

Add new definition of “e-cigarette”, which shall read:

E-cigarette means a device containing or delivering nicotine or another substance intended for human consumption that can be used by a person in any manner for the purpose of inhaling vapor or aerosol from the device, whether such device is manufactured, distributed, marketed or sold as an e-cigarette, e-cigar, e-pipe, e-hookah or vape pen or under any other product name or description.

Add new definition of “second-hand smoke”, which shall read:

Second-hand smoke means

1. Smoke emitted from inhaling from, exhaling from, burning, carrying or holding:
 - (a) a lighted or heated cigar, cigarette, hookah or pipe; or
 - (b) any other lighted or heated tobacco or plant product intended for inhalation, including cannabis or herb, whether natural or synthetic; or
2. The aerosol or vapor emitted from inhaling or exhaling or any other use of an e-cigarette.

Delete and replace current definition of “smoke-free, which shall now read:

Smoke-free area means that there shall be no smoking of tobacco, herb, cannabis, or any other substance designed to be inhaled as smoke, vapor, or aerosol.

Delete and replace current definition of “smoking”, which shall now read:

Smoking means:

- (1) inhaling from, exhaling from, burning, carrying or holding:
 - (a) a lighted or heated cigar, cigarette, hookah or pipe; or
 - (b) any other lighted or heated tobacco or plant product intended for inhalation,

including, but not limited to, herbs, and cannabis, whether natural or synthetic; or
(2) any use of an e-cigarette, vaporizer pen, or vaporizer pipe that creates an aerosol or vapor.

Section 22-23. (Where smoking prohibited) is amended by adding new subsections (11) and (12), which shall read:

(11) Any enclosed indoor workplace or indoor public place not specifically exempted by this ordinance.

(12) Any park, trail, open space of the Town.

Section 22-24 (Where smoking unregulated) is amended by deleting subsection (a)(2) and replacing it with the following:

(2) Hotel and motel rooms that are rented to guests and are designated as smoking permitted rooms; provided that not more than ten percent of rooms rented to guests in a hotel or motel may be so designated.

Section 22-24 (Where smoking unregulated) is amended by deleting subsection (a)(2).

Section 22-25 (Reasonable distance defined) **Add the following sentence to the existing paragraph, which shall read:**

The reasonable distance shall also be a distance sufficient to ensure that persons entering or leaving the building or facility shall not be subjected to breathing second-hand smoke

Section 22-27 (a) is deleted and replaced with:

(a) The Town fire department, police department and code enforcement officers shall implement enforcement of this Article.

Section 22-27 (d)(1) is deleted, and introductory language of subsection (d)(2) is deleted, except that the subsection a., b., and c shall remain as written.