

ORDINANCE NO. 4 - 1986

AN ORDINANCE OF THE TOWNSHIP OF CENTER, BEAVER COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 229 KNOWN AS "FIRE PREVENTION CODE OF THE TOWNSHIP OF CENTER" TO INCLUDE THE HEREINAFTER SECTIONS DEALING WITH SMOKING CONDITIONS AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF

BE IT ORDAINED AND ENACTED by the Board of Supervisors of the Township of Center, a municipal corporation under The Second Class Township Code, situate in Beaver County, Pennsylvania, **AND IT IS HEREBY ORDAINED AND ENACTED:**

SECTION 1 - General:

The smoking or carrying of a lighted pipe, cigar, cigarette or tobacco in any form is prohibited in the areas herein provided.

SECTION 2 - Prohibited Areas:

Smoking shall be prohibited where conditions are such as to make smoking a hazard including areas of warehouses, stores, industrial plants, institutions, schools, places of assembly, and in spaces where combustible materials are stored or handled. The fire marshall shall designate specific safe locations, if necessary, in any building, structure or place in which smoking may be permitted. Resolution No. 414 of 1986 of the Center Area School District is hereby incorporated by reference, made a part hereof, and attached hereto, **A Resolution of the Board of Directors of the Center Area School District, Beaver County, Pennsylvania, Adopting a School Rule Promoting Fire Prevention by Establishing No Smoking Areas in School Buildings.**

SECTION 3 - "No Smoking" Signs:

The fire marshall is empowered and authorized to order the owner or occupant to post **No Smoking** signs in each building, structure, room or place in which smoking

shall be prohibited. The content, lettering, size, color and location of required **No Smoking** signs shall be subject to the approval of the fire marshall.

SECTION 4 - Removal of signs prohibited:

It shall be unlawful for any person to obscure, remove, deface, mutilate, or destroy a posted **No Smoking** sign.

SECTION 5 - Compliance with "No Smoking" signs:

It shall be unlawful for any person to smoke, throw or deposit any lighted or smoldering substance in any place where **No Smoking** signs are posted.

SECTION 6 - Ash Trays:

Where smoking is permitted, there shall be provided on each table and at other convenient locations suitable noncombustible ash trays or match receivers.

SECTION 7 - Penalties:

Any person who shall violate the aforementioned sections of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not less than \$25.00 or more than \$300.00 and/or shall undergo imprisonment for a period not exceeding thirty (30) days.

SECTION 8 - Inconsistent Ordinances:

All Ordinances and parts of Ordinances inconsistent with this ordinance are hereby repealed in so far as they may be inconsistent herewith.

SECTION 9: - Severability

The provisions of this Ordinance shall be severable; and, if any provision thereof shall be declared unconstitutional, illegal or invalid, such decision shall not effect the validity of any of the remaining provisions of this ordinance. It is hereby declared as the legislative intent of the Township Supervisors that this Ordinance would have been enacted had such unconstitutional, illegal or invalid provisions not been included herein.

ENACTED AND ORDAINED into an Ordinance this 5 day of May, 1986.

**BOARD OF SUPERVISORS OF THE
TOWNSHIP OF CENTER**

(SEAL)

ATTEST:

Vernon J. Greco

By Frank Vescio
Frank Vescio, Chairman

Anthony H. Amadio
Anthony H. Amadio

APPROVED AS TO LEGAL FORM:

B. J. Rabik
BERNARD J. RABIK, ESQUIRE

William DiCioccio

Dick Huff
Dick Huff

Fred Taddeo
Fred Taddeo

RESOLUTION NO. 414 - 1986

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CENTER AREA SCHOOL DISTRICT, BEAVER COUNTY, PENNSYLVANIA, ADOPTING A SCHOOL RULE PROMOTING FIRE PREVENTION BY ESTABLISHING NO SMOKING AREAS IN SCHOOL BUILDINGS.

BE IT RESOLVED, by the Board of Directors of the **Center Area School District**, a school district of the third class under the Public School Code of 1949, as amended, embracing in territorial extent the Township of Center, Beaver County, Pennsylvania, **AND IT IS HEREBY RESOLVED:**

1. The lighting, igniting, smoking, or otherwise setting to fire any cigar, cigarette, pipe tobacco, or other form of tobacco, or holding, throwing, or depositing ignited tobacco within the posted areas of School District buildings is prohibited. Violation of this Rule shall be prosecuted under the applicable Fire Code of the municipality in which the school building is situated; such prosecution shall not relieve any pupil offender from disciplinary punishment as provided by the applicable Code of Student Conduct.

2. Defacing or removing posted signs marked "**No Smoking**" is prohibited. Violation of this Rule shall be prosecuted under the applicable Fire Code of the municipality in which the school building is situated; such prosecution shall not relieve any pupil offender from disciplinary punishment as provided by the applicable Code of Student Conduct.

3. The following areas are hereby established as smoking areas in each school building; all other areas shall be posted as "No Smoking" areas:

- (a) All administrative offices.
- (b) All faculty rooms and faculty dining rooms.
- (c) All employee work areas where student access is restricted.
- (d) During the progress of any school board meeting or committee meeting thereof in places approved by the District Superintendent or established by the Board of Directors.
- (e) Smoking may be permitted by each building principal during public events held in any school cafeteria.

4. Any person observed violating this Rule should be directed to the office of the principal of the building in which the violation occurred. The building principal or his designee shall report each violation of this Rule to the Fire Marshall of the affected municipality and shall assist the Fire Marshall in the prosecution of all such violations. The building principal shall have full authority to release school employees and excuse school pupils for their necessary attendance at any hearing held to prosecute any violation of this School Rule.

This School Rule shall be effective APRIL, 1986.

ADOPTED this 14th day of April, 1986.

(SEAL)

CENTER AREA SCHOOL DISTRICT

By

Geni Evanko
President of the Board of Directors

ATTEST:

Beverly Harrison
Secretary