

**ORDINANCE NO. 1147**

**ORDINANCE OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY, ADDING CHAPTER 103, SMOKING IN PUBLIC PLACES, TO THE CODE OF THE BOROUGH OF BARRINGTON**

**BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Barrington, County of Camden, and State of New Jersey, that Chapter 103, Smoking in Public Places, to the Code of the Borough of Barrington, is added as follows:

**ARTICLE I.                    SECTION 103-1                    Definitions.**

As used in this chapter, the following words and phrases shall have the following meanings:

**MUNICIPAL BUILDINGS** — All structures owned, leased, rented and/or operated by the Borough of Barrington, and/or occupied by Borough employees and used for official business of the Borough of Barrington.

**PARKS AND RECREATIONAL FACILITIES** — All public parks, playgrounds and ball fields publicly owned or leased by the Borough of Barrington upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities, including all areas adjacent to such facilities, including, but not limited to, any parking area, driveway or drive aisle.

**SMOKING** — the burning of, inhaling, exhaling and or the inhaling and exhaling the smoke and or vapor from or the possession of a lighted cigar, cigarette, e-cigarette, pipe, battery or electronic smoking device, or other paraphernalia that can be used to consume tobacco, e-liquid, cannabis, marijuana products or a tobacco like substance. Tobacco products encompasses all smokeless tobacco, including, but not limited to, chewing tobacco; loose leaf tobacco; tobacco pellets; plug tobacco; twist or rope tobacco; dipping tobacco and dissolvable tobacco.

**ARTICLE II.                    SECTION 103-2                    Prohibition of smoking in public places.**

A.        No person shall smoke within the boundary of the Barrington Borough-owned properties including, but not limited to, the Barrington Borough Hall, the Barrington Department of Public Works, the Barrington Firehouse/Ambulance Building and/or the Barrington Senior Community Center, except in areas specifically designated as smoking areas by Resolution of the Barrington Borough Council.

B.        No person shall smoke within five hundred (500) feet of any recreational equipment or recreational playing fields in all public parks and recreation facilities owned or leased by the Borough of Barrington and all property owned or leased by the Borough of Barrington upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities, including all areas adjacent to such facilities, including, but not limited to, any parking area, driveway or drive aisle.

**ARTICLE III. SECTION 103-3**

**Enforcement.**

The enforcement authority of this chapter shall be the Police Department, Fire Department, Recreation Department, Public Works Department and Health Department of the Borough of Barrington.

**ARTICLE IV. SECTION 103-4**

**Violations and penalties.**

Any person who violates any provision of this Article shall, upon conviction in the Municipal Court of the Borough of Barrington, or such other court having jurisdiction, be liable to a fine of not less than \$50.00, and not exceeding \$1,250.00, or imprisonment for a term not exceeding 90 days, or community service for a term not exceeding 90 days, or all of the above. Any municipal employee found in violation of this chapter may also be subject to discipline in accordance with the provisions of the Borough of Barrington's policies and procedures.

**ARTICLE V.**

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

**ARTICLE VI.**

This Ordinance shall take effect upon passage and publication according to law.

**BOROUGH OF BARRINGTON**

**Introduced: August 10, 2021**

**Adopted: September 14, 2021**