

**BILL NO. 2015-068**

**ORDINANCE NO.**

**A GENERAL ORDINANCE OF THE CITY OF NEVADA, MISSOURI, RESTRICTING POSSESSION OF LIGHTED SMOKING MATERIALS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, MISSOURI THAT:**

**Section 1. Lighted Smoking materials prohibited.** Except as provided in Section 2 of this ordinance, the possession of lighted smoking materials is unlawful in any of the following places used by or open to the public or serving as a place of work:

- (1) **Municipally Owned Property.** Anywhere in any building owned or managed by and under control of the city including an area 20 feet beyond the exterior walls of such a building, however in the Public Parks of the city, smoking shall only be permitted in the parking areas.
- (2) **Sidewalks Adjacent The Front Entrances To Commercial Establishments.** The public sidewalks providing public access to the front doors of all commercial establishment including, but not limited to, retail stores, banks, office buildings, offices, restaurants, and bars. Employees or other may smoke at the back door or alleys at the rear of such establishments, except that smoking is not permitted within 20' of dumpster.
- (3) **If posted "no smoking" by owner - privately owned commercial establishments.** If a sign roughly equivalent to "thank you for not smoking" or "No Smoking" is posted by the owner or legal occupant, in any commercial establishment including, but not limited to, retail stores, banks, office buildings, offices, restaurants, and bars where such a notice is posted by the owner or legal occupant. The owner may designate part of the property for smoking and part of the property for no smoking at the owner's discretion.
- (4) **Taxis and Vehicles for Hire.** Public transportation vehicles including taxicabs and other vehicles for hire.
- (5) **Public Restrooms.** Restrooms provided for use of the public by governmental agencies.
- (6) **Miscellaneous Educational and Day Care Facilities.** Libraries, educational facilities, day care facilities, museums, auditoriums, including college and high school or vocational school facilities whose policy or regulations prohibit smoking.
- (7) **Health Care Facilities.** All health care facilities, health clinics, or ambulatory care facilities including, but not limited to, laboratories associated with the

rendition of health care treatment, hospitals, rest homes, nursing homes, long – term care facilities and offices of health professionals.

(8) **Recreational Facilities.** Indoor places of entertainment or recreation including, but not limited to gymnasiums, theatres, concert or theatre halls, bingo halls, arenas, and indoor swimming pools and recreational areas for children, not including licensed bars.

(9) **Stadiums and Athletic Fields.** Any stadium, outdoor arena or athletic field.

**Section 2.** All provisions of the ordinance notwithstanding an owner of private property is to retain discretion to permit or restrict smoking as may be desired.

**Section 3.** As to privately owned properties, the provisions of this ordinance shall be in full force and effect one year after its passage and approval. As to governmentally owned properties, this ordinance shall be in full force and effect from and after its passage and approval.

**PASSED, APPROVED and ADOPTED** by the City Council of the City of Nevada, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

CITY OF NEVADA, MISSOURI

(SEAL)

By: \_\_\_\_\_  
Brian L. Leonard, Mayor

Attest:

\_\_\_\_\_  
Johnna Williams, Deputy City Clerk