

ORDINANCE NO. 215

AN ORDINANCE OF NEW SEWICKLEY TOWNSHIP, BEAVER COUNTY, COMMONWEALTH OF PENNSYLVANIA PROHIBITING THE USE OF E-CIGARETTES AND VAPING DEVICES BY ALL MINORS AND PROHIBITING THE USE OF E-CIGARETTES AND VAPING DEVICES BY EVERYONE INSIDE THE SCHOOLS OR ON THE PROPERTY OF THE FREEDOM AREA SCHOOL DISTRICT WHERE ALSO LOCATED WITHIN NEW SEWICKLEY TOWNSHIP AND ALSO PROHIBITING SUCH USE ON PROPERTY OWNED BY NEW SEWICKLEY TOWNSHIP AND PRESCRIBING PENALTIES FOR VIOLATIONS.

WHEREAS, New Sewickley Township desires to protect the health, safety and welfare of students in the Freedom Area School District and all minors throughout the Township; and

WHEREAS, the Board of Supervisors of New Sewickley Township desires to discourage the use of e-cigarettes and vaping devices by minors within the Township and also discourage the use of e-cigarettes and vaping devices by adults and minors alike within the buildings and on the property of the Freedom Area School District; and

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Township of New Sewickley, Beaver County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1. Definition of E-Cigarettes and Vaping Devices: Any electronic oral device, such as one composed of a heating element, battery or electronic circuit, which provides a vapor of nicotine or any other substances and the use or inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distributed, marketed or sold as an e-cigarette, e-cigar, e-pipe, vape, vape pen, or under any other product name or descriptor. The term shall include all such devices whether or not they contain nicotine or other controlled substances.

SECTION 2. Definition of Minor. Anyone under the age of 18.

SECTION 3. Designated E-Cigarette and Vape Free Areas: That everyone, including adults and minors, are prohibited from using or possessing e-cigarette and vaping devices inside the schools and on the property of the Freedom Area School District where located within New Sewickley Township, Beaver County, Pennsylvania and are also prohibited from such use on

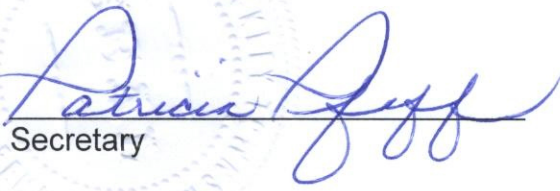
any property owned by New Sewickley Township, Beaver County, Pennsylvania.

SECTION 3. **Minors Prohibited From Using or Possessing E-Cigarettes and Vaping Devices:** Minors are prohibited from using or possessing e-cigarettes and vaping devices throughout New Sewickley Township, Beaver County, Pennsylvania.

SECTION 4. **Enforcement:** In the event of a violation of this ordinance, the Township may initiate civil enforcement proceedings before a district justice where the fine shall not exceed \$600 per violation. Any person who violates or permits the violation of this Ordinance shall pay the fine plus all court costs, including reasonable attorney fees incurred by the Township. In addition, the Township may commence an action before a district justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure where the fine may not exceed \$1,000 per violation and may prescribe imprisonment to the extent allowed by law for the punishment of summary offenses.

ENACTED AND ORDAINED this 6th day of August, 2019.

ATTEST:


Secretary

TOWNSHIP OF NEW SEWICKLEY


Chairman, Board of Supervisors