

ORDINANCE 4201

AN ORDINANCE TO AMEND HARTSVILLE CITY CODE, CHAPTER 31 "ENVIRONMENT", ARTICLE 1. SMOKING IN PUBLIC PLACES AND PLACES OF EMPLOYMENT, SECTION 31.2 – DEFINITIONS

WHEREAS, the use of electronic cigarettes and other electronic smoking devices has increased significantly in recent years, and

WHEREAS, in the absence of federal regulations governing the use of e-cigarettes and other electronic smoking devices, a number of states and cities have adopted their own e-cigarettes and other electronic smoking devices regulations,

WHEREAS, the South Carolina Supreme Court has ruled that governments generally may regulate smoking, and

WHEREAS, the City of Hartsville has determined that the use of electronic smoking devices in smoke-free locations threatens to undermine compliance with smoking regulations, and that the City should amend its smoking ordinance to restrict the use of electronic cigarettes and other electronic smoking devices.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the City of Hartsville that the City of Hartsville Zoning Ordinance is hereby amended as follows:

Chapter 31 "ENVIRONMENT"
ARTICLE 1. SMOKING IN PUBLIC PLACES AND PLACES OF EMPLOYMENT
SECTION 31-2. – DEFINITIONS

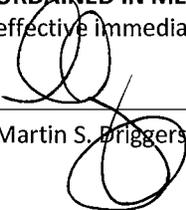
Proposed Language

Sec. 31-2. - Definitions.

"Electronic smoking device" means an electronic and/or battery operated device, the use of which may resemble smoking, which can be used to deliver an inhaled dose of nicotine or other substances, and includes any such device, whether manufactured, distributed, marketed or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, and electronic pipe, and electronic hookah, or any other product name or descriptor; however, it does not include any product specifically approved by the United States Food & Drug Administration for the use in the mitigation, treatment or prevention of disease.

"Smoking" means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other lighted tobacco product in any manner or in any form. Smoking means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other lighted tobacco product in any manner or form. Smoking also includes the use of any electronic smoking device or the use of any oral smoking device that generates smoke or which creates a vapor, in any manner or in any form. It shall be a violation of this article to use an electronic smoking device in any place within the city where smoking of tobacco products is prohibited by law.

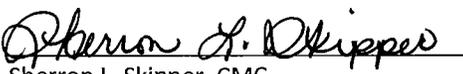
ORDAINED IN MEETING DULY ADVERTISED AND ASSEMBLED, on the 16th day of June, 2015 and to become effective immediately upon final reading.



Martin S. Briggers, Sr., City Attorney



Carl M. (Mel) Pennington, IV., Mayor

ATTEST: 
Sherron L. Skipper, CMC
City Clerk

First Reading: 06/09/2015
Public Hearing: 06/16/2015
Final Reading: 06/16/2015