

Chapter 180 **SMOKING** ON PUBLIC PROPERTY

§ 180-1. Definitions.

§ 180-2. Prohibition of **smoking** in public places; signs.

§ 180-3. Enforcement.

§ 180-4. Violations and penalties.

[HISTORY: Adopted by the City Council of the City of Orange (acting as the Board of Health) 5-7-2013 as Ord. No. 10-2013. Amendments noted where applicable.]

§ 180-1. Definitions.

As used in this chapter, the following words shall have the following meanings:

ENCLOSED AREA — All areas between a floor and a ceiling, extending to the outer perimeter walls of a structure.

MUNICIPAL BUILDINGS — Includes all structures owned, leased, rented and/or operated by the City of Orange, and/or occupied by city employees and used for official business of the City of Orange Township.

PARKS AND RECREATIONAL FACILITIES — shall include, but not be limited to, all public parks, playgrounds, swimming pools, ball fields, publicly owned or leased by the City of Orange, and all property owned or leased by the City of Orange upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities, including all areas adjacent to such facilities, including, but not limited to, any parking area driveway or drive aisle.

SMOKING — The burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic **smoking** device.

§ 180-2. Prohibition of **smoking** in public places; signs.

- A. **Smoking** shall be prohibited in all municipal buildings as defined herein. No **smoking** signs or the international no **smoking** symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a diagonal red line through its cross section) shall be clearly, sufficiently and conspicuously posted at each municipal building entrance and within each closed area where **smoking** is prohibited by this section. The signs shall be clearly visible to the public and shall contain letters or a symbol which contrast in color with the sign, indicating that **smoking** is prohibited therein. The sign shall also indicate that violators are subject to a fine.
- B. **Smoking** shall be prohibited within a thirty-five (35) foot radius of any entrance or exit of all municipal buildings. No **smoking** signs or the international no **smoking** symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a diagonal red line through its cross section) shall be clearly, sufficiently and conspicuously posted both on the building and at the thirty-five (35) foot perimeter of the front entrance of all municipal buildings where **smoking** is prohibited by this section. The signs shall be clearly visible to the public and shall contain letters or a symbol which shall also indicate that violators are subject to a fine.
- C. **Smoking** shall be prohibited in all public parks and recreation facilities owned or leased by the City of Orange Township and all property owned or leased by the City of Orange Township upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities, including all areas adjacent to such facilities, including, but not limited to, any parking area, driveway or drive aisle, which have been designated with no **smoking** signs. No **smoking** signs or the international no **smoking** symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a diagonal red line through its cross section) shall be clearly, sufficiently and conspicuously posted in all areas regulated by this section. The signs shall be clearly visible to the public and shall contain letters or a symbol which contrasts in color with the sign, indicating that **smoking** is prohibited at the designated area. The sign shall also indicate that violators are subject to a fine.
- D. **Smoking** shall be prohibited in any vehicle registered to the City of Orange Township.

§ 180-3. Enforcement.

The enforcement authority of this section shall be the Police Department, Fire Department, Recreation Department, Public Works Department and the Health Department of the City of Orange Township.

§ 180-4. Violations and penalties.

Any person who violates any provision of the chapter shall be subject to a fine of not less than two hundred fifty dollars (\$250.) for the first offense, five hundred dollars (\$500.) for the second offense and one thousand dollars (\$1,000.) for each subsequent offense. Any municipal employee found in violation of this chapter may also be subject to discipline in accordance with the provisions of the City of Orange's policies and procedures.

If any of provision of this chapter shall be invalid in any court the same shall not affect the other sections or provisions of this chapter except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

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