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ORDINANCE AMENDMENT OF THE NEW HAVEN BOARD OF ALDERS TO THE NEW HAVEN CODE OF ORDINANCES AMENDING CHAPTER 17 BY ADDING ARTICLE XIX TO ESTABLISH TOBACCO AND SMOKING PRODUCTS RETAIL LICENSE REQUIREMENTS; UPDATING LICENSING FEES IN ARTICLE XX. - FEES AND CHARGES, AS APPLICABLE TO THESE RETAILERS; AND UPDATING CHAPTER 16, ARTICLE VI REGARDING THE PROHIBITION OF TOBACCO, SMOKING, VAPOR, AND NICOTINE PRODUCTS.

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Whereas, it is the public policy of the city to reduce the exposure of children to the marketing of tobacco, nicotine, and smoking products in order to promote their health, safety, and welfare;

Whereas, the city finds the use of these products have prevalent, material, and predictable harmful impacts on the health of individuals and pose a significant threat to the public health of its inhabitants;

Whereas, thousands of users of tobacco and smoking products and other individuals exposed to second-hand smoke die or are stricken with illnesses every year that are attributed to tobacco and smoking products use;

Whereas, tobacco and smoking products advertising, whether intended to promote tobacco, smoking, vaping, and nicotine products use or only to compete for market share, has the consequence of promoting tobacco, smoking, vaping, and nicotine products use;

Whereas, tobacco, smoking, vaping, and nicotine products advertising helps significantly entice children and youth to initiate tobacco, smoking, vaping, and nicotine products use;

Whereas, children and youth are more receptive than adults to the clever images and messages contained in tobacco, smoking, vaping, and nicotine products advertising and are likely to purchase the most heavily-advertised brands;

Whereas, exposure to tobacco, smoking, vaping, and nicotine products marketing, adult and peer usage are the greatest risk factors for teenage children and youth that decide to use these products;

Whereas, of these, exposure to marketing is the greatest risk factor;

Whereas, the prohibition on sales to children and youth is useful but is insufficient alone to discourage tobacco, smoking, vaping, and nicotine products use among children and youth;

Whereas, the city believes that additional measures must be taken to reduce the exposure of children and youth to tobacco, smoking, vaping, and nicotine products advertising;

Whereas, pursuant to the statutes of the State of Connecticut, the city has the power to regulate and prohibit any trade or business, which is or may become prejudicial to public health, and may make lawful regulations and chapters in furtherance of public health;

Whereas, to encourage the protection of the public health, the city seeks to reduce the exposure of children and youth to tobacco, smoking, vaping, and nicotine products sales, marketing, and use by taking measures that include:

1. Prohibiting certain outdoor advertising in public places and certain indoor advertising of tobacco, smoking, vaping, and nicotine products in places likely to be frequented by children and youth;
2. Prohibiting the marketing of tobacco, smoking, vaping, and nicotine products in proximity to schools, parks, and other locations frequented by children and youth;

3. Prohibiting certain tobacco, smoking, vaping, and nicotine products marketing methods that are aimed at children and youth that are likely to induce or encourage the use of these products among children and youth;
4. Creating a licensing system with penalties as a means of enforcing the requirements of this article on those who sell tobacco, smoking, vaping, and nicotine products; and
5. Prohibiting the use of tobacco, smoking, vaping, and nicotine products at all schools located within the city.

Whereas, it is the public policy of the city to reduce the access by youth to tobacco, smoking, vaping, and nicotine products to promote the health, safety, and welfare of New Haven's youth;

Whereas, raising the minimum legal sale and distribution age for all tobacco, smoking, vaping, and nicotine products to twenty-one (21) years old reduces access to these products by youth, as teens often acquire such products from social networks, including older friends, as the vast majority of those providing tobacco, smoking, vaping, and nicotine products for youth aged seventeen (17) years old and under are themselves between eighteen (18) and twenty (21) years old and are able to purchase legally;

Whereas, select findings from the 2023 Connecticut School Health Survey (CSHS) reflect the current use of tobacco and smoking products is reported at 11.5 percent among Connecticut high school students, with usage rising to 15.8 percent for 12th graders;

Whereas, thirty-five percent (35%) of high school students reported they had been exposed to smoke or vapor from someone else who was smoking or vaping;

Whereas, the CSHS survey shows the vast majority of youth (92% of vaping users) are using flavored vaping devices;

