

Glen Arbor Township  
P.O. Box 276  
Glen Arbor, MI 49636

## NO SMOKING ORDINANCE

# 1-2015 May 19, 2015

### AN ORDINANCE ESTABLISHING TOWNSHIP OWNED PUBLIC FACILITY CAMPUSES AS TOBACCO FREE

Pursuant to the authority granted in MCL 46.10b, MCL 46.11(j), MCL 46.11(m), and MCL 46.201, GLEN ARBOR TOWNSHIP ordains as follows:

#### Section 1.

##### Purpose.

Glen Arbor Township recognizes the need for a well-defined and enforceable Tobacco-Free Public Campus Ordinance. The purpose of this Ordinance is to protect the public's health, safety and welfare by prohibiting tobacco use on Township owned campuses.

Public Act 198 of 1986, more commonly known as the Michigan Clean Indoor Air Act, prohibits smoking in all places owned or operated by state or local government. In 1993, the Environmental Protection Agency (EPA) classified environmental tobacco smoke as a Group A Carcinogen, that is, a substance known to cause cancer in humans. The EPA recognizes no safe level of exposure for Group A Carcinogens.

Smokeless tobacco, commonly referred to as 'spit' tobacco, also poses a sanitation and health risk due to the tobacco product's mix with human saliva and the unsanitary habit of product disposal (in open containers or directly onto walking surfaces.)

In light of these findings, all Glen Arbor Township campuses shall be tobacco-free.

#### Section 2.

##### Definitions.

Township Campuses – Any Township owned/leased facility where official business is conducted, including Township-owned parks. This includes the interior and exterior of Township buildings including, but not limited to, Township Hall, Offices, Lake Street Garden and Public Restrooms, Public Safety Building and as to the exterior of buildings from the edge of the building to the public sidewalk including parking lots and on the rights-of-way of Township property.

Tobacco Product – Any tobacco cigarette, cigar, pipe tobacco, smokeless tobacco, chewing tobacco, e-cigarette or any other form of tobacco which may be utilized for smoking, chewing, inhalation, or other means of ingestion.

#### Section 3.

##### Tobacco-Use Prohibited on Township Campuses.

The Glen Arbor Township prohibits the use of tobacco products of any form throughout all Township campuses.

“Tobacco Free Campus” signs will be posted at all Township campus entrances.

Tobacco receptacles will be placed at the “Tobacco Free Campus” sign locations at the entrances to the County campus as a receptacle for tobacco products.

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Section 4.

Enforcement.

Any Leelanau County Sheriff's Deputy or local Law Enforcement Officer, Township Supervisor or elected Official, Department Head or his/her designated representative shall have the authority to request that Township employees or members of the public discontinue use of tobacco products on Township campuses. Any person who fails to discontinue use of their tobacco products immediately upon request is required to immediately leave the Township campus. Any person who continues to use tobacco products on a Township campus after being requested to cease such use shall be in violation of this Ordinance, and shall be subject to a civil fine of not more than \$100.00 for a first violation, and not more than \$500.00 for a second or subsequent violation.

Section 5.

Complaints.

The Township Supervisor and enforcement officer or his/her designee shall have the authority to investigate any and all complaints alleging violation of this Ordinance.

Section 6.

Severability.

If any provision of this Ordinance or its application to any person or circumstance is declared invalid or unenforceable, the remainder of the Ordinance and its application to other persons and circumstances, other than that which has been held invalid or unenforceable, shall not be affected, and the affected provision of the Ordinance shall be severed.

Section 7.

Effective Date.

This Ordinance shall be effective on publication in the Leelanau Enterprise. Motion by Kelly Support Gretzema

Voting aye: Thompson, Kelly, Gretzema, Quick, Soderholm. Voting nay: none.

Certified \_\_\_\_\_

Bonnie Quick

Glen Arbor Township Clerk

Date May 19, 2015