

Town of Jackson

Use of Tobacco Products Prohibited Ordinance

SECTION I PURPOSE

- A. The purpose of this ordinance is to provide for the safe and efficient use of public properties within the Town of Jackson. Public health, safety, and the quiet enjoyment of public properties are important to the quality of life for residents and visitors. Public property use regulation is allowed under New Hampshire RSA 31:39 and its subsections.

SECTION II USE OF TOBACCO PRODUCTS PROHIBITED ON TOWN PROPERTY

- A. It shall be unlawful to use tobacco products on properties owned by the Town of Jackson to include; buildings, structures, properties, parks, municipal parking lots, or town green spaces.
- B. Tobacco Products are defined as “*any product containing tobacco including, but not limited to, cigarettes, smoking tobacco, cigars, pipe tobacco, smokeless cigarettes and e-cigarettes.*” E-cigarettes are further defined as “*any electronic smoking device composed of a mouthpiece, a heating element, a battery and electronic circuits that provides a vapor of pure nicotine mixed with propylene glycol to the user as the user simulates smoking. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars or e-pipes or under any other product name.*”

SECTION III EXEMPTIONS

- A. This ordinance does not apply to any person under the legal age for tobacco use. Offenses of this nature are punishable under New Hampshire RSA 126-K entitled YOUTH ACCESS TO AND USE OF TOBACCO PRODUCTS.
- B. These rules shall not apply to persons while using the Town of Jackson property known as Prospect Farms.

SECTION IV PENALTIES

- A. The penalty for a violation of this ordinance shall be a fine of \$100.00 for a first offense. For any second or subsequent violation within a 12-month period the fine shall be \$250.00. All fines are payable to the Town of Jackson within 5 days from the date of issuance. Failure to remit the fine within 5 days may result in the issuance of a summons and added fines. Any request for a due process hearing must be submitted in writing within 3 days of the receipt of the violation.