

ORDINANCE ORD-2021-2

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF LAWRENCEVILLE, GEORGIA, CHAPTER 32. ARTICLE II – TOBACCO USE

The City Council of the City of Lawrenceville, Georgia hereby ordains that Chapter 32. Article II, – Smoking Ordinance of the Code of the City of Lawrenceville, Georgia is hereby amended by deleting Chapter 32. Article II – Smoking Ordinance in its entirety and replacing it with the following:

Chapter 32 – Article II. – USE OF TOBACCO PRODUCTS AND OTHER SMOKING DEVICES PROHIBITED

Sec. 32-19. – Tobacco products and other smoking devices use prohibited in City buildings, vehicles, property, shops and work areas.

(a) *Purpose.*

- (1) Studies by the Surgeon General of the United States, the National Academy of Sciences, and other health organizations have linked passive exposure to tobacco smoke (second-hand smoke) to a variety of negative health conditions in nontobacco users.
- (2) The Mayor and Council of the City of Lawrenceville, Georgia, seek to strike a reasonable balance between the rights of tobacco users and nonusers by regulating tobacco use in and on certain City property.
- (3) In an effort to provide a safer and healthier environment in the City of Lawrenceville, the Mayor and Council of the City of Lawrenceville implement the following article restricting tobacco use in and on certain City property.

(b) *Prohibition.* For purposes of this ordinance, “Tobacco Products and other smoking devices” is defined as cigarettes, cigars, pipes, all forms of smokeless tobacco, clove cigarettes and any other smoking devices that use tobacco such as hookahs or simulate the use of tobacco such as electronic cigarettes. No person shall use tobacco products in any of the following areas: City buildings, City vehicles, City shops, property and work areas.

(c) *Designated tobacco use areas.* The City Manager may designate tobacco use areas outside of City buildings and vehicles in which tobacco use may be permitted. Department directors shall inform employees of this article and of the location of designated tobacco use areas. Tobacco use will not be permitted in any area which has not been designated as a tobacco use area.

(d) *Violation, penalty and enforcement.*

- (1) Tobacco use in a City building, vehicle, shop, property or work area shall constitute a violation of this article.
- (2) Any person who violates this article shall be liable for a civil penalty not to exceed \$100.00. Each day such violation continues shall constitute a separate offense.
- (3) Persons found in violation of this article shall be issued a Municipal Court citation, which shall direct the person to appear in the Municipal Court at the time and date designated on the citation. The citation shall further inform the person that the fine for violation of the City's tobacco use ordinance may be paid prior to the hearing date, in which event there shall be no further need to appear. In the event that there is no prepayment or appearance on the scheduled hearing date, the Municipal Court Administrator shall, via certified mail, return receipt requested, mail the person a notice advising him of a second hearing date before the Judge of the Municipal Court. This notice will further advise the person that the fine may be paid in lieu of the court appearance. In the event the person fails to appear on the court date as specified in the certified letter or fails to pay the fine, then a subpoena will be issued by the Judge of the Municipal Court requiring the person to appear before the Judge of the Municipal Court. This subpoena shall be personally served. In the event the person fails to appear on the date specified in the subpoena, then the Judge of the Municipal Court will issue a bench warrant for contempt of court.
- (4) It is the responsibility of all employees of the City of Lawrenceville to adhere to strict enforcement of this Ordinance.
- (5) Employees are encouraged to assist in the implementation of this Ordinance by informing the visiting public of tobacco and other smoking devices restrictions and providing direction to areas where such use is permitted, if any.

IT IS SO ORDAINED, this 25th day of January, 2021.

David R. Still, Mayor

Attest:

Karen Pierce, City Clerk