Whereas, the Institute of Medicine predicted in a 2015 report that raising the minimum legal sales age for tobacco and smoking products to twenty-one (21) nationwide will have a substantial positive impact on public health and provide long-term declines in smoking rates by reducing tobacco and smoking products initiation among youth aged fifteen-to-seventeen (15-17) by twenty-five percent (25%) and overall prevalence of tobacco and smoking products use by twelve percent (12%);

Whereas, the city believes that additional measures must be taken to reduce youth access to all tobacco, smoking, vaping, and nicotine products;

Whereas, pursuant to the statutes of the State of Connecticut, the city has the power to regulate and prohibit any trade or business which is or may become harmful to public health and may make lawful regulations and chapters in furtherance of public health;

Whereas, to encourage the protection of public health, the city seeks to prevent and reduce youth access to tobacco, smoking, vaping, and nicotine products by taking measures that include:

1. Prohibiting the sale of all tobacco, smoking, vaping, and nicotine products to persons under the age of twenty-one (21) years old;

2. Requiring tobacco, smoking, vaping, and nicotine products retailers to verify age by examining valid identification;
3. Requiring tobacco, smoking, vaping, and nicotine products retailers to display signage that informs people that "The sale of tobacco, nicotine, and smoking products to persons under twenty-one (21) years old is prohibited;" and
4. Using the tobacco, smoking, vaping, and nicotine products licensing system as a means of enforcing the requirements of this article; and

Whereas, the licensing requirements for tobacco, smoking, vaping, and nicotine products retailers shall take effect on September 1, 2025, to give retailers time to comply.

NOW, THEREFORE, BE IT ORDAINED by the New Haven Board of Alders that the following chapters of New Haven's Code of Ordinances be amended: Chapter 17 by adding Article XIX, "Tobacco and Smoking Products Retail License;" Chapter 17, Article XX – Fees and Charges, as applicable to these retailers; and Chapter 16, Article VI regarding the prohibition of tobacco, smoking, vapor, and nicotine products as incorporated herein by reference.

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ARTICLE XIX. - TOBACCO AND SMOKING PRODUCTS RETAIL LICENSE

Sec. 17-177. - Provisions of Article I apply.

The provisions contained in Article I "Licenses and Permits in General," of this chapter apply to the activities regulated by this article.

Sec. 17-178. - Short title.

This article shall be known and cited as the "City of New Haven's Tobacco and Smoking Products Retail License."

Sec. 17-179. - Definitions.

When used in this chapter, the following words and terms shall have the following meanings:

(c) *Distance restrictions* means any of the following:

- (1) *Distance limit to school, religious institution, public park.* No retailer of tobacco and smoking products, smoke shop, or smoking place shall be permitted to locate, relocate, or remove to any location where the outside entrance of such location is within 1,000 feet from the property line of any public or private elementary or secondary school, house of worship, or public park; and
- (2) *Distance limit between retailers of tobacco and smoking products, smoke shops, and smoking places.* No retailer of tobacco and smoking products, smoke shop, or smoking place shall be permitted to locate within 3,000 feet of another retailer of tobacco and smoking products, smoke shop, and smoking place except as provided in Section 42.7(e).

Measurement of distance between retailers of tobacco and smoking products, smoke shops, and smoking places. The distance between retailers of tobacco and smoking products, smoke shops, and smoking places shall be measured from outside entrance to outside entrance. However, where a retailer of tobacco and smoking products, smoke shop, or smoking place is located within a structure of more than 50,000 square feet, the outside entrance of such location shall be the outer perimeter of the selling area under the license, as shown on the approved floor plan signed by the Zoning Enforcement Officer.

Public park means any public park of the city, whether designated as a park, park land, open space, or recreation area on the master plan of the city or on local zoning, assessment, engineering, or geographic information system maps, as well as any other location used as a park within the city.

Public place means any public area, including public parks and schools, where a tobacco and smoking product advertisement is located or from which a tobacco and smoking product advertisement on public or private property can be seen, including, but not limited to, advertisements on billboards, buildings, store fronts, public transportation vehicles including buses, taxicabs, government real property, and tobacco and smoking products advertisements at all places of public convenience frequented or likely to be frequented by children and youth, including without limitation sports or entertainment facilities, fields, and arenas open to the public, except for adult establishments such as bars, nightclubs, and other places of public entertainment where children and youth are excluded by law. *Public place* does not mean or include any location intended to be visible only by those inside a premises, a private residence, or a multiple dwelling unit.

