

**AMENDMENT TO THE CODE OF ORDINANCES  
OF THE TOWN OF SOUTHERN PINES**

**THAT WHEREAS**, it appears that the ordinance adopted on November 11, 2014, contained scrivener's errors that resulted in a failure to state clearly the changes intended by that ordinance; and

**WHEREAS**, for those reasons the Code of Ordinances of the Town should be amended as set forth below:

**NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED** by the Town Council of the Town of Southern Pines in regular session assembled the 10 day of February, 2015:

**Section 1.** That Section 97.01 be, and hereby is amended by identifying its first paragraph as (A).

**Section 2.** That the content of Section 97.99(A) be identified as Section 97.01(B) and placed accordingly in section 97.01.

**Section 3.** That Section 97.99 be, and hereby is, deleted in its entirety.

**Section 4.** That Chapter 97 be and hereby is amended by adding a new section 97.02 to read as follows:

**Sec. 97.02 USE OF TOBACCO AND NICOTINE VAPOR PROHIBITED ON CERTAIN TOWN PROPERTY**

- A. **Definitions:** For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**TOBACCO OR NICOTINE DELIVERY PRODUCT:** A product that is subject to use with the purpose or effect of introducing nicotine into a person's body, including a pipe, cigarette, cigar, chewing tobacco, snuff, e-cigarette, vapor pipe, or other nicotine delivery device unless it is regulated by the United States Federal Food and Drug Administration.

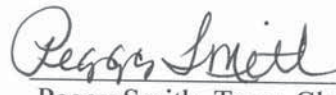
**USING TOBACCO OR A NICOTINE DELIVERY PRODUCT:** Inhaling, exhaling, sniffing, burning, chewing, or dipping tobacco or vapor from a nicotine delivery product.

- B. **Tobacco or nicotine use prohibited in municipal property:** It shall be unlawful for any person to use tobacco or vapor from a nicotine delivery product in or on any buildings, vehicles, parks, outdoor athletic facilities, or greenways or portion thereof owned, leased, operated, occupied, managed, or controlled by the Town
- C. **Penalty.** Violation of this section shall subject the offender to the civil penalties in 10.99 and shall not constitute a misdemeanor or infraction punishable under G.S. 14-4.

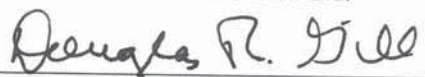
**Section 4.** That this ordinance shall be and remain in full force and effect from and after the date of its adoption.

Adopted this 10 day of February, 2015.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of February 10, 2015 as shown in the minutes of the Town Council for that date.

  
\_\_\_\_\_  
Peggy Smith, Town Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Douglas R. Gill, Town Attorney