

**ORDINANCE 2017-07**

**AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, LAKE WALES CODE OF ORDINANCES; AMENDING THE SMOKING POLICY TO INCLUDE VAPING; PROVIDING FOR AN EFFECTIVE DATE.**

**BE IT ENACTED** by the City Commission of the City of Lake Wales, Polk County, Florida.

**SECTION 1.** Chapter 2, Administration, Lake Wales Code of Ordinances is hereby amended to read as follows:

**ARTICLE III PERSONNEL ADMINISTRATION.**

**DIVISION 1. GENERAL POLICIES.**

**Secs. 2-230.01 Smoking, Vaping and Other Tobacco Products**

- (a) The purpose of this policy is to protect the public health, comfort, and environment for citizens and employees by creating areas in public places and at public meetings that are reasonably free from tobacco products smoke, and to comply with Florida Statute, the Florida Clean Air Act.
- (b) No employee may smoke or vape in any City building, facility or vehicle. This includes, but is not limited to, private offices, hallways, rest rooms, conference rooms and break rooms, even with only one occupant.
- (c) Smoking, vaping and other tobacco use is permitted outdoors except for the following conditions:
  - (1) Whenever a safety hazard exists;
  - (2) In any area where smoking, vaping and other tobacco use is specifically prohibited by Federal, State, County or City Ordinance;
  - (3) In any area posted "No Smoking".
- (d) The City Manager is responsible for ensuring City-wide implementation of this policy. Department Heads and Managers are responsible for uniform implementation of this policy in their respective work areas, facilities and buildings.
- (e) Violation of this policy shall subject the employee to disciplinary action up to and including termination.

- (f) Citizens, clients, contractors and visitors to City facilities are expected to comply with this policy. Violators will be requested to extinguish their smoking material or leave the building/facility area if they refuse to do so.

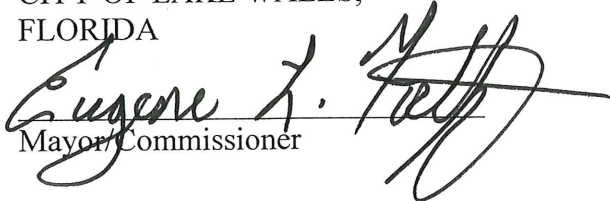
**SECTION 2.** All ordinances and parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3.** If any clause, section or provision of this ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said ordinance shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

**SECTION 4.** This ordinance shall become effective immediately upon its passage by the City Commission.

CERTIFIED AS TO PASSAGE, this 18<sup>th</sup> day of April, 2017.

CITY OF LAKE WALES,  
FLORIDA

  
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Mayor/Commissioner

ATTEST:

  
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City Clerk