

Randolph County Health Department  
Tobacco Use Rules  
Randolph County Board of Health  
Asheboro, North Carolina

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## **Section I. General Provisions**

(a) Title. These rules shall be known as the Randolph County Health Department Tobacco Use Rules.

(b) Authorization. The Randolph County Board of Health is authorized under the provisions of Chapter 130A-39 of the General Statutes of North Carolina to adopt appropriate rules for the protection of public health. Chapter 130A-498 Local Government May Restrict Smoking in Public Places, allows local governments to prohibit smoking in buildings housing local health departments, including the grounds (up to 50 linear feet) surrounding buildings housing local health departments.

(c) Purpose. Consistent with the responsibility to protect public health, the Randolph County Board of Health finds that significant scientific and medical evidence exists documenting the public health hazard of tobacco use. It is therefore the policy of the Board of Health to set forth rules to protect individuals on property housing the Health Department or portions thereof from the health hazards of tobacco use.

(d) Scope. These rules are effective in and around all health department buildings.

(e) Conflict with other Laws and Regulations. The provisions of any federal, state or municipal law or regulation establishing standards affording greater protection to the public welfare, safety, or health shall prevail within the jurisdiction of such agency or municipality over standards established by these rules.

## **Section II. Definitions**

(a) Tobacco Use – means the use or possession of any lighted tobacco product or any smokeless tobacco product.

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**Section III. Tobacco Use Prohibited in and Around all Health Department Buildings**

(b) Tobacco use is prohibited in the interior of the Health Department and any building housing portions of the Health Department.

(c) Tobacco use is prohibited 50 linear feet surrounding the Health Department and any building housing portions of the Health Department.

(d) Signs shall be conspicuously posted beginning 50 linear feet from the Health Department and 50 linear feet from each building housing any portion of the Health Department. Signs shall pertain to the prohibition of tobacco use citing this rule as authority.

**Section IV. Severability**

If any section or part of these rules shall be declared invalid, void, or unconstitutional, such declaration shall not invalidate any other provisions or clause of said regulations.

**Section V. Violations, Penalties, and Enforcement**

(a) It is a violation of these rules to smoke or use smokeless tobacco in the Health Department building or any building housing any portion of the Health Department.

(b) Any person who violates these rules during the first sixty days from the effective date shall be given a warning of violation only

(c) The penalty for a violation of a provision of these rules is a misdemeanor, as provided by North Carolina General Statutes 130A-25. All remedies provided by State law including Part 2 of Article 1 of North Carolina General Statutes 130A shall be available to the Health Director.

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**Section VI. Effective Date**

These rules will become effective July 1, 2008.

Adopted on this the 17<sup>th</sup> day of June 2008 by the Randolph County Board of Health.

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Chairman

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Health Director