

## Chapter 478. Smoking

[HISTORY: Adopted by the Bloomfield Council 3-15-1993 (Ch. 227 of the 1987 Code); amended in its entirety 9-25-2017 by Ord. No. 17-38. Subsequent amendments noted where applicable.]

### GENERAL REFERENCES

Air pollution — See Ch. 582.

Public health nuisances — See Ch. 640.

### § 478-1. Definitions.

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

#### SMOKING

The burning of, inhaling from or exhaling the smoke or the possession of a lighted cigar, cigarette, pipe, e-cigarette, hookah, electronic smoking device that can be used to deliver nicotine or other substances to the person inhaling from the device, or any other matter or substance which contains tobacco or any other matter or substance that can be smoked.

### § 478-2. Determination.

The Township Council of the Township of Bloomfield recognizes that smoking is the leading cause of preventable diseases in the state and the nation. The Township Council does hereby determine that smoking constitutes a substantial health hazard to the nonsmoking majority of the public, and it is within the public interest to prohibit smoking in public buildings and on public property, such as public parks and recreation areas. The Township Council further determines the public interest is especially concerned with preventing the youth of Bloomfield from being exposed and succumbing to the temptations of experimenting with tobacco and nicotine products.

### § 478-3. Restrictions.

- A. Smoking is prohibited throughout all municipal buildings.
- B. Smoking is prohibited within 25 feet of outside entrances, exits or wheelchair ramps serving any entrance or exit, of all municipal buildings.
- C. Smoking is prohibited in any vehicle registered to the Township of Bloomfield.
- D. Smoking is prohibited within the outdoor parks and recreational facilities operated by the Township of Bloomfield listed below:

Bloomfield Morris Canal Greenway

Brookside Park

Civic Center

Clark's Pond South

Collins House

Felton Field

Halcyon Park  
Lionsgate Park  
Memorial Park  
Milbank Park  
Morris Canal Park at Oak Tree Lane  
Oakeside Mansion  
Pulaski Park  
Town Green  
Vassar Field  
Wright's Field

## § 478-4. Posting of restrictions.

A. "NO SMOKING" signs shall be conspicuously posted at all locations provided for in § 478-3.

## § 478-5. Violations and penalties.

Any person violating any provision of this chapter shall be subject to a civil penalty of up to \$200, as provided for in P.L. 2017, c. 191.<sup>[1]</sup> The civil penalty shall be recovered in a civil action by a summary proceeding in the name of the Township of Bloomfield pursuant to the Penalty Enforcement Law of 1999, P.L. 1999, c. 274 (N.J.S.A. 2A:58-10 et seq.).

[1] *Editor's Note: See N.J.S.A. 26:3D-65.*

## § 478-6. Enforcement.

The action may be brought in the Bloomfield Township Municipal Court, which shall have jurisdiction of proceedings for the enforcement of the penalty provided for in § 478-5.