Retailer of tobacco and smoking products or *retailer* means any retailer whose business involves the sale of tobacco and smoking products. *Retailer of tobacco and smoking products* also means businesses that hold a Cigarette Dealers, Dealer of Electronic Nicotine Delivery System, or Vapor Product License.

School means any public, private, parochial, charitable, charter or nonprofit daycare, elementary or secondary school, junior college or university, other than a trade or business school, including instructional and recreational uses, with or without living quarters, restaurants, dining rooms, kitchens, heating plants and other support facilities for students, teachers and employees, including support to multiple facilities, student bodies, and/or teacher groups, as well as any other facilities or uses which may be approved or required in the future by the Connecticut State Department of Education.

Smoke shop means a means a retailer dedicated to the sale of smoking products or paraphernalia. Examples of such products include but are not limited to: Tobacco, cigarettes, cigars, smokeless tobacco (such as dip and chewing tobacco), rolling papers, smoking pipes, bongos, hookahs, e- cigarettes, and vaping devices.

Smoking place means any establishment that offers the sale of tobacco and smoking products for on- site consumption. Examples of such uses include hookah lounges and cigar lounges.

Tobacco and smoking products means any of the following:

- (1) product containing, made, or derived from tobacco or nicotine, whether natural or synthetic, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, snorted, sniffed, absorbed, dissolved, inhaled, or ingested by any other means, including, but not

limited to, cigarettes, e-liquids, cigars, little cigars, pipe tobacco, smoking products, chewing tobacco, snuff, snus, nicotine pouches, or vapors;

- (2) electronic delivery systems, including any device used to deliver nicotine or any other substance to the user of the device including, but not limited to: e-cigarettes, e-cigars, e-pipes, vapor products, or e-hookahs; and
- (3) any component or accessory used in the consumption of tobacco and smoking products, whether they contain nicotine, including, but not limited to, filters, cartridges, pods, pens, rolling papers, pouches, or pipes.

Tobacco and smoking products does not mean drugs, devices, or combination products authorized for sale as a tobacco and smoking products cessation product approved by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act (FD&C Act).

Tobacco and smoking products advertisement means the use of any promotional material in any media to market tobacco and smoking products or to promote tobacco and smoking products use, including the sponsorship of sporting or entertainment events or the sponsorship of individual teams, entrants, or competitors, advertising the sale or promoting the use of tobacco and smoking products in a public place, except retailers of tobacco and smoking products who may use only tombstone advertising after such retailer obtains a *tobacco and smoking products license* pursuant to this chapter. *Tobacco and smoking products advertisement* does not mean advertisements on commercial vehicles used for transporting tobacco and smoking products or any sign that contains the name or slogan of the business located within the premises on which such sign is located, provided such sign does not contain a brand name of a tobacco and smoking product.

Tobacco and smoking products license or *license* means the *license* specified herein which must be obtained from the New Haven Health Department by every retailer selling tobacco and smoking products directly to the public.

Tobacco and smoking products sale means the actual sale, including face-to-face sales, self-service sales methods, free distribution or giveaway of *tobacco and smoking products* alone or in combination with other goods, services, merchandise, or marketing promotions, as well as the sale or distribution of individual *tobacco and smoking products* or the sale or distribution of a lesser number of *tobacco and smoking products* than the advertised count on a typical pack or container.

Tombstone advertisement means the posting in public view of announcements as to the availability of *tobacco and smoking products* and the price thereof on a sign, which shall be in a black-and-white format only and may not contain logos, artwork, imagery, slogans, or opinions about *tobacco and smoking products* or promote the use thereof.

Sec. 17-180 - Prohibited practices.

- A. *Tobacco and smoking products advertisements* are prohibited in *public places* as specified in this article.
- B. *Tobacco and smoking products sales* are prohibited by vending machine or other self-vending methods except in places where persons under the age of twenty-one (21) are excluded by law.

- C. Marketing of *tobacco and smoking products* is prohibited in the locations and manners specified in this article.
- D. *Tobacco and smoking products sales* are prohibited except in accordance with this article after obtaining a *tobacco and smoking products license* as described below.
- E. Use of *tobacco and smoking products* is prohibited on *school* properties.

Sec. 17-181 - Minimum legal sales age and signage.

