

CITY OF NEWTON

IN BOARD OF ALDERMEN

December 17, 2007

ORDINANCE Z-17

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEWTON

AS FOLLOWS:

That the Revised Ordinances of Newton, Massachusetts, 2007, as amended, be and are hereby further amended with respect to Section 20-7 as follows:

1. By deleting the provisions of Sec. 20-7, and inserting in place thereof the following language:

Sec. 20-7: Smoking prohibited – Sidewalks and Other Public Property

(a) No person shall smoke, possess or carry a lighted or smoldering cigarette, cigar, or pipe of any kind or any other smoking article at the following locations:

1. Upon the sidewalk at:

*Albemarle Road*, East side of easterly roadway from its intersection with Watertown Street northerly 299 feet.

*Edinboro Street*, West side from its intersection with Watertown Street northerly 257 feet.

*Watertown Street*, North side from its intersection with Albemarle Road (easterly roadway) easterly to its intersection with Edinboro Street;

2. Upon the sidewalk or other public property within a nine hundred (900) foot perimeter of the property line of Newton North High School grounds.

(b) The Commissioner of Public Works shall erect and maintain signs indicating the locations designated for the smoking prohibition. Signs shall be erected so as to adequately notify the public of such prohibition and the areas affected thereby.

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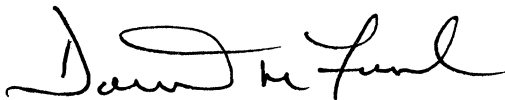
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**MAYOR'S OFFICE**

(c) The Commissioner of Health and Human Services and/or his or her designee(s) shall enforce the provisions of this ordinance. The Commissioner or his or her designee(s) shall, for an initial violation of this section, and may for any subsequent violation, afford the violator the option of enrolling in a smoking cessation/education program approved by the Commissioner and/or his or her designee(s). Proof of completion of a smoking cessation/education program approved by the Commissioner or his or her designee shall serve in lieu of the civil fines set forth in Section 20-21.

2. By amending paragraph (b) of section 20-21, *Enforcing persons and revised ordinances subject to civil fine*, relative to ordinances enforced by the Health and Human Services Department by adding to the sentence, "Sec. 20-7 Smoking prohibited on sidewalks", the following language: "and other public property".

Approved as to legal form and character:



DANIEL M. FUNK  
City Solicitor

Under Suspension of Rules  
Readings Waived and Approved  
20 yeas 2 nays (Aldermen Salvucci and Schnipper) 2 absent (Aldermen Johnson and Parker)



(SGD) DAVID A. OLSON  
City Clerk



(SGD) DAVID B. COHEN  
Mayor

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