

ORDINANCE 2-15-2000
NO SMOKING:
ALL MUNICIPAL-OWNED ENCLOSED FACILITIES

WHEREAS, the City Council has determined that numerous studies indicate tobacco smoke has been conclusively found to be injurious to human health.

WHEREAS, the public health and welfare requiring it,

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

SECTION I. PURPOSE.

The purpose of this ordinance is (1) to protect the public health and welfare by prohibiting smoking in all municipal-owned enclosed facilities and (2) to acknowledge the fact that all tobacco products in any form are hereby declared a public nuisance, and are therefore prohibited from use in any municipal-owned enclosed facility.

SECTION II. APPLICATION OF THIS ORDINANCE.

- (1) This ordinance shall not apply to any facility either public or private that is not owned by and under the control of the Municipal Corporation of the City of Enterprise.
- (2) The Officers and Employees of the City of Enterprise and the enclosed facilities being owned and operated by the City are subject to the provisions of this ordinance.

SECTION III. SMOKING IS PROHIBITED in all Municipal-owned enclosed facilities

SECTION IV. ENFORCEMENT.

Each Department Head is hereby designated as the responsible Enforcement Agency, and shall provide evidence that the provisions of this ordinance are complied with.

SECTION V. PENALTY.

The penalty for violations of the provisions of this ordinance shall be as prescribed in Personnel Policies and Procedures, under the provisions of Article V, Section 2 (7).

SECTION VI. SERVERABILITY.

If any court of competent jurisdiction shall hold any sections, paragraphs or provisions of this ordinance invalid or unconstitutional, such judgement shall not affect any of the remaining sections, paragraphs, or provisions of this ordinance.

SECTION VII. REPEAL OF ORDINANCE 11-17-92

Ordinance 11-17-92, which was adopted and ordained by the City Council on 12-1-92, is hereby rescinded and repealed as of the effective date of this ordinance.

SECTION VIII. EFFECTIVE DATE.

The effective date of this ordinance shall be upon adoption.

ADOPTED THIS 15th DAY OF February, 2000.

COUNCIL:

Ken Hughes
Council President Ken Hughes, District #5

William E. Cooper
Council Member William E. Cooper, District #1

Herbert Gannon Sr.
Council Member Herbert Gannon, Sr., District #2

Kirk Donaldson
Council Member Kirk Donaldson, District #3

Wallace Miller Jr.
Council Member Wallace "Al" Miller, Jr., District #4

ATTEST:

Jeanie Phillips
Jeanie Phillips, City Clerk

TRANSMITTED TO THE MAYOR THIS 15th DAY OF February, 2000.

Jeanie Phillips
Jeanie Phillips, City Clerk

ACTION OF THE MAYOR:

Approved this 15th day
of February, 2000.

Johnny Henderson
Johnny Henderson
Mayor

ORDINANCE 2-15-2000

CERTIFICATE OF PUBLICATION

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE 2-15-2000, DULY PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF ENTERPRISE, AT A REGULAR MEETING HELD ON FEBRUARY 15, 2000, WAS CAUSED BY ME TO BE PUBLISHED IN THE ENTERPRISE LEDGER, A NEWSPAPER PUBLISHED AND OF GENERAL CIRCULATION IN THE CITY OF ENTERPRISE, COFFEE COUNTY, ALABAMA; IN THE ISSUE OF FEBRUARY 18, 2000.

A handwritten signature in cursive script, appearing to read "Jeannie Phillips", written over a horizontal line.

JEANNIE PHILLIPS
CITY CLERK