

ORDINANCE
Tobacco Free Facilities

WHEREAS, the Mayor and Council of the City of Lyons find that tobacco smoke is a major contributor to indoor air pollution, and that breathing secondhand tobacco smoke is a cause of disease in healthy non-smokers, including heart disease, stroke, respiratory disease and lung cancer; and

WHEREAS, the Mayor and Council of the City of Lyons find that secondhand tobacco smoke is particularly hazardous to elderly people, individuals with cardiovascular disease and individuals with impaired respiratory function, including asthmatics and those with COPD;

WHEREAS, the Mayor and Council of the City of Lyons find that children exposed to secondhand smoke have an increased risk of asthma, respiratory infections, sudden infant death syndrome, developmental abnormalities, and cancer.

WHEREAS, the Mayor and Council of the City of Lyons find that secondhand tobacco smoke in the proximity of non-smoking employees of the City as well as children and other non-smoking adults in the proximity of indoor and outdoor public facilities owned or operated by the City of Lyons is contrary to the City's interests in promoting the health, safety and welfare of those children and non-smoking adults; and

WHEREAS, the Mayor and Council of the City of Lyons find that cigarette butts, cigar butts, pipe dottle, chewing tobacco, and smokeless tobacco discarded at indoor and outdoor public facilities owned or operated by the City of Lyons increase maintenance expenses, diminish the beauty of such facilities and pose other health risks; and

NOW THEREFORE, the Mayor and Council hereby

Ordinance No.

CHAPTER AND PURPOSE.

CHAPTER AND PURPOSE. Chapter _____. Use of Tobacco Products on City Property Prohibited.

ENACTING CLAUSE. The Council of the City of Lyons, Georgia hereby ordains that the adopted Code of Ordinances is hereby amended as more particularly set forth herein. It is the intention of the Mayor and the Council, and it is hereby ordained that the following shall become and be made a part of the Code of the City of Lyons, and the Sections of the Code in this Chapter effective _____ and of this ordinance may be renumbered to accomplish that intention.

Use of Tobacco Products on City Property and Facilities Prohibited.

Sec. _____ – Unlawful Use of Tobacco Products. It shall be unlawful for any person to use any form of tobacco, including, but not limited to cigarettes, E-cigarettes, cigars, tobacco pipes, chewing tobacco, and any form of smokeless tobacco at, in or on any indoor or outdoor facilities owned or operated by the City of Lyons, including, but not limited to all public buildings, City owned vehicles and equipment, real property, parking lots, restrooms, parks, athletic fields, and walking/hiking trails leased, owned or maintained by the City of Lyons.

Sec. _____ – Signage. The City shall cause appropriate signs to be posted sufficient to inform the public and all City of Lyons Employees of the prohibition on the use of tobacco products as set forth in Sec. _____.

Sec. _____ – Enforcement. City staff Lyons Police and Code Enforcement Officers shall make periodic inspection of all City property and facilities to monitor for compliance with this Section of the Code.

(A) Employees of the City that knowingly use tobacco products in violation of this Ordinance shall be subject to disciplinary action. Repeated violations of this Ordinance by employees of the City may result in disciplinary action, including, but not limited to written reprimand, suspension from employment without pay, or dismissal for cause.

(B) Any other person(s) found in violation of the prohibition on the use of tobacco products set forth in this Code Section shall be entitled to one (1) verbal warning by a Lyons Police or Code Enforcement Officer a staff member of the City of Lyons prior to enforcement of this Code Section by issuance of a citation by a law enforcement officer Lyons Police or Code Enforcement Officer.

(C) The minimum fine for the first conviction of violating this Ordinance within twelve (12) months shall be Fifty dollars (\$50.00). Subsequent violations within the same twelve (12) month period by the same individual shall double for each violation up to a maximum of \$800.00.

(D) The City of Lyons recommends the Georgia Tobacco Quit Line (1-800-270-7867), a toll free resource

operated by the Georgia Cancer Coalition, for those members of the public and employees of the City of Lyons that are attempting to quit tobacco use. More information is available at www.georgiacancer.org/prev-quitline.php.

Section ____ – Severability. If the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be determined invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any ordinance, section, subsection, paragraph, subdivision or clause of this ordinance.

Section ____ – Repealer. All ordinances or parts thereof which are in conflict with any provision or any section, subsection, paragraph, subdivision or clause of this ordinance are hereby repealed to the extent of the conflict.

IN WITNESS WHEREOF, I have hereunto set my hand and caused this seal to be affixed, this the

Mayor

ATTEST:

City Clerk