

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.

 - (4) "Sponsoring Group" shall mean the person or persons renting the Highgate Sports Facility for an event.

- (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. NOTE: This policy can be temporarily modified upon approval from the Selectboard in the case of a special event at the Highgate Sports Facility when the sponsoring group requests a smoking area. If approved, a designated outside smoking area will be delineated with cones/ signage and the sponsoring group will be responsible for

cleaning the area to remove all litter and return the site to its original condition at the end of the event.

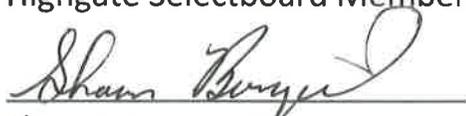
(d) Posting. Supervision. The Town shall properly post and maintain "No Smoking" signs or the international "No Smoking" symbol (a picture of a burning cigarette inside a red circle with a red bar across it) clearly and conspicuously throughout the designated smoke-free areas. The color of such signs, 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.

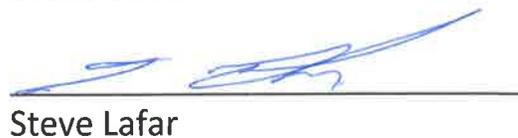
(2) All law enforcement officials duly authorized to issue Vermont Municipal Complaints are authorized to issue complaints for violations of this section.

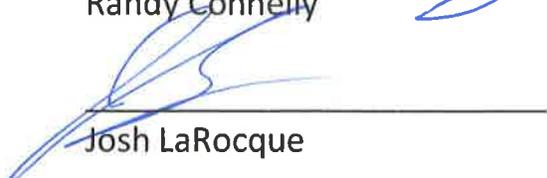
Dated at Highgate, Vermont, this 4th day of May, 2017 by the Town of Highgate Selectboard Members


Sharon Bousquet


Bruce Butler


Randy Connelly


Steve Lafar


Josh LaRocque