

Pawtucket

Chapter 345 SMOKING

[HISTORY: Adopted by the Council of the City of Pawtucket, approved 5-26-1994 as Ch. No. 2351. Amendments noted where applicable.]

345-1 Legislative intent.

The use of tobacco for smoking purposes is being found to be increasingly dangerous, not only to the person smoking, but also to the nonsmoking person who is required to breath such contaminated air. The most pervasive intrusion of the nonsmoker's right to unpolluted air space is the uncontrolled smoking in public places. The City of Pawtucket intends, by the enactment of this chapter, to protect the health and atmospheric environment of the nonsmoker by regulating smoking in public areas.

345-2 Smoking prohibited.

A.

Smoking in any form is a public nuisance and dangerous to public health and shall not be permitted in any buildings or portions of buildings owned, rented, leased or used by the City of Pawtucket or any of its departments, boards, commissions, semiautonomous bodies or other agencies of the city. Also, smoking shall be prohibited within twenty-five (25) feet of any entrance into or exit out of said buildings or portions of buildings.

B.

The proprietor or other person in charge of a public area listed above shall make reasonable efforts to prevent smoking and shall post "No Smoking" and "Warning" signs conspicuously in these areas.

345-3 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

SMOKING

Includes the inhaling, exhaling, burning or carrying of any lighted smoking equipment or paraphernalia for tobacco or any other weed or plant.

345-4 Exceptions.

The prohibitions of this chapter shall not apply to the following:

A.

Any building or portion of building which is used solely as a private residence.

B.

Any buildings owned by the Pawtucket Redevelopment Agency; however, this exception does not apply to those buildings or portions of buildings being used by a department, board,

commission, semiautonomous body or other agency of the City of Pawtucket.

C.

The use of a tobacco product if used as part of a limited classroom demonstration to show the health hazards of tobacco.

D.

McCoy Stadium.

E.

A designated employee smoking area.

[Added 1-26-1995 by Ch. No. 2377]

345-5 Criteria for designated employee smoking area.

[Added 1-26-1995 by Ch. No. 2377]

The following criteria shall be used for the selection of a designated employee smoking area (DESA) in each public building:

A.

There shall be no more than one (1) DESA per building unless a second area is needed as a reasonable accommodation under the Americans With Disabilities Act. For the purposes of this chapter, City Hall, the Roosevelt Avenue Fire Station and the Roosevelt Avenue Police Station shall be considered three (3) separate buildings.

B.

The DESA shall not be in an area used by the public.

C.

The DESA shall not be in an area where combustible materials are stored or where any vehicles or machinery which contain combustible materials are stored.

D.

The DESA shall not be in a designated eating area.

E.

The DESA shall not be in a rest room.

F.

The DESA shall have some type of exhaust system which leads to the outside of the building.

345-6 Violations and penalties.

Any person who violates this chapter shall be deemed to be contributing to the maintenance of a public nuisance in a public place and shall be subject to a fine of not less than ten dollars (\$10.) nor more than one hundred dollars (\$100.).

Chapter 365 TOBACCO AND SNUFF

[HISTORY: Adopted by the Council of the City of Pawtucket, as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Curfew — See Ch. [173](#).

Drugs — See Ch. [182](#).

Loitering — See Ch. [266](#).

Nuisances — See Ch. [290](#).

Peace and good order — See Ch. [298](#).

Article I Purchase and Sale (§ 365-1 — § 365-2)

[Approved 7-11-1996 by Ch. No. 2419]

365-1 Prohibited acts; violations and penalties.

A.

In accordance with R.I.G.L. §§ [11-9-13](#) and [11-9-13.1](#), no person under the age of 18 years shall purchase nor shall any person sell, give or deliver to any person under 18 years of age any tobacco or snuff. The requirements contained in the above-noted legislation, including but not limited to notice, shall be complied with by any person, firm or corporation that owns, manages or operates a place of business in which tobacco products are sold.

B.

Any person or entity violating the provisions contained herein or the provisions of the above-noted legislation of the State of Rhode Island shall be penalized in accordance with that state's legislation.

365-2 Disposition of fines.

One-half of the total amount of the fines collected by the city in accordance with the formula contained in the above-noted legislation shall be dedicated to the Police Athletic League (PAL) for the creation of substance abuse prevention programs.

Article II Use at Public Athletic and Recreational Facilities (§ 365-3 — § 365-7)

[Approved 4-9-1998 by Ch. No. 2484]

365-3 Definitions.

The following words and terms shall have the following meanings:

ATHLETIC FACILITIES IN THE CITY OF PAWTUCKET

Any athletic facility, including baseball, softball, football and soccer fields, basketball and tennis courts and bleacher areas, which is owned or operated by the City of Pawtucket.

RECREATIONAL FACILITIES IN THE CITY OF PAWTUCKET

Any playground, swimming pool or passive park which is owned or operated by the City of Pawtucket.

365-4 Tobacco use limited to designated areas.

A.

Smoking and other uses of tobacco products shall be limited to designated areas within any athletic facility owned or operated by the City of Pawtucket. The limitation does not pertain to any abutting private property.

B.

Designated smoking areas shall be determined by the Director of Public Works or his/her designee and shall provide reasonable accommodation for smokers.

365-5 Violations and penalties.

Any person who violates this article shall be deemed to be contributing to the maintenance of a public nuisance in a public place and shall be:

A.

Asked to stop smoking.

B.

Asked to leave the premises.

C.

Be subject to a fine of not less than \$10 nor more than \$100.

365-6 Signs to be erected.

The Public Works Department is hereby directed forthwith to cause conspicuous signs to be erected giving notice of the above.

365-7 Copies to be forwarded.

The City Clerk shall forward a copy of this article to each of Pawtucket's Youth Athletic Organizations with the recommendation of the City Council that it be incorporated into each organization's bylaws.

Chapter 218 FOOD ESTABLISHMENTS

[HISTORY: Adopted by the Council of the City of Pawtucket: Art. I, approved 10-17-1967 by Ch. No. 1135 as Secs. 15-10 through 15-12 and 15-17 through 15-39 of the 1966 Code; Art. II, approved 2-23-1984 as Ch. No. 1872. Amendments noted where applicable.]

GENERAL REFERENCES

Business registration — See Ch. [158](#).

Article I [General Regulations \(§ 218-1 — § 218-27\)](#)

Editor's Note: Inspections of food establishments are performed by the state.

[Approved 10-17-1967 by Ch. No. 1135 as Secs. 15-10 through 15-12 and 15-17 through 15-39 of the 1966 Code]

218-23 [Cleanliness of employees.](#)

All employees shall wear clean outer garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils or equipment. Employees shall not expectorate or use tobacco in any form in rooms in which food is prepared.