



## **TOWN OF BRISTOL USE OF TOBACCO PRODUCTS AND EQUIPMENT ORDINANCE**

An Ordinance Relative to the Use of Any and All Tobacco Products and/or Equipment on Town Property and Public Places

### **Section 1 – Purpose:**

The Town of Bristol finds that, based on determinations and studies by various official agencies; the use of tobacco products is a significant public health hazard, including secondhand use. The purpose of this chapter is to protect the health and well-being of all members of the public who have occasion to attend public places, facilities, libraries, and Town recreational parks, by restricting the use of tobacco products as outlined herein. Disposal of cigarette butts and other tobacco products is restricted under New Hampshire RSA 163-B to provide for uniform prohibition throughout the state of any and all littering on public or private property and to curb thereby the desecration of the beauty of the state and harm to the health, welfare and safety of its citizens caused by individuals who litter.

### **Section 2 - Authority:**

The Select Board is hereby empowered to enact such rules and regulations as it deems necessary from time to time to effect the provisions of this ordinance.

### **Section 3 - Definitions:**

The following words, terms and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Smoking or Use of Tobacco Products or Equipment – Using tobacco products or equipment to produce the effect of smoking or for the intended purpose of the particular tobacco product or equipment.

Tobacco Equipment - Any product or device that is intended to deliver or facilitate delivery of tobacco products for use by one or more persons. Such equipment includes but is not limited to bowls, pipes, chimneys, e-cigarettes, rolling paper or other assistive devices.

Tobacco Products – Any product made fully or in part of tobacco or natural or synthetic material intended to simulate tobacco, the intended use of which is smoking, chewing or inhaling. Such products include, but are not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, smokeless tobacco or any other tobacco product or product that simulates tobacco.

Green Space – open land not limited to an area of grass, trees or other vegetation used for recreational use or aesthetic purposes.

### **Section 4 – Use Prohibited:**

- A. Use of all tobacco products and equipment is prohibited within 30 feet of any main entrance or exit, and any operable window, of all Town owned buildings. This shall include sidewalks and walkways, except when actively passing on the way to another destination.

- B. Except as noted in Section 4, Letter A, the use of all tobacco products and equipment is prohibited in all Town-owned parks, libraries, and public places, including but not limited to the following:
- Kelley Park – Including the green space, the playground area and the parking areas
  - Millstream Park - Including the green space, the parking area and complete path
  - Central Street Park – Located at 8 Central Street
  - Central Square – Including walkways and green space
  - Town Beaches – Avery-Crouse and Cummings – Including the beach area, the parking area and the green space
- C. The use of all tobacco products and equipment is prohibited during any event or activity sanctioned and/or permitted by the Town.

**Section 6 - Signs required:**

Signs shall be prominently placed and maintained at all applicable Town parks, libraries, and public places, notifying the public of the prohibition against the use of tobacco products and equipment, as well as any approved designated areas.

**Section 7 – Enforcement:**

The Police Department is hereby authorized to provide written notice of violation(s) and penalties.

**Section 8 - Violations and penalties:**


Any person who is found to have violated the provision of this ordinance shall be subject to a fine in the amount of eighty dollars (\$80.00) for the first offense. Each day shall constitute a separate offense and any subsequent violations shall be punishable by a fine of not less than a hundred and sixty dollars (\$160.00). Additionally, violators may be removed from the park or recreational area or facility. In addition to these penalties, persons under the age of 18 shall be subject to the provisions of RSA 126-K.

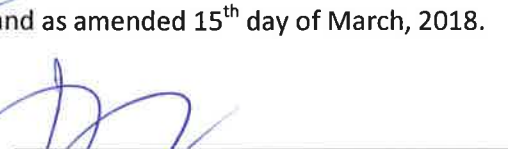
All violations will be assessed an additional \$35.00 fee after ten (10) working days if payment is not made. Failure to pay may result in additional charges over and above the late payment fees.

**Section 9 - Saving Clause:**

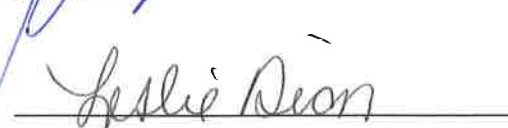
This ordinance supersedes any and all preceding ordinances pertaining to the Bristol Town Use of Tobacco Products or Equipment.

Town of Bristol Use of Tobacco Products and Equipment Ordinance adopted by the Town of Bristol Select Board this 28<sup>th</sup> day of September, 2017 and as amended 15<sup>th</sup> day of March, 2018.

  
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Rick Alpers, Chair

  
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