



CITY OF MARLBOROUGH  
*Board of Health*  
140 Main Street  
Marlborough, Massachusetts 01752  
TDD (508) 460-3610

MARLBOROUGH BOARD OF HEALTH  
REGULATION XII

SMOKING AND OTHER USE OF TOBACCO PRODUCTS IN SCHOOL BUILDINGS, UPON  
SCHOOL GROUNDS OR IN PUPIL TRANSPORT VEHICLES.

MARLBOROUGH BOARD OF HEALTH  
REGULATION XII

1. PURPOSE:

In order to provide local implementation and enforcement of the prohibitions contained in M.G.L. c. 270, ss. 21 & 22, and M.G.L. c. 71, ss. 2A & 37H, the Board of Health of the City of Marlborough, acting pursuant to the provisions of M.G.L. c. 111, s. 31, hereby enacts this regulation for the purpose of prohibiting smoking and other use of tobacco products in school buildings, upon school grounds or in pupil transport vehicles.

2. DEFINITIONS:

a) Smoke or smoking: The possession or use of a lighted tobacco product, including a cigarette, cigar, pipe or any other lighted smoking device or item.

3. PROHIBITIONS:

Notwithstanding any provision of Regulation V to the contrary, no person shall smoke or otherwise use or consume any tobacco product:

- a) Within a school building or school facility;
- b) Upon the grounds of a school building or school facility; or,
- c) In any vehicle registered as a school bus or pupil transport vehicle.

4. ENFORCEMENT & PENALTY:

A violation of any of the provisions of this regulation shall be punished by a civil penalty of twenty five dollars (\$25), per offense. A Designated Enforcement Officer may institute enforcement action either upon:

- a) Witnessing a violation; or,
- b) Forming a reasonable belief that the person to be cited has committed a violation.

5. DESIGNATED ENFORCEMENT OFFICERS:

This regulation may be enforced by:

- a) Agents of the Marlborough Board of Health;
- b) School personnel, who have been specifically authorized to engage in enforcement activity by the Superintendent of the Marlborough Public Schools or the Superintendent-Director of the Assabet Valley Regional Vocational High School; or,
- c) Police Officers.

By ~~Marlborough Board of Health:~~

  
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Dated: August 4, 1997

# IN CITY COUNCIL



Marlborough, Mass., JANUARY 26, 1998 19

ORDERED:

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## 5. DESIGNATED ENFORCEMENT OFFICERS:

This regulation may be enforced by:

- a) Agents of the Marlborough Board of Health;
- b) School personnel, who have been specifically authorized to engage in enforcement activity by the Superintendent of the Marlborough Public Schools or the Superintendent-Director of the Assabet Valley Regional Vocational High School (list attached); or,
- c) Police Officers.

## DESIGNATED ENFORCEMENT OFFICERS:

<u>TITLE</u>	<u>SCHOOL DISTRICT</u>
Superintendent	Marlborough
Principals-All Schools	Marlborough
Assistant Principals-All Schools	Marlborough
Director of Athletics	Marlborough
Superintendent-Director	Assabet Valley
Principal	Assabet Valley

First reading, suspended; second reading, adopted; passage to be enrolled, adopted; passage to be ordained, adopted.  
(No objection to passage in one evening)

ADOPTED  
In City Council  
Order No. 97/98-7350B  
Adopted

Approved by Mayor  
William J. Mauro, Jr.  
Date: February 11, 1998

A TRUE COPY  
ATTEST:

City Clerk



# IN CITY COUNCIL

FEB

REC'D

Marlborough, Mass., JANUARY 27, 1997 19

ORDERED:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH that the Code of the City of Marlborough, as amended, be further amended by adding the following to the DECRIMINALIZATION VIOLATION Ordinance:

23) **Board of Health Tobacco Regulations:**  
Regulation V - Smoking, Municipal Buildings  
Penalty: Minimum \$25.00 - Maximum \$50.00 (each occurrence)  
Enforcing Person - Board of Health

Regulation VI - Clean Indoor Air Regulation  
Penalty for Person smoking:  
Minimum \$25.00-Maximum \$50.00 (each offense)  
Penalty for Proprietor:  
Maximum \$200.00 for each day of non-compliance  
Enforcing Person - Board of Health

## AGENDA

Regulation XI - Purchase and Advertising of Tobacco Products

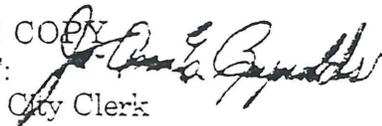
Penalty: Tobacco Sales to Minors  
Maximum \$200.00 for 1st, 2nd & 3rd offense; 4th and all other offenses, possible revocation or suspension of permit.

Penalty: Posting State Law violation - \$50.00  
Penalty: Unlawful removal of Posted State Law - \$10.00

Penalty: Sections C (Restrictions on Free Standing Displays), D (Reading Board of Health Regulations and State Laws and signing of log book), E (Vending Machines), F (Sale or distribution of tobacco products in form other than factory-wrapped package) - fine \$100.00 (each day, separate violation)

Penalty: Section V-Advertising of Tobacco products on public transportation vehicles - \$100.00 per day, per vehicle

ADOPTED  
In City Council  
Order No. 94-5843B (x-file 91-4095B)  
Adopted January 27, 1997  
Approved by Mayor  
J. Michael McGorty  
Date: February 5, 1997

A TRUE COPY  
ATTEST:   
City Clerk

