

ORDINANCE 879

AN ORDINANCE TO PROHIBIT SMOKING ON CITY OWNED PROPERTY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAY MINETTE,
ALABAMA, as follows:

ARTICLE ONE

Whenever used in this Ordinance, the word "smoking" shall be construed to mean inhaling, exhaling, burning or carrying any lighted cigar, cigarette, pipe, weed, plant or other computable substance in any manner or form.

ARTICLE TWO

It shall be unlawful for any person to smoke within the City of Bay Minette in or at the following:

1. The Bay Minette Civic Center
2. The Bay Minette City Hall Complex
3. Any and all property owned by the City of Bay Minette, including building, parks and outdoor recreational areas.

ARTICLE THREE

The provisions of this ordinance shall not apply to the following:

1. Public Right of Ways
2. Streets
3. Public Parking Lots

ARTICLE FOUR

Notwithstanding the above, the City may establish a designated smoking area outside of any City owned buildings, which must be a minimum of thirty (30) feet from any entrance.

ARTICLE FIVE

"No Smoking" signs shall be clearly, sufficiently and conspicuously posted in every building or other area where smoking is prohibited by this Ordinance.

ARTICLE SIX

The following schedule of fines is hereby adopted for violation of this Ordinance:

First Offense: \$25.00

Second Offense: \$50.00

Third Offense: Mandatory Court Appearance

ARTICLE SEVEN

Enforcement of this Ordinance shall be implemented by the Bay Minette Police Department and its sworn officers. Any person violating this Ordinance may be issued a Municipal Ordinance Ticket as provided for in Ordinance Number 867.

ARTICLE EIGHT

This Ordinance amends Ordinance Number 867 by adding this Ordinance to the list of Ordinances governed thereby and by adding the schedule of fines set out above.

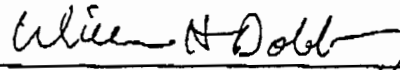
ARTICLE NINE

The provisions of this Ordinance are severable and the invalidity or unenforceability of any part of this Ordinance shall not affect the enforceability and validity of any other portion.

ARTICLE TEN

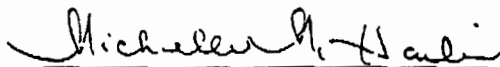
This Ordinance shall become effective upon its adoption and publication as required by law.

ADOPTED on this the 3RD day of September, 2002



William H. Dobbins, Jr., Mayor
City of Bay Minette, Alabama

ATTEST:



Michelle M. Harbin, City Clerk/Treasurer