



## **Smoke Free Tobacco Free Policy**

### **PROHIBITION OF SMOKING AND THE USE OF TOBACCO PRODUCTS IN TOWN OF FAIRVIEW BUILDINGS, VEHICLES, GROUNDS AND PARKS AND PROHIBITION OF SMOKING AND THE USE OF E-CIGARETTES**

The Town of Fairview is committed to providing a safe and healthy environment for its citizens, youth and the visiting public. The Town of Fairview Council recognizes that tobacco use and secondhand smoke exposure are leading preventable causes of illness and premature death in North Carolina and the nation. There is no safe level of secondhand smoke exposure, and the Council also recognizes that e-cigarettes are now the tobacco product of choice for youth. Nicotine is harmful to the brains of our youth, and e-cigarette aerosol contains nicotine and can contain additional toxins, making it less safe than clean air to the nearby non-user. In order to protect the public health and welfare, it is in the best interest of the citizens of the Town of Fairview to prohibit smoking and the use of tobacco products in all municipal buildings, vehicles, grounds and parks, and to prohibit smoking and the use of e-cigarettes.

#### **SECTION 1. Definitions**

1. "E-cigarette". – Any electronic oral device that employs a mechanical heating element, battery, or electronic circuit regardless of shape or size and that can be used to heat a liquid nicotine solution or any other substance, and the use or inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, or under any other product name or descriptor.
2. "Enclosed area". – An area with a roof or other overhead covering of any kind and walls or side coverings of any kind, regardless of the presence of openings for ingress and egress, on all sides or on all sides but one.
3. "Grounds". – An unenclosed area owned, leased, or occupied by the Town of Fairview.
4. "Local health department". – The Union County Health Department, public health authority, the jurisdiction of which includes the Town of Fairview.
5. "Town parks system". – Any tract of land or body of water comprising part of the Town of Fairview parks, playgrounds, recreation areas, greenways, or trails.
6. "Public place". – An enclosed area to which the public is invited or permitted.
7. "Sidewalk" - Any sidewalk that is owned, leased, or occupied by the Town of Fairview and abuts the Town of Fairview Grounds.
8. "Smoking". – The use or possession of a lighted cigarette, lighted cigar, lighted pipe, or any other lighted tobacco product.
9. "Tobacco product". – Any product containing or derived from tobacco that is intended for

human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, or ingested by any other means, including but not limited to cigarettes; e-cigarettes; heated tobacco products; cigars; little cigars; snuff; and chewing tobacco. A tobacco product excludes any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

**SECTION 2. Areas in Which Smoking and the Use of Tobacco Products are Prohibited**

(a) Smoking, the use of tobacco products and the use of E-cigarettes are prohibited:

- 1) In Town of Fairview buildings
- 2) On Town of Fairview grounds
- 3) On the grounds of the Town of Fairview parks system
- 4) In the Town of Fairview buildings located in the Town of Fairview parks system

(b) The prohibition on smoking and the use of tobacco products in the places listed in section (a) above includes those times when they are being used for private events.

**SECTION 3. Signage**

Signage will be posted at the entrance to Town buildings and park grounds to inform employees and the public of the prohibition.

**SECTION 4. Effective Date.**

This policy shall be effective March 2019

ADOPTED this 12<sup>th</sup> day of March 2019.



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Phil Thomas, Mayor