

Salem Area Mass Transit District

**Ordinance 2000-03
as amended by
Ordinance 2014-03**

No Smoking Ordinance

SECTION 1. Title.

This ordinance shall be known as the No Smoking Ordinance and shall be so cited and pleaded.

SECTION 2. Purpose.

The Salem Area Mass Transit District Board of Directors find that smoking tobacco creates a health hazard. In order to reduce the health hazard associated with the smoke from tobacco products the Board finds that it is appropriate and necessary to ban smoking and the use of an e-cigarette in District buildings, facilities and vehicles.

SECTION 3. Definitions.

As used in this ordinance:

(1) "District building" or "District facility" means all buildings or facilities owned, operated or leased by the Salem Area Mass Transit District and includes any area owned or leased by the District in common with another owner or lessee who have also banned smoking in its buildings or facilities.

(2) "District vehicle" means any machine or vehicle owned or leased by the Salem Area Mass Transit District in which any person or property is or may be transported or drawn, however powered or propelled, and whether or not licensed to operate upon a public highway.

(3) "Smoke" or "Smoking" means to smoke or carry any lighted smoking product made of tobacco or tobacco products.

(4) "E-Cigarette" means a device used to simulate the experience of smoking, having a cartridge, or reservoir, with a heater that vaporizes liquid.

SECTION 4. No Smoking in District Building or Facility.

Except as expressly provided in Section 5, it shall be unlawful for any person to smoke or use an e-cigarette in any District building, facility or vehicle.

SECTION 5. Exceptions.

The District Board of Directors may designate areas in which smoking and the use of an e-cigarette is permitted.

SECTION 6. Enforcement.

- (1) Any person violating the provisions of this Ordinance may be subject to exclusion from any part or all of the District's buildings, facilities or vehicles to the same extent and in the same manner as provided in Section 5 of the Ordinance 2000-1, as amended or shall be punishable, upon conviction, by a fine of not more than \$100.00
- (2) If the person who knowingly violates the provisions of this Ordinance is an employee of the Salem Area Mass Transit District(non-elected official) the employee may be subject to discipline in lieu of paragraph (1) above.

SECTION 7. Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be considered a separate, distinct and independent provision and the holding shall not affect the validity of the remaining portions of this ordinance.

The foregoing is hereby certified to be a true copy of Ordinance 2000-03, as amended through Ordinance 2014-03 adopted under authority of ORS 267.150 and in accordance with ORS 198.510-198.600.

SALEM AREA MASS TRANSIT DISTRICT

By: _____
Kate Tarter, Secretary
SAMTD Board of Directors