- A. No *tobacco and smoking products retailer* shall themselves, or through any agent, employee, or representative, give, sell, barter, or otherwise distribute any *tobacco and smoking products* to any person under twenty-one (21) years of age, or such age as may be set by the Connecticut General Statutes as amended from time to time.
- B. Each person selling or otherwise distributing *tobacco and smoking products* shall verify the age of the purchaser by means of a government-issued photographic identification containing the bearer's date of birth demonstrating that the purchaser is twenty-one (21) years of age or older. Verification is required for any persons who appears to be under the age of thirty (30).
 - 1. It shall not constitute a defense to a violation of this article that a person appears to be over the age of twenty-one (21).
 - 2. No *tobacco and smoking products retailer* or the *tobacco and smoking products retailer's* agent, employee, or representative shall sell any *tobacco and smoking products* to the purchaser who fails to provide adequate proof of age.
- C. Each location where *tobacco and smoking products* are available for purchase shall clearly and conspicuously post signs containing the following:
 - 1. "THE SALE OF TOBACCO, SMOKING, OR NICOTINE PRODUCTS TO PERSONS UNDER 21 IS PROHIBITED."
 - 2. "THIS PREMISES IS NOT AUTHORIZED TO SELL CANNIBIS PRODUCTS."
 - 3. Signs shall be legibly printed in letters at least one inch high.
 - 4. Signs shall be in English and Spanish and other languages, as needed.
- D. Selling or otherwise distributing *tobacco and smoking products* any place that does not have a sign posted in a conspicuous place is prohibited by law and punishable consistent with this article.

Sec. 17-182 - Tobacco and smoking products license procedure.

- A. As of the effective date of this ordinance:
 - 1. No tobacco and smoking products retailer which commences operations on or after the effective date of this chapter shall engage in the sale of tobacco and smoking products

without first obtaining a *tobacco and smoking products license* from the New Haven Health Department;

2. Any tobacco and smoking products retailer existing prior to the effective date of this chapter may continue to engage in *tobacco and smoking products sales* through September 30, 2025;
3. As of October 1, 2025, no retailer shall engage in the sale of tobacco and smoking products without first obtaining a *tobacco and smoking products license* pursuant to this chapter.

B. To obtain a license a retailer shall:

1. Submit an application to the New Haven Health Department on a form provided by the department and upon submission of supporting evidence demonstrating compliance with this chapter; and
2. Submit the license fee:
 - a. The *license* fee shall be one hundred fifty dollars (\$150.00) per year;
 - b. The *license* reinspection fee shall be one hundred dollars (\$100.00) for each reinspection; and
 - c. The *license* fee and *license* reinspection fee shall be reviewed and adjusted annually by the New Haven Health Department and approved by the Board of Alders. The fees for a *tobacco and smoking products license* and *license* reinspection should cover the administrative cost for licensing, education, and training, retail inspections, and unannounced compliance checks as outlined in this Chapter.

C. The duration of a *license* shall be for one year from the date issued.

D. A *license* shall not be transferred from one *tobacco and smoking products retailer* to another or from one location to another.

E. No *license* shall be issued or renewed unless the *tobacco and smoking products retailer* signs a form stating that the *tobacco and smoking products retailer* has read this article and has provided training to all employees on the sale of *tobacco and smoking products*. Such training shall include information that the sale of *tobacco and smoking products* to persons under twenty-one (21) years of age is illegal, the types of identification legally acceptable for proof of age, and that sales to persons under twenty-one (21) years of age shall subject the *tobacco and smoking products retailer* to penalties.

F. A *retailer of tobacco and smoking products* premises must be open to inspection by the New Haven Health Department during regular business hours.

G. A *license* shall be displayed and exhibited to any person upon request.

Sec. 17-183 – Enforcement and Complaint Mechanism

- A. The director of the New Haven Health Department or designee is hereby authorized to enforce the terms of this article.
- B. In the conduct of enforcement of this article the New Haven Health Department may:
 - 1. Conduct unannounced compliance checks engaging persons between the ages of eighteen (18) and twenty (20) to enter licensed premises to attempt to purchase *tobacco and smoking products*; and
 - 2. Make unannounced follow-up compliance checks for any noncompliant *tobacco and smoking products retailer*.
- C. The New Haven Health Department shall publish the results of all compliance checks and inspections.
- D. Any person who desires to register a violation pursuant to this article, may contact the New Haven Health Department, and the New Haven Health Department shall investigate such allegation and take such enforcement measures as may be warranted.

Sec. 17-184 - Violations and Penalties.

