

CHAPTER 30: TOBACCO USE ON COUNTY PROPERTY & IN VEHICLES

Section:

- 30.01 – Definitions
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30.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

SMOKER. A person who is smoking.

SMOKING. The inhaling, exhaling, burning, or carrying of a lighted cigarette, cigar, pipe, or any other lighted tobacco product.

TOBACCO / TOBACCO-LIKE PRODUCTS. Cigarettes, cigars, pipe tobacco, loose tobacco, snuff, chewing tobacco, tobacco substitute including herbal mint snuffs and chews, or any product that contains tobacco or is labeled tobacco-less and is intended for human consumption.

TOBACCO USER. A person who is using a tobacco product.

30.02 TOBACCO USE PROHIBITED ON COUNTY PROPERTY AND IN VEHICLES

It shall be unlawful for any person to smoke or use any type of tobacco or tobacco-like product on all County property and County owned parks, in any building, facility, portion of a building or facility, or vehicle now or hereafter owned, leased, operated, occupied, managed, or controlled by the County.

30.03 SIGNAGE

- (a) Persons in charge of buildings shall post signs at all entrances and exits explaining the prohibition of tobacco use. Signs may be posted in other areas of the buildings as deemed necessary. For example, signs may be posted in other areas of the building where tobacco use is likely, such as bathrooms, break rooms, etc.

- (b) The signs required by subsection (a) must use clear and unambiguous language to convey the prohibition. The signs may include language such as “TOBACCO FREE BUILDING,” “TOBACCO USE PROHIBITED IN THIS BUILDING,” or “TOBACCO USE NOT PERMITTED IN THIS BUILDING.”
- (c) Persons in charge of buildings where tobacco use is prohibited by this ordinance shall remove all publicly available ashtrays from the buildings.

30.04 ENFORCEMENT AND PENALTIES

- (a) Employees who violate this ordinance shall be subject to disciplinary action consistent with policies enforced by the Human Resources Department.
- (b) Others: The person in charge of a building or his/her designee who sees a smoker /tobacco user (other than a County employee) who is in violation of this ordinance must ask the smoker/tobacco user to stop his/her actions. If, after being asked to stop, the smoker/tobacco user continues, he/she will first be given a formal warning. Future violations are subject to graduated civil penalties in amounts of \$25 for first violation, \$50 for second violation, and \$100 for third and subsequent violations to be recovered by the County in the form of a debt. Violators shall be issued a written citation which must be paid to the County within ten (10) days. Violation of this ordinance shall not constitute a misdemeanor or an infraction punishable under N.C.G.S. 14-4.

30.05 EFFECTIVE DATE

- (a) This ordinance shall be effective upon adoption.
- (b) All prior ordinances related to the regulation of tobacco use in County buildings and vehicles are hereby repealed.

Adopted the 16th day of July, 2012

Ryan Mayberry, Chairman

ATTEST:

Jamie M. Starnes, Clerk to the Board