

**ORDINANCE GOVERNING THE USE OF TOBACCO PRODUCTS IN  
MCDOWELL COUNTY BUILDINGS**

**WHEREAS**, pursuant to Chapter 153A, Section 121, of the General Statutes of North Carolina, a county may by ordinance define, regulate, prohibit, or abate acts, omissions or conditions detrimental to the health, safety or welfare of its citizens and the peace and dignity of the county; and

**WHEREAS**, it is the opinion of the McDowell County Board of Commissioners that the use of tobacco products is creating a health hazard and should be prohibited in McDowell County buildings; and

**WHEREAS**, it is the desire of the McDowell County Board of Commissioners to phase in the restrictions of tobacco products in these buildings over a six (6) month period,

**NOW, THEREFORE, BE IT RESOLVED** that the McDowell County Board of Commissioners hereby adopts the following ordinance:

- Section 1. That the vending machine lobby located on the parking deck entrance of the main Courthouse be a designated smoking area for a six (6) month period
- Section 2. That the main first floor lobby area in the County Administration Building be a designated smoking area for a six (6) month period.
- Section 3. At the end of the six (6) month period, the use of tobacco products is prohibited in all McDowell County Buildings including the Courthouse, Administration Building, Social Services Buildings, Public Library Buildings, The McDowell County Senior Center, The Courthouse Annex, County Garage, Emergency Medical Services Facilities, Animal Shelter, The Marion Recreation Facility including the pool deck area, the Old Fort Poll Facility, and the Sheriff's Building, excluding the lock down areas in which inmates are housed.
- Section 4. During the six (6) month tobacco free environment phase-in period, beginning March 1, 1993 and ending August 31, 1993, any person who uses tobacco products outside the designated smoking areas shall be guilty of a misdemeanor and punished as provided in Chapter 14, Section 4, of the General Statutes of North Carolina.
- Section 5. Beginning September 1, 1993, any person who uses tobacco products in said McDowell County buildings shall be guilty of a misdemeanor and punished as provided in Chapter 14, Section 4, of the General Statutes of North Carolina.

This ordinance shall become effective fourteen (14) days from its adoption.

Adopted this 15<sup>th</sup> day of February, 1993.

This ordinance shall become effective on this the 1<sup>st</sup> day of March, 1993.

Adopted on the 1<sup>st</sup> and 15<sup>th</sup> days of February, 1993.

**REVISED** on the 16<sup>th</sup> of August, 1993.

s/Jack A. Wood  
Chairman of the  
Board of Commissioners  
McDowell County, NC

s/Carrie Padgett  
Clerk to the Board of  
Commissioners  
McDowell County, NC