

AN ORDINANCE

ORDINANCE NO. 6-99

AN ORDINANCE TO PROHIBIT SMOKING IN CERTAIN RESTRICTED AREAS OF BUILDINGS AND PROPERTY UNDER THE OWNERSHIP OR CONTROL OF THE CITY OF CLANTON, A MUNICIPAL CORPORATION; TO DESIGNATE CERTAIN AREAS WHERE SMOKING IS PERMITTED. TO PROVIDE A PENALTY TO BE IMPOSED ON ANY PERSON IN VIOLATION OF THIS ORDINANCE.

WHEREAS, The United States Surgeon General has determined that smoking is a cause of disease, including lung cancer and

WHEREAS, the separation of smokers and non-smokers within the same air-space may reduce the exposure of non-smokers to environmental tobacco smoke.

WHEREAS, the City Council of the City of Clanton, a Municipal Corporation, has determined that in order to promote the general welfare by prohibiting smoking in certain designated areas, except in areas designated as "Smoking Area" and to provide a penalty for any person in violation of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Clanton, Alabama that it hereby establishes regulations governing smoking in certain designated areas.

SECTION I. Definitions.

- A. "Smoking" or "Smoke" shall include the carrying, holding or possession of lighted smoking materials in any form, including, but not limited to, the possession of lighted cigarettes, cigars, pipes, or other tobacco products.
- B. "Public" or "Public Place" shall include any enclosed area or building including City Hall building, shops, or enclosures used in connection with and under the control of The City of Clanton wherein the City employees are assigned or work.

SECTION II. Offenses:

- A. Hereafter and upon the adoption of this ordinance, smoking is prohibited in the City Hall building, City shops, or enclosures used in connection with and under the control of the City of Clanton, except as hereinafter provided.

SECTION III. Exceptions:

- A. The provisions of this ordinance do not apply to areas designated as "Smoking Areas" and also do not apply to areas which are not enclosed.

SECTION IV. Designation of Smoking and Non-Smoking Areas:

- A. The Officers of the City of Clanton shall within thirty (30) days following the adoption of this ordinance, designate by signs, notices, or other appropriate means posted in conspicuous places, the areas where smoking is permitted and where smoking is prohibited.

SECTION V. Penalty-Punishment.

- A. Any person in willful violation of this ordinance or any person who willfully smokes in an area where smoking is prohibited, shall be guilty of an offense and upon conviction may be fined not less than \$1.00 nor more than \$100.00 for each offense.

SECTION VI. Validity or Constitutionality:

- A. If any portion of this ordinance is held unconstitutional, invalid, or unenforceable, such holding shall not affect the remaining portion or render the remaining portion invalid.

B. This ordinance shall become effective upon its passage by the City Council of said City.

READ, APPROVED AND ADOPTED THIS THE 22ND DAY OF MARCH, 1999

Billy Joe Dineen
MAYOR

ATTEST

Betty M. Wilson
CITY CLERK