

ORDINANCE NUMBER 463

FOLLOWS: BE IT ORDAINED BY THE CITY OF HELENA, ALABAMA AS

Section 1.

(a) "Smoking" is defined as the lighting, holding or carrying of, or emitting or exhaling the smoke of, a pipe, cigar or cigarette of any kind.

(b) "Chewing" and/or "dipping" are defined as the placing of tobacco in one's mouth, holding tobacco in one's mouth or crushing, chewing or grinding the same with one's teeth or other parts or portions of one's mouth.

Section 2. Smoking, chewing or dipping of tobacco in any form or in any way in any City of Helena owned building or structure or in any City of Helena owned vehicle is unlawful.

Section 3. Anyone who violates the provisions of this ordinance shall be guilty of a misdemeanor, and shall be subject to punishment by a fine not less than One and no/100 Dollar (\$1.00), nor more than Five Hundred and no/100 Dollars (\$500.00) for each such offense. Each incident of smoking shall constitute a separate offense.

Section 4. If any provision of this ordinance, or the application thereof to any person or circumstances, shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

Section 5. This ordinance shall become effective on the 24 day of April, 1995, after being published as provided by law.

Adopted 4/17/95

C E R T I F I C A T I O N

I, Frances Parrish, duly appointed and acting clerk for the City of Helena, hereby certify the within Ordinance #463 was posted in three public places, according to law, being, the Mayor's Office, Helena Police Department and the Helena Public Library, on April 18, 1995 and will be in effect on April 24, 1995, five or more days after posting.

Signed:

Frances Parrish
Frances Parrish, Clerk