

Chapter 152 Smoking

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Chapter 152 Smoking

[HISTORY: Adopted by the Board of Supervisors of Clarke County 11-21-1989. Amendments noted where applicable.]

General References

Chapter 74 County-Owned Property.

Code of Virginia References

§ 15.2-2801. Statewide regulation of smoking

§ 152-1. Statement of intent.

Because smoking of tobacco or any other weed or plant is a positive danger to the health of the inhabitants of the County of Clarke, Virginia, and is further a material annoyance, inconvenience, discomfort and a health hazard to those who are present in confined spaces in which smoking occurs, and in order to serve the public health, safety and welfare, the declared purpose of this chapter is to prohibit the smoking of tobacco or any weed or plant in certain public places as defined herein, except in designated smoking areas.

§ 152-2. Definitions.

For the purpose of this chapter, these words and phrases shall have the following meanings:

COUNTY BUILDING	Any portion of a building owned or leased by and exclusively managed and controlled by the government of the County of Clarke or any of its component departments, offices and agencies which is open to the public or in which the public is invited or permitted.
SMOKE or SMOKING	The act of smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind or the lighting of a cigar, cigarette or pipe of any kind.

§ 152-3. Smoking prohibited in county buildings.

It shall be unlawful for any person to smoke in any of the following facilities: county buildings.

§ 152-4. Exceptions.

The prohibition of this chapter shall not apply to the following:

- A. Lawfully designated smoking areas.
- B. Private offices.

§ 152-5. Designated smoking area.

The person or entity in charge of any building in which smoking is prohibited may designate separate rooms or areas in which smoking is permitted, provided that:

- A. Designated smoking rooms or areas shall be reasonably separate from the rooms or areas entered by the public in the normal course of business or use of the facilities and shall be indicated by sign(s) in the area.
- B. In designated smoking areas, existing physical barriers and/or ventilation systems shall be used when possible to minimize the toxic effect of smoke in adjacent nonsmoking areas. In any event, it shall be the responsibility of the person or entity in charge of such to provide smoke-free areas for nonsmokers within the building.

§ 152-6. Posting of signs.

- A. The person or entity in charge of any building in which smoking is prohibited shall post conspicuous sign(s) at least five inches in height, which shall read as follows:

NO SMOKING
COUNTY ORDINANCE
PROHIBITS THE CARRYING
OF LIGHTED TOBACCO
PRODUCTS OF ANY KIND
\$25.00 FINE

- B. The letters in the words "No Smoking" on the sign required by this section shall be at least 1-1/2 inches in height.

*§ 152-7. Violations and penalties.*³⁷

Penalties for violation of the provisions of this chapter shall be as provided in Chapter 1, General Provisions, Article I.

References

³⁷ Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).