

**TOWNSHIP OF NORTHAMPTON
BUCKS COUNTY, PENNSYLVANIA**

Ordinance Number 579

**AN ORDINANCE OF THE TOWNSHIP OF NORTHAMPTON, BUCKS
COUNTY, PENNSYLVANIA PROHIBITING SMOKING ON
TOWNSHIP PROPERTY AS DEFINED HEREIN EXCEPT IN
DESIGNATED AREAS**

WHEREAS, the Board of Supervisors of Township of Northampton recognizes that smoking is one of the leading causes of preventable disease and death in the United States; and

WHEREAS, in addition to the deleterious effects upon smokers, tobacco smoke is a substantial health hazard to the public, and an annoyance and a nuisance to the nonsmoking public; and

WHEREAS, tobacco smoke also creates a substantial health hazard to residents of the Township who may be participating in activities or events in or around buildings owned or leased by the Township; and

WHEREAS, the Board of Supervisors of Township of Northampton understands while it is not in its public policy to deny anyone the right to smoke, a balance must be struck between the right of smokers to smoke and the right of nonsmokers to breathe clean air; and

WHEREAS, the Board of Supervisors of Township of Northampton concludes the right of nonsmokers to breathe clean air outweighs the right of smokers to smoke on Township property; and

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Township of Northampton, Bucks County, Pennsylvania, and it is hereby enacted and ordained by authority of the same as follows:

- I. The Code of Ordinances of Northampton Township at Chapter 10, Health and Safety, is hereby amended to add a new Part 3 entitled "Smoke-Free Environment," which reads as follows:

Part 3

Smoke-Free Environment

§10-301. Title.

This Part shall be known and may be cited as the "Northampton Township Smoke-Free Environment Ordinance of 2015."

§10-302. Definitions.

Smoke - the gases, particles, or vapors released into the air as a result of combustion, electrical ignition or vaporization, when the apparent or usual purpose of the combustion, electrical ignition or vaporization is human inhalation of the byproducts. The term "smoke" includes, but is not limited to, tobacco smoke, electronic cigarette vapors, and marijuana smoke.

Smoking - engaging in an act that generates smoke, such as, without limitation, possessing a lighted pipe, a lighted hookah pipe, an operating electronic cigarette, a lighted cigar, or a lighted cigarette of any kind; or lighting or igniting a pipe, a hookah pipe, cigar, or cigarette of any kind.

Township Property – All properties, buildings, and vehicles owned and leased by the Township of Northampton. Properties include, but are not limited to, the Administration Building, Fire Stations, Rescue Squad Buildings, Public Works Building, Police Station, The Free Library of Northampton Township, The James E. Kinney Senior Center, the Civic Center and all parks and recreation fields.

§10-303. Regulations.

Smoking shall be prohibited on all Township Property as defined in §10-302 of this Ordinance, excepting only those areas located on Township Property that are specifically designated as areas on which Smoking shall be permitted. Any and all such areas located on Township Property on which Smoking shall be permitted shall be determined by the Township Manager or his designee, and shall be identified by a conspicuously posted sign indicating that the area is an area on which Smoking is permitted.

§10-304. Posting of Signs.

"No Smoking" signs, "Smoke-Free" signs, or signs bearing the international "No Smoking" symbol shall be clearly, sufficiently and conspicuously posted on all Township Property at such locations as shall be determined by the Township Manager or his designee. Such signs shall also indicate that violators are subject to the penalty provisions set forth in §10-305. "Smoking Permitted Area" signs shall be clearly, sufficiently and conspicuously posted at those areas located on Township Property that are specifically designated as areas on which Smoking shall be permitted in accordance with §10-304.

§10-305. Penalties.

Any person who violates any provision of this ordinance shall be subject to a fine of not less than twenty-five (\$25) dollars and not more than five hundred (\$500) dollars.

§10-306. Repealer.

All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

§10-307. Severability.


If any section, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudications shall apply only to the section, paragraph, subsection, clause or provision so adjudged, and the remainder of this Ordinance shall be and shall remain valid and enforceable.

§10-308. Effective Date.

This Ordinance shall take effect upon final adoption, publication, and as otherwise provided by law.

ORDAINED AND ENACTED this 28th day of January 2015.

ATTEST:



Eileen Silver, Secretary

NORTHAMPTON TOWNSHIP



Barry Moore, Chairman