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CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA

Date: APR 07 2016, 2016

ORDINANCE NO. 182 (2016)

WHEREAS, There are special public health concerns relating to the use of tobacco products; and

WHEREAS, the Public Health and Human Services Division promotes Safe, Stable, and Nurturing relationships, and

WHEREAS, the Public Health and Human Services Division is dedicated to providing services in a healthy environment that does not unnecessarily expose the public to any health risks; and

WHEREAS, the Food and Drug Administration has determined that the use of tobacco products are harmful to the health of consumers and may be damaging to the health of those exposed to second-hand smoke or other waste products; and

WHEREAS, it is in the interest of the Tribe to ensure that Public Health and Human Services have all necessary authority to protect the health and well-being of those members utilizing its services.

NOW THEREFORE BE IT ORDAINED by the Tribal Council of the Eastern Band of Cherokee Indians assembled, at which a quorum is present, that new Cherokee Code Section shall read as follows:

Sec. 14-25.20 Prohibition on the use of Tobacco on or near Public Health and Human Services Property

(a) The use of tobacco by any form of ingestion including, but not limited to, smoking tobacco, electronic cigarettes, the use of smokeless tobacco, or any other use whereby others are affected and exposed to the use of tobacco through sight, smell, odor, or otherwise is prohibited on Public Health and Human Services property, and within 200 feet of any entrance to all Public Health and Human Services property.

(b)(1) As used in this section the term "Public Health and Human Services" includes the surrounding grounds and premises of any property owned, leased, managed or otherwise controlled by Public Health and Human Services, including any building or facility used in connection with the operation or functioning of such building or facility, and the public areas immediately outside of a Public Health and Human Services property and its entrances, including public sidewalks.