- A. Violations of this article by a *tobacco and smoking products retailer* shall be punishable by fine, suspension, or revocation of *license*, as follows:
 - 1. Upon a first violation of this article, the health department shall impose a fine of \$150.00.
 - 2. If a second violation is issued within a thirty-six (36) month period, the New Haven Health Department shall impose a fine of five hundred dollars (\$500.00) or the maximum allowed by state statute and, in addition, shall suspend the retailer's *tobacco and smoking products license* for a period of seven (7) calendar days.
 - 3. If a third violation is issued within a thirty-six (36) month period, the New Haven Health Department shall impose a fine of up to one thousand dollars (\$1,000.00), or the maximum allowed by state statute and shall revoke the retailer's *tobacco and smoking products license*.
 - 4. For all establishments in violation of this article, the New Haven Health Department shall send referrals to be reviewed by the New Haven police chief, the State of Connecticut Department of Revenue Services for the renewal of Tobacco Dealers Licenses, and the State of Connecticut Department of Consumer Protection for the renewal of the Dealer of Electronic Nicotine Delivery Systems License and Vapor Product License.
- B. Each violation and every day in which a violation occurs shall constitute a separate offense. The decision that a violation has occurred shall be in writing mailed to the *tobacco and smoking products retailer* by the New Haven Health Department. The notice shall specify the article and section with which the *tobacco and smoking products retailer* is in violation no later than seven (7) days from the date of the violation. *Tobacco and smoking products retailers* have the right to appeal civil penalties in accordance with this article.

- C. Upon suspension or revocation of a *tobacco and smoking products license*, all *tobacco and smoking products* shall be removed from the premises. Failure to remove all *tobacco and smoking products* shall constitute a separate violation punishable by a fine of one thousand dollars (\$1,000.00) or the maximum allowed by state statute to be set by the New Haven Health Department for every day of noncompliance.
- D. A *tobacco and smoking products license* issued under this article may be denied, suspended, or revoked by the New Haven Health Department through written notice should the *tobacco and smoking products retailer* or *tobacco and smoking products retailer's* agent, employee, or representative, directly or indirectly:
1. Sell tobacco and smoking products without a valid *tobacco and smoking products license*;
 2. Fail to pay fines issued in accordance with this article;
 3. Have a *tobacco and smoking products license* or state license revoked within the preceding twelve (12) months of the date of application;
 4. Fail to provide required information or provide false or misleading information on the application for a *tobacco and smoking products license*; or
 5. Violate any federal, state, or local *tobacco and smoking products* sales and use laws.
 6. Violate a federal, state, or local law related to the sale, distribution, or possession of cannabis.
- E. Violations of this article by an advertiser, marketer, or promoter of *tobacco and smoking products*, other than a *tobacco and smoking products retailer*, shall be punishable by a fine of one thousand dollars (\$1,000.00) or the maximum allowed by state statute to be set by the New Haven Health Department per day for each day the violation continues.
- F. All fines collected from violations of this article are to be deposited into a fund administered by the New Haven Health Department to cover the administrative costs for licensing, education, and training, retail inspections, unannounced compliance checks, and the regulation of marketing of *tobacco and smoking products*.

Sec. 17-185 - Phase-in applicable to certain businesses.

If a *retailer of tobacco and smoking products* demonstrates to the reasonable satisfaction of the New Haven Health Department within sixty (60) days of the effective date of this article it entered into a written agreement before the effective date of this article pertaining to the sale, advertisement, or self-service sales method, or other marketing of *tobacco and smoking products* that would otherwise be prohibited by this article, and further demonstrates that such written agreements would be materially violated or cancelled upon the enforcement of this article against such *retailer of tobacco and smoking products*, the New Haven Health Department may issue an appropriate waiver of the strict enforcement of one or more of the provisions of this chapter, but only as to the specific business relationship, which waiver shall not be granted for a period in excess of two (2) years from the effective date of the agreement or for the length of the agreement, if the agreement is for a shorter period of time.

Sec. 17-186 - Public education.

The New Haven Health Department shall engage in a continuing public health education program to explain and clarify the purposes and requirements of this article to citizens affected by it and to guide *tobacco and smoking products retailers* in their compliance. The program may include publication of a brochure for affected *tobacco and smoking products retailers* explaining the provisions of this article and signage mandated by this article.

Sec. 17-187 - Rulemaking authority.

The New Haven Health Department is hereby authorized to promulgate rules and regulations to carry out the purpose and intent of this article as approved by the Board of Alders to protect the public health, safety, and welfare of residents.

Sec. 17-188 - Appeals Procedure.

