

HEALTH DEPARTMENT

Board of Health

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Amendments to the Tobacco Regulations

The following amendments have been adopted by the Board of Health and approved to take effect on **January 1, 2013**;

- **E-Cigarette:** Any electronic Nicotine Delivery Product composed of a mouthpiece, heating element, battery and/or electronic circuits that provides a vapor of liquid nicotine to the user, or relies on vaporization of solid nicotine or any liquid. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, e-pipes or under any other product name.
- **Nicotine Delivery Product:** Any article or product made wholly or in part of a tobacco substitute or otherwise containing nicotine that is expected or intended for human consumption, but not including a tobacco substitute prescribed by a licensed physician or a product that has been approved by the United States Food and Drug Administration for sale as a tobacco use cessation or harm reduction product or for other medical purposes and which is being marketed and sold solely for that approved purpose. Nicotine Delivery Product includes, but is not limited to, e-cigarettes.

A. Smoking Prohibited:

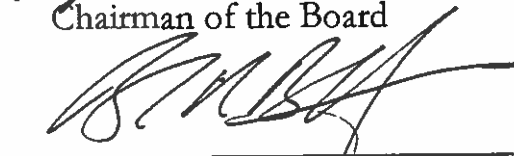
1. Smoking is prohibited in all workplaces and all public places including outdoor seating areas and private clubs.
2. Pursuant to M.G.L. Chapter 270, § 22(j), smoking is also hereby prohibited in private clubs, public places, workplaces, enclosed spaces, outdoor spaces, retail tobacco stores, smoking bars, and bars.

3. The use of e-cigarettes or other electronic nicotine delivery devices is prohibited wherever smoking is prohibited per M.G.L Chap 270 § 22 and Section D of this regulation.
 4. Within eight (8) feet of the main entrance to a building open to the public.
 5. It shall be unlawful for any employer or other person having control of the premises upon which smoking is prohibited by this regulation, or the business agent or designee of such person, to permit a violation of this regulation.
 6. Smoking is prohibited at any City sponsored event i.e.; Downtown Celebration, Music in the Park, etc. Smoking is prohibited at any sporting venue owned by the City, i.e. Joe Wolf Field, Alcombright Field, Greylock Field, Kemp Park, and any park or facility owned and operated by the City of North Adams
 7. The Campground is smoke free except for, campers at their own campsite only.
 8. Restaurants that extend their area through outdoor seating or serving areas fall under the smoke free work law and smoking is prohibited. These being an extension of their Food Service Establishment are to remain smoke free.
- Public place: Any building, facility or vehicle owned, leased, operated or occupied by the municipality, including, but not limited to, retail stores, retail food stores, supermarkets, restaurants, bars, libraries, museums, theaters, banks, Laundromats, indoor sports arenas, auditoriums, inn/hotel/motel lobbies, private and public educational facilities, shopping malls, common areas of residential buildings, public restrooms, lobbies, staircases, halls, exits, entrance ways, elevators accessible to the public, public mass transit conveyances and indoor platforms and enclosed outside platforms, open meetings of a governmental body as defined in section 11A of chapter 30 A, section 23A of chapter 39 and Section 9F of chapter 34, and licensed child-care locations.

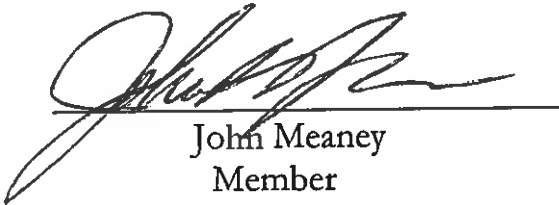
- No person or entity selling tobacco products shall allow anyone under eighteen (18) years of age to sell cigarettes or other tobacco products.
- Section 1006: Free Distribution:
No person shall distribute, or cause to be distributed, any free samples of tobacco products or nicotine delivery products.



John L. Moresi, DDS
Chairman of the Board



Brendan Bullett
Member



John Meaney
Member