

Chapter 10

ENVIRONMENT

ARTICLE I. IN GENERAL

Sec. 10-1. Smoking.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

E-cigarette means any electronic oral device that employs a mechanical heating element, battery, or electronic circuit regardless of shape or size and that can be used to heat a liquid nicotine solution or any other substance, and the use or inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, or under other product name or descriptor.

Smoking means the inhaling, exhaling, burning or carrying of a lighted pipe, cigar, cigarette, e-cigarette, or other combustible tobacco product.

Tobacco product means any product containing or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, or ingested by any other means, including but not limited to cigarettes, e-cigarettes, cigars, little cigars, snuff, and chewing tobacco. A tobacco product excludes any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

(b) *Prohibited in county buildings, grounds and vehicles.* It shall be unlawful for any person to smoke or use a tobacco product in any building or facility or portion of a building or facility now or hereafter owned, leased, operated, occupied, managed or controlled by the county; on any unenclosed area owned, leased, or occupied by the County; or in any passenger-carrying vehicle owned, leased, or otherwise controlled by the County. ~~except those areas exempted by subsection (c) of this section.~~

(c) *Exemptions.* This section shall not apply to the following:

- ~~(1) Designated lounges for county employees;~~
- ~~(2) The county jail;~~
- ~~(3) The lower and upper lobbies of the county courthouse;~~
- ~~(4) The lobby of the auditorium located on the first floor of the county administrative building; and~~
- ~~(5) The auditorium located on the first floor of the county administrative building when the representative designated by the agency or group holding a meeting, function, or other activity pursuant to the "Guidelines For Use Of Edgecombe County Administrative Building Auditorium" authorizes or permits smoking during the meeting, function or other activity being sponsored by the agency, department or group authorized to use the auditorium pursuant to such guidelines.~~

(c) *Penalty.* Violation of this section shall constitute a misdemeanor punishable in accordance with section 1-7.