

CITY OF ONEONTA

ORDINANCE # 11-3-16-4-93AN ORDINANCE TO REGULATE, LIMIT AND PROHIBIT
SMOKING AND THE USE OF SMOKELESS TOBACCO IN
MUNICIPAL FACILITIES AND BUILDINGS

WHEREAS, smoking cigarettes, cigars, and pipes and the use of smokeless tobacco (chewing tobacco, snuff, etc.) has been determined to be a health hazard to persons smoking cigarettes, cigars, and pipes and using smokeless tobacco, and to other persons in the general area of the persons smoking cigarettes, cigars, and pipes, and

WHEREAS, the litter, waste and odor which result from smoking cigarettes, cigars, and pipes and using smokeless tobacco are offensive to some of the persons who use municipal facilities and buildings, and

WHEREAS, in order to promote the general health of the employees of the City of Oneonta, and of those citizens or other persons on the premises of municipal facilities and buildings, by reducing a health hazard to such persons;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ONEONTA, ALABAMA, THAT:

Section 1. That no person shall smoke any cigarette, cigar, or pipe or use any smokeless tobacco in any municipality owned indoor recreational facility or building (including, among other buildings, the Oneonta City Hall and related office complex, the Oneonta City School, the Oneonta Police Department, Oneonta Fire Department and the Oneonta Public Library), the concession stand area at the Oneonta Ball Park and Oneonta Swimming Pool, except as otherwise provided herein. For the purpose of this ordinance, the term "building" shall include any motor vehicles owned by the City of Oneonta.

Section 2. That the Mayor of the City of Oneonta may designate authorized smoking areas in municipal buildings, upon receipt of a written request, signed by at least sixty (60%) percent of the municipal employees regularly assigned to and working in such building.

Section 3. That any designated smoking area established pursuant to Section 2 of this Ordinance shall be clearly identified with appropriate markers or signs.

Section 4. That employees of the City of Oneonta, and members of the public, working in, using or visiting in buildings of the City of Oneonta, Alabama shall be permitted and allowed to smoke cigarettes, cigars, and pipes and use smokeless tobacco outside municipal buildings, so long as there is no litter from such smoking deposited or allowed to remain on the ground, sidewalks, parking lots, driveways, etc.

Section 5. That any person violating this Ordinance shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than \$25.00 and not more than \$300.00, and any municipal employee may also be subjected to such disciplinary actions as may be permitted by any merit system or personnel policy of the City of Oneonta in effect at the time of the violation.

Section 6. That should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable and shall continue to be in full force and effect.

Section 7. That this Ordinance shall become effective immediately following its approval and publication as required by law, and shall remain in full force and effect until repealed or modified by the City Council of the City of Oneonta.

ADOPTED this 25th day of May, 1993.

CITY OF ONEONTA, ALABAMA

BY: Danny B. White

ATTEST:

Martha Walker
CITY CLERK