Any person aggrieved by an order of the New Haven Health Director under this ordinance may appeal to the State Commissioner of Public Health, not later than three (3) business days after the date of such person's receipt of such order, as provided by Con. Gen. Stat. 19a-229, as amended from time to time.

Sec. 17-189- Liberal construction.

This article shall be construed liberally to further its purposes.

Sec. 17-190 - Severability.

The provisions of this section are hereby declared severable, and if any provision, clause, sentence, or paragraph of this article or the application thereof to any person or circumstances held by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such a ruling shall not affect the other parts of this article that can be given effect.

Sec. 17-191 - Effective date.

The effective date of this article shall be September 1, 2025. Secs. 17-192—17-200. - Reserved.

ARTICLE XX. FEES AND CHARGES

Sec. 17-201. Permit, license and user fees. Health Department

Tobacco and Smoking Products License— annual fee \$150.00

Tobacco and Smoking Products Retailer Reinspection—\$100.00

ARTICLE VI. PROHIBITING THE USE OF ALL FORMS OF TOBACCO IN CITY PARKS, ON SCHOOL GROUNDS AND ON ANY OTHER DESIGNATED CITY- OWNED PROPERTY.

Sec. 16-141. Definitions.

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

Enforcement. All law enforcement officers of the city including the mayor of the city, the chief of the police department, director of the health department, or designees.

Recreational property. Property owned by the city and which is under the supervision and control of the city's Parks Department and used in connection with recreational programs, including athletic facilities, parks, playgrounds, trails, and other areas where people may assemble for recreational purposes. This includes any community, recreational, or senior center building located on park property. Recreational property shall not include school grounds.

School means any public, private, parochial, charitable, charter or nonprofit daycare, elementary or secondary school, junior college or university, other than a trade or business school, including instructional and recreational uses, with or without living quarters, restaurants, dining rooms, kitchens, heating plants and other support facilities for students, teachers and employees, including support to multiple facilities, student bodies, or teacher groups, as well as any other facilities or uses which may be approved or required in the future by the Connecticut State Department of Education.

Tobacco and smoking products means any of the following:

- (1) product containing, made, or derived from tobacco or nicotine, whether natural or synthetic, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, snorted, sniffed, absorbed, dissolved, inhaled, or ingested by any other means, including, but not

limited to, cigarettes, e-liquids, cigars, little cigars, pipe tobacco, smoking products, chewing tobacco, snuff, snus, nicotine pouches, or vapors;

- (2) electronic delivery systems, including any device used to deliver nicotine or any other substance to the user of the device including, but not limited to: e-cigarettes, e-cigars, e-pipes, vapor products, or e-hookahs; and
- (3) any component or accessory used in the consumption of tobacco and smoking products, whether they contain nicotine, including, but not limited to, filters, cartridges, pods, pens, rolling papers, pouches, or pipes.

Tobacco and smoking products does not mean drugs, devices, or combination products authorized for sale as a tobacco and smoking products cessation product approved by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act (FD&C Act).

(Ord. No. 1772, § A, 5-18-15)

Sec. 16-142. The use of any tobacco product is banned in designated public places.

It shall be prohibited for an individual to use any tobacco product in any form while in a city park or other city-owned recreational property, on school grounds, or on any other designated city-owned property.

(Ord. No. 1772, § B, 5-18-15)

Sec. 16-143. Enforcement.

Members of the New Haven Police Department shall be charged with the enforcement of this article. Such officer of the department shall inform the violator of this article and take enforcement action when a violation has occurred.

(Ord. No. 1772, § C, 5-18-15)

Sec. 16-144. Penalty for violation.

Police officers or other such designated authorized officials may issue a citation for violation of this chapter. Persons receiving said citations shall be deemed to have committed an infraction and shall be fined not more than one hundred dollars (\$100.00) for each violation of any provision of this article. Such citation may be on a form as prescribed by the City of New Haven.

(Ord. No. 1772, § D, 5-18-15)

Sec. 16-145. Signage.

City parks, city-owned recreational areas, public school grounds and other specified sections of city-owned property where tobacco use has been banned pursuant to this chapter shall be designated by signs that give notice of those areas of prohibition. The city shall post signs on such properties stating that it is a "Tobacco and Smoking Products Free Zone" to indicate that the property is subject to this article. The signs shall identify this ordinance by number and shall state the penalty amount for violating this article.

(Ord. No. 1772, § E, 5-18-15)