

TOWN OF HIGHGATE SELECTBOARD

NOTICE OF ADOPTION

SMOKING PROHIBITION ORDINANCE

At a duly scheduled meeting held on Thursday, November 19, 2015, the Selectboard of the Town of Highgate moved to adopt the Smoking Prohibition Ordinance which will make all municipal property, including lands, buildings and vehicles, tobacco free zones.

Copies of the adopted ordinance are available at the Town Clerk's Office at 2996 Route 78, Highgate Center, VT 05459, 802-868-4697, or at the website www.highgatevt.org or by emailing the Town Clerk at wdusablon@highgatevt.org.

Vermont law provides recourse for those who wish to object to the adoption of this ordinance by creating a petition calling for a vote on the question of disapproving the ordinance. The petition must be signed by not less than 5% of the qualified voters of the Town and presented to the legislative body or the clerk of the municipality within 44 days following the date of adoption of the ordinance. Unless the petition is filed in accordance with section 1973 of Chapter 24 V.S.A., the ordinance will become effective 60 days after the adoption- January 13th.

TOWN OF HIGHGATE SMOKING PROHIBITION AT ALL MUNICIPAL PROPERTY

The Code of Ordinances of the Town of Highgate is hereby amended by adding the following ordinance:

Smoking Prohibition for all municipal property

- (a) Purpose. The purpose of this section is to protect the public health, safety, and welfare by prohibiting smoking in Highgate municipal property where people congregate and assemble for recreation, leisure, and other purposes.

- (b) Definitions
 - (1) "Tobacco products and tobacco substitutes" shall mean cigarettes, electronic cigarettes, vapor cigarettes, cigars, cheroots, stogies, refuse scraps, clippings, cuttings and sweepings of tobacco, and other kinds and forms of tobacco prepared in a manner suitable for smoking in a pipe or otherwise or for smoking.

 - (2) "Smoking" shall mean possession of lighted tobacco products or use of tobacco substitutes.

 - (3) "Municipal Properties" shall mean all the referenced parks, buildings, and lands owned by the Town of Highgate.

- (c) Prohibited. Except as otherwise provided herein, smoking is prohibited at all municipal properties. The possession of lighted tobacco products or tobacco substitutes in any form is prohibited in the above referenced smoke free areas.

- (d) Posting. Supervision. The Town shall properly post and maintain "No Smoking" signs or the international "No Smoking" symbol (a picture of a burning cigarette inside a red circle with a red bar across it) clearly and conspicuously throughout the designated smoke-free areas. The color of such signs, when not of the international type, shall have lettering that is distinct, contrasting to the background and easily read. These signs shall

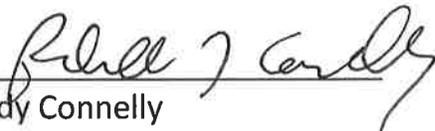
be placed so as to inform but not detract from the designated smoke-free areas.

(e) Enforcement.

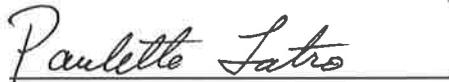
(1) Any person convicted of a violation or violations of this section shall be subject to a civil penalty, the fine for which shall be no less than fifty dollars (\$50.00) and no more than two hundred dollars (\$200.00), with a waiver penalty of fifty dollars (\$50.00), for each such violation.

(2) All law enforcement officials duly authorized to issue Vermont Municipal Complaints are authorized to issue complaints for violations of this section.

Dated at Highgate, Vermont, this 12th day of November, 2015 by the Town of Highgate Selectboard Members


Randy Connelly


Diana O'Hara


Paulette Tatro


Jeff Towle


Chris Yates