

**West Pikeland Township
Chester County, Pennsylvania**

Ordinance #2008-05

**AN ORDINANCE PROHIBITING SMOKING AND THE CARRYING OF
LIGHTED OBJECTS IN SPECIFIED PLACES IN THE TOWNSHIP OF WEST
PIKELAND; REQUIRING ENFORCEMENT BY PERSONS HAVING
CONTROL OF PREMISES; AUTHORIZING THE FIRE INSPECTOR TO
PROHIBIT SMOKING WHERE NECESSARY TO PUBLIC SAFETY; AND
PRESCRIBING PENALTIES FOR VIOLATION OF ITS PROVISIONS**

BE IT ORDAINED AND ENACTED by the Board of Supervisors of West Pikeland Township, Chester County, Commonwealth of Pennsylvania, and it is hereby Ordained and Enacted by the authority of the same as follows:

Section 1. Definitions. For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

A. "TOWNSHIP" shall mean the Township of West Pikeland;

B. "BOARD" shall mean the Board of Supervisors of West Pikeland Township;

C. "FIRE INSPECTOR" shall mean the Fire Marshal.

D. "PERSON" shall mean any person, firm, partnership, association, corporation, company or organization of any kind.

E. SMOKING - the lighting, holding or carrying of or emitting or exhaling the smoke of a pipe, cigar or cigarette of any kind.

F. MUNICIPAL BUILDINGS AND GROUNDS - any buildings, grounds, and owned vehicles by Township, including but not limited to, the police and administrative office building, and grounds, both located at 1645 Art School Road, Chester Springs, Chester County, Pennsylvania and the road department maintenance buildings and grounds located at 1488 Yellow Springs Road, Chester Springs, Chester County, Pennsylvania.

G. MUNICIPAL OWNED VEHICLES – any vehicles owned by the Township used in providing municipal services such as police, public works, and administrative duties.

Section 2. Smoking Prohibited in Specified Places. No person shall smoke or carry a lighted cigar, cigarette, pipe or match, or any type of lighted tobacco, or use any spark,

flame, or fire-producing device not specifically authorized for use in such place by the Fire Inspector in any of the Municipal Buildings, grounds or in a Municipal owned vehicle. The Township Manager is authorized to post "No Smoking" signs at all areas to effectuate the intent of this Ordinance.

Section 3. ENFORCEMENT. The Township Manager, Police Department, Maintenance Superintendent, and Board of Supervisors shall enforce the provisions of this Ordinance.

Section 4. PENALTIES. The penalty for violation of this Article shall be as follows:

FIRST OFFENSE - \$20.00

SECOND OFFENSE - \$50.00

THIRD OFFENSE - \$100.00

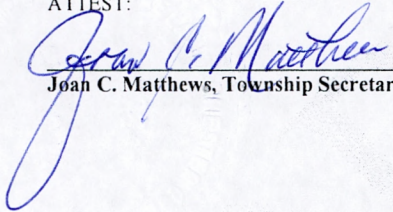
SUBSEQUENT OFFENSES - \$500.00 fine plus costs

In default of any payment for any offense, imprisonment not to exceed thirty (30) days.

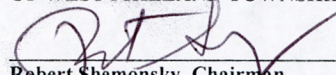
Section 5. This Ordinance shall become effective within five (5) days of its adoption.

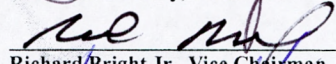
Duly enacted on the 15th day of September 2008.

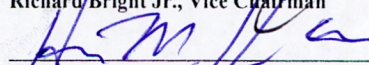
ATTEST:

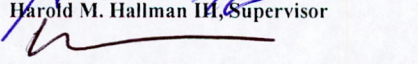

Joan C. Matthews, Township Secretary

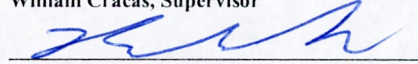
BOARD OF SUPERVISORS
OF WEST PIKELAND TOWNSHIP


Robert Shemonsky, Chairman


Richard Bright Jr., Vice Chairman


Harold M. Hallman III, Supervisor


William Cracas, Supervisor


Robert Barker Jr., Supervisor