

ORDINANCE # 807

TO PROVIDE A SMOKE-FREE AND TOBACCO-FREE WORKPLACE FOR THE EMPLOYEES OF THE CITY OF ROANOKE

WHEREAS, the Surgeon General of the United States has declared that smoking and other tobacco use is the number one public health issue of our time; and

WHEREAS, the City of Roanoke recognizes the increasing evidence that smoking and other use of tobacco products create a danger to the health of the employees of the city, and are the cause of annoyance and discomfort to those who are in confined spaces where such products are present and used; and

WHEREAS, in order to protect the health and welfare of those employees and other citizens, as well as to protect the rights of tobacco users and non-users, it is necessary to restrict the use of tobacco products in and upon premises owned or leased by, or under the control of the City of Roanoke;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Roanoke, Alabama, as follows:

SECTION I. Definitions.

- A. "Employee" means any person who is employed by the City for compensation or as a volunteer.
- B. "Place of Employment" means any enclosed indoor area under the control of the City to which employees have access during the course of employment, including, but not limited to work areas, employees lounges, employees restrooms, and conference rooms. A motor vehicle under the control of the City carrying two or more employees engaged in work related activities shall be considered a place of employment. A private residence is not a place of employment.

SECTION IV. Posting of Signs.

A sign shall be conspicuously posted at all entrances to all enclosed buildings Under the control of the City of Roanoke which shall contain in substance the Following:

“ Tobacco Use In Any Form Is Prohibited Throughout This Building
Except In Designated Tobacco Use Areas.”

SECTION V. Punishment Upon Conviction Of Violation.

The violation of any provision of this Ordinance shall be unlawful and constitute A misdemeanor offense; each day a violation of this Ordinance continues shall Constitute a separate offense. Upon conviction, a fine of not less than \$25.00 or More than \$100.00 for each offense shall be imposed.

SECTION VI. Severability.

The provisions of this ordinance are severable. If any provision, section, Paragraph, sentence, or part thereof, or the application thereof to any person Or thing shall be held unconstitutional or invalid, such holding shall not Effect or impair the remainder of this ordinance or the remaining persons Or things to which it applies, it being the legislative intent to enact each Provision, section, sentence, paragraph, and part thereof, and the application Thereof, separately and severally from each other.

SECTION VII. Effective Date.

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

PASSED AND ADOPTED, The 28th day of February, 2005.

ATTEST:

Ellen Farmer
Ellen Farmer, City Clerk

[Signature]
Mayor

Mark Bell
Council member Bell

Walter Sudduth
Council member Sudduth

Gueter Robinson
Council member Robinson

James J. Holley
Council member Holley

[Signature]
Council member Fetner