

ORDINANCE NO. 1259

An ordinance prohibiting smoking in three designated public places of the City of Chickasaw, except for designated smoking areas; prescribing a penalty for violation thereof.

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

Section 1. PURPOSE.

Whereas the United States Surgeon General has long warned smokers that smoking tobacco, or any other weed or plant, is hazardous to their health; and evidence now indicates smoke is a material annoyance, inconvenience and health hazard to non-smokers who are present in confined areas; in order to serve public health, safety and welfare, the declared purpose of this ordinance is to prohibit the smoking of tobacco, or any weed or plant, in certain public places in the city, except in designated smoking areas.

Section 2. DEFINITIONS.

- A. "City" means the City of Chickasaw, Alabama.
- B. "Smoke" or "smoking" shall include carrying or holding of a lighted pipe, cigar or cigarette of any kind, or any other lighted smoking equipment; or the lighting or emitting or exhaling the smoke of a pipe, cigar or cigarette of any kind.
- C. "Public Place" shall mean the Chickasaw City Hall, including the Police Department and Fire Department and other municipal departments located at the Chickasaw City Hall; the J.C. Davis, Jr. Municipal Auditorium; and the Chickasaw Civic

Center.

Section 3. PROHIBITIONS.

No person shall smoke in any "public place" as designated in Section 2(C) hereof, except that smoking is permitted in designated smoking areas at said public places, which smoking areas shall be identified by clearly, sufficiently and conspicuously posted "Smoking Area" signs.

Section 4. DESIGNATION OF SMOKING AREA.

Smoking areas shall be designated at one or more locations in each of the three public places identified in Section 2(C) hereof. These smoking areas shall be determined by the Mayor of the City and appropriately designated as smoking areas.

Section 5. VIOLATIONS; PENALTIES.

Any person found guilty of violating the provisions of Section 3 of this ordinance shall be punished by a fine of not less than Ten Dollars (\$10.00) nor more than Five Hundred Dollars (\$500.00), or by imprisonment in the jail or at hard labor or community service for a period not exceeding six (6) months, or by both such fine and imprisonment and/or community service at the discretion of the judge.

Section 6. This ordinance shall be full force and effect upon its adoption and publication as provided by law.

ADOPTED this 27 day of December, 1988.

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Chickasaw, Alabama, on this