

ORDINANCE NO. 438**AN ORDINANCE AMENDING THE CITY
OF LUCEDALE SMOKING ORDINANCE TO
INCLUDE ELECTRONIC CIGARETTES**

WHEREAS, the City of Lucedale has a substantial interest in protecting the health and welfare of its residents from health hazards associated with nicotine ingestion; and

WHEREAS, the City of Lucedale has a substantial interest in protecting the public health and welfare by prohibiting smoking in public places, and in protecting the rights of non-smokers to breathe smoke-free air; and

WHEREAS, the potential health risks of the inhalation of vaporized nicotine are largely unknown, and

WHEREAS, the manufacturing of electronic smoking devices, often known as electronic- cigarcites, remains unregulated; and

WHEREAS, electronic smoking devices often employ the use of a nicotine cartridge, designed to deliver vaporized nicotine to the user; and

WHEREAS, the U.S. Surgcon General has declared that nicotine is as addictive as cocaine or heroin; and

WHEREAS, the World Medical Association has determined that electronic smoking devices are not comparable to scientifically- proven methods of smoking cessation and that neither their value as therapeutic aid for smoking cessation nor their safety as cigarette replacements has been established; and

WHEREAS, the U.S. Food and Drug Administration (FDA) conducted laboratory analysis of electronic smoking device cartridge and found the following:

1. Diethylene glycol, an ingredient used in antifreeze and toxic to humans was found in one cartridge;
2. Certain tobacco- specific nitrosamines, which are human carcinogens, were detected in half of the samples tested;
3. Tobacco- specific impurities suspected of being harmful to humans- anabasine, myosmine, and B- nicotine- were detected in a majority of the samples tested;
4. One high- nicotine inhalation delivered twice as much nicotine to users as was delivered by a nicotine inhalation product approved by FDA for use as a smoking cessation aid which was used as a control.

WHEREAS, the use of electronic smoking devices in smoke free locations threatens to undermine compliance with smoking regulations and reserve the progress that has been made in establishing a social norm that smoking is not permitted in public places of employment.

NOW, THEREFORE, BE IT ORDANINED BY THE MAYOR AND THE BOARD OF ALDERMEN OF THE CITY OF LUCEDALE, MISSISSIPPI, as follows to wit:

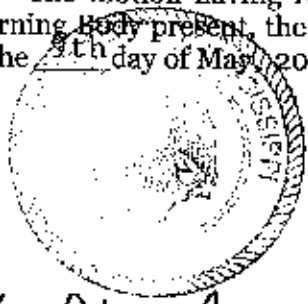
SECTION 1: AMENDMENT OF EXISISTING ORDINANCE. The Ordinance of the Mayor and Board of Alderman of the City of Lucedale, Mississippi, Eliminating Smoking in All work places and public places previously adopted by the Board is hereby amended to further prohibit the use of electronic smoking devices in places now prohibited pursuant to said Ordinance.

SECTION 2: This amendment Ordinance shall take effect immediately, the health and safety of the citizens of Lucedale so requiring due to the items set forth hereinabove.

On May 9, 2016, the forgoing Ordinance was read, discussed, and considered section by section and as a whole; voted on section by section and as a whole; and passed section by section and as a whole; the vote in every instance being as follows:

- ALDERMAN LOUIS VALENTINE
Alderman At-Large Voted Yea
- ALDERMAN CARRIE MOULDS
Alderman Ward I Voted Absent
- ALDERMAN LLOYD WELFORD
Alderman Ward II Voted Nay
- ALDERMAN JASON MARTIN
Alderman Ward III Voted Yea
- ALDERMAN PAYTON DUDLEY
Alderman Ward IV Voted Yea

The motion having received the affirmative vote of a majority of the members of the Governing Body present, the Mayor declared the motion carried and the Ordinance adopted on this the 9th day of May, 2016.



Doug Lee

DOUG LEE
MAYOR

Kathy Johnson Anderson

KATHY JOHNSON ANDERSON, MMC
CITY CLERK