENDING THE TEXT OF THE TOWN OF NASHVILLE CODE OF ORDINANCES, CHAPTER 24, OFFENSES AND MISCELLANEOUS PROVISIONS

WHEREAS, the Town of Nashville has an adopted Municipal Code containing regulations pertaining to offenses and miscellaneous provisions; and

WHEREAS, the Town of Nashville is committed to providing a safe and healthy workplace in all Town facilities for its employees and a safe and healthy environment for the visiting public; and

WHEREAS, the Town Council of the Town of Nashville finds and declares that, in order to protect the public health and welfare, it is in the best interests of the citizens of the Town to adopt an ordinance prohibiting smoking and the use of tobacco products in all Town buildings and within Public Parks; and

WHEREAS, Article 23 of Chapter 130A of North Carolina General Statutes authorize local governments to adopt regulations prohibiting use of tobacco in public places and Article 8 of Chapter 160A authorize local governments to enact ordinances regulating conditions detrimental to the health, safety, or welfare of their citizens and the peace and dignity of the town.

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Nashville that the Town of Nashville Code of Ordinances be amended to reflect the following changes to Chapter 24, Offenses and Miscellaneous Provisions, Section 24-36, Smoking and Use of Tobacco in Public Places.

By Adding: Section 24-36 "Smoking and Use of Tobacco in Public Places"

Section 24-36. - SMOKING AND USE OF TOBACCO IN PUBLIC PLACES

(a) *Definitions.* For purposes of this section, the following words shall have the meanings respectively ascribed to them, except where the context clearly indicates a different meaning:

Smoking means the inhaling, exhaling, burning or carrying of a lighted pipe, cigar, cigarettes or other combustible tobacco products including the use of e-cigarettes.

E-cigarettes means any electronic oral device, such as one composed of heating elements, battery, and/or electronic circuit, that contains or delivers nicotine or any other substance intended for human consumption.

Smokeless tobacco means any product that contains cut, ground, powdered, or leaf tobacco and is intended to be placed in the oral or nasal cavity, including, but not limited to, snuff, chewing tobacco, dipping tobacco, and dissolvable tobacco products.

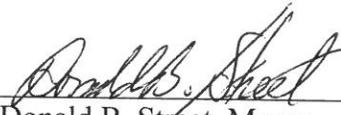
(b) *Tobacco prohibited in municipal buildings.* It shall be unlawful for any person to smoke or use tobacco products in any building or facility or portion of a building or facility now or hereafter owned, leased, operated, occupied, managed or controlled by the town.

(c) *Tobacco prohibited within public parks.* It shall be unlawful for any person to smoke or use tobacco products within any and all public parks owned or occupied by the town.

(d) *Tobacco prohibited in municipal vehicles and equipment.* It shall be unlawful for any person to smoke or use tobacco products in any vehicle now or hereafter owned or leased by the town.

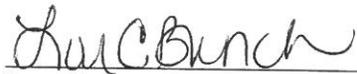
(e) *Penalty.* Violation of this section shall constitute an infraction punishable by a fine of not more than fifty dollars (\$50.00).

Adopted this 1st day of March 2016.



Donald B. Street, Mayor

ATTEST:



Lou C. Bunch, Town Clerk

