

Regulation Prohibiting Smoking in Municipal Building

Section I - Authority

There exists conclusive evidence that tobacco smoke causes cancer, respiratory diseases, various cardiac problems, allergies, and irritations to the eyes, nose and throat in both smokers and nonsmokers exposed to secondhand smoke. Therefore, this regulation is adopted pursuant to Massachusetts General Laws Chapter 111, Section 31, as a reasonable health regulation designed to protect the public health of the employees, residents, and users of municipal buildings of the Town of Longmeadow.

Section II - Definitions

- a. Municipal Building means a building or leased space owned or occupied by an office or department of the Town of Longmeadow including, but not limited to the School Department Buildings, Town Hall, Public Service Building (30 Williams St.), Town Yard, Greenwood Center, Storrs Library and Community House.
- b. Smoking means inhaling, burning or carrying any lighted cigar, cigarette, weed or other plant in any manner or in any form.
- c. Employee means any person who is employed for direct or indirect monetary wages or profit or volunteers his or her services to the Town of Longmeadow.

Section III - Prohibition of Smoking in Municipal Buildings

The smoking of any tobacco product is hereby prohibited in all municipal buildings of the Town of Longmeadow.

Section IV - Implementation

- a. The person in charge of each building must post a conspicuous notice or sign at each entrance of the building indicating smoking is prohibited therein.
- b. The Longmeadow Board of Health shall provide written notification to each department head of this regulation with the effective date. Each department head shall post a conspicuous sign in a conspicuous place in each town department indicating that smoking is prohibited. Written notice of this regulation and its effective date shall also be provided to each employee.
- c. Municipal employees shall request all business invitees and residents doing business in any municipal building who may be smoking to extinguish smoking materials immediately.

Section V - Enforcement

- a. Any person who smokes in a municipal building shall be subject to a fine of \$25.00 for the first violation and \$50.00 for each subsequent violation.
- b. Any person aggrieved by the failure or refusal to comply with restrictions in any municipal building may complain in writing to the head of the department or agency occupying the area where the violation takes place. Said agency or department head shall respond in writing within fifteen days to the complainant that he has inspected the area described in the complaint and has enforced the provisions of this section as provided herein.

Section VI - Severability

If any provisions of these regulations is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.

Section VII - Effective Date

This regulation shall become effective as of:

February 14, 1994
date of Board of Health vote

February 25, 1994
date of publication

March 28, 1994
date effective

The Longmeadow Board of Health voted to amend the "Regulation Prohibiting Smoking in Municipal Buildings" (effective March 28, 1994) by adding a ban on smoking in municipal-owned vehicles.

Revised by the Board of Health December 13, 1999