

1.

ORDINANCE 2008-02

AN ORDINANCE RESTRICTING THE USE OF TOBACCO IN BUILDINGS, VEHICLES AND CITY PARKS OWNED AND OR OPERATED BY THE CITY

THE PUBLIC WELFARE REQUIRING IT, and under authority granted by the Code of Alabama. Be It Ordained by the City Council of the City of Fayette, Alabama, as follows:

SECTION 1. That CHAPTER 11, *OFFENSES AND MISCELLANEOUS PROVISIONS*, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTE is hereby amended to include the following Article and Sections:

"ARTICLE XI. USE OF TOBACCO IN CITY BUILDINGS, VEHICLES AND PARKS

§ 11-170. Use of Tobacco in City Buildings and Vehicles.

The use of tobacco, in all forms, including but not limited to cigarettes, pipes, cigars, chewing tobacco and snuff is hereby prohibited in all buildings and vehicles owned and / or operated by the City.

§ 11-171. Use of Tobacco in City Parks.

The use of tobacco, in all forms, including but not limited to cigarettes, pipes, cigars, chewing tobacco and snuff is hereby prohibited in all City parks owned and / or operated by the City.

§ 1-172. Penalty.

A violation of the provisions of this article shall be punishable by a fine of not less than Fifty Dollars (\$50.00) nor more than (\$500.00).

City police officers may choose to cite and release the defendant for a violation of this article. The Uniform Non-Traffic Citation and Complaint (UNTCC) shall serve as the charging instrument. The UNTCC shall be issued in accordance with Rule 20 of the Alabama Rule of Administration.

In lieu of appearing in court to answer a citation, any person or corporation may after signing a waiver and guilty plea pay a fine or fines in accordance with the minor violation settlement schedule established in Section 12-14 of the Code of Ordinances."

SECTION 2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. This Ordinance shall become effective upon its publication as prescribed by law.

ADOPTED AND APPROVED on this the ____ of February, 2008.

S- Kelly Nelson
Mayor

ATTEST
[Signature]
City Clerk