

**ORDINANCE NO.: 2012-B  
(AMENDS ORDINANCE 2005-C)**

AN ORDINANCE FOR THE CITY OF LIVERPOOL PROHIBITING THE USE OF ALL TOBACCO ON ANY CITY PROPERTY OR IN ANY CITY OWNED BUILDINGS OR VEHICLES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LIVERPOOL, BRAZORIA COUNTY, TEXAS:

**SECTION 1: PURPOSE**

WHEREAS the Surgeon General of the United States has declared that smoking is the number one public health issue of our time. The City of Liverpool recognizes the increasing evidence that smoke creates a danger to the health of everyone, and it is a cause of discomfort to those who are in confined spaces where smoke is present. In the order to protect the health and welfare of City employees and other people using City buildings and vehicles as well as to protect the rights of smokers and nonsmokers, as well as to protect all City owned properties.

**SECTION 2: DEFINITION**

“Smoke” or “Smoking” shall mean the possession, carrying, or holding of a lighted pipe, cigar, or cigarette of any kind, or any other lighted smoking equipment or device, including electronic, or the lighting of, emitting or exhaling the smoke of, a pipe, cigar, or cigarette of any kind.

**SECTION 3: PROVISIONS**

Tobacco products of any kind are prohibited in any City building, vehicles or on any City property.

Smoking in any city building or on city property or in city automobiles is prohibited.

Smoking and tobacco use is prohibited within 25 feet of all entrances as well as city owned automobiles.

**SECTION 4: ENFORCEMENT**

Signs shall be posted at each entrance, hereunder, in order to advise the public that smoking and all tobacco products are prohibited.

Any violation of the ordinance by a city employee shall be grounds for discipline.

Any person in violation of this ordinance shall be fined in any sum not less than \$10.00 and not to exceed \$500.00.

SECTION 5: SEVERABILITY

Should any section, provision, or part of this ordinance be declared unconstitutional or void by a court of competent jurisdiction, such decision shall in no way affect the validity of the remaining parts, and for this purpose said parts are severable. The City Council hereby declares that it would be passed those parts of this ordinance which are valid and omitted any parts which may be unconstitutional at the time of the passage of this ordinance.

ORDINANCE NUMBER: 2012-B  
PASSED AND APPROVED THIS 1<sup>st</sup> DAY OF April, 2012

Bill Strickland  
Bill Strickland, Mayor

ATTEST:

Raquel Fernandez  
Raquel Fernandez, City Secretary