

## **TOWN OF DRACUT BOARD OF HEALTH TOBACCO CONTROL REGULATIONS**

### **SECTION 1: PURPOSE**

Whereas there exists conclusive evidence that tobacco smoke causes cancer, respiratory and cardiac diseases, negative birth outcomes, irritations to the eyes, nose and throat (Center for Disease Control and Prevention, (CDC) (2012), *Health Effects of Cigarette Smoking Fact Sheet*. Retrieved from: [http://www.cdc.gov/tobacco/data\\_statistics/fact\\_sheets/health\\_effects/effects\\_cig\\_smoking/index.htm](http://www.cdc.gov/tobacco/data_statistics/fact_sheets/health_effects/effects_cig_smoking/index.htm);

Whereas among the 15.7% of students nationwide who currently smoke cigarettes and were aged less than eighteen (18) years, 14.1% usually obtained their own cigarettes by buying them in a store (i.e., convenience store, supermarket, or discount store) or gas station (CDC (2009), *Youth Risk Behavior, Surveillance Summaries* (Morbidity and Mortality Weekly Report (MMWR) 2010: 59, 11 (No. SS-55)) Retrieved from: <http://www.cdc.gov/HealthyYouth/yrbs/index.htm>.);

Whereas nationally in 2009, 72% of high school smokers and 66% of middle school smokers were not asked to show proof of age when purchasing cigarettes (CDC Office of Smoking and Health, National *Youth Tobacco Survey, 2009*. Analysis by the American Lung Association (ALA), Research and Program Services Division using SPSS software, as reported in “Trends in Tobacco Use”, ALA Research and Program Services, Epidemiology and Statistics Unit, July 2011. Retrieved from: [www.lung.org/finding-cures/our-research/trend-reports/Tobacco-Trend-Report.pdf](http://www.lung.org/finding-cures/our-research/trend-reports/Tobacco-Trend-Report.pdf).);

Whereas the U.S. Department of Health and Human Services has concluded that nicotine is as addictive as cocaine or heroin (CDC (2010), *How Tobacco Smoke Causes Disease: The Biology and Behavioral Basis for Smoking-Attributable Disease*. Retrieved from: [http://www.cdc.gov/tobacco/data\\_statistics/sgr/2010/](http://www.cdc.gov/tobacco/data_statistics/sgr/2010/));

Whereas despite state laws prohibiting the sale of tobacco products to minors, access by minors to tobacco products is a major problem;

Whereas nicotine levels in cigars are generally much higher than nicotine levels in cigarettes (National Institute of Health (NIH), National Cancer Institute (NCI) (2010). *Cigar Smoking and Cancer*. Retrieved from: <http://www.cancer.gov/bcancertopics/factsheet/Tobacco/cigars>.;

Whereas Non-Residential Roll-Your-Own (RYO) machines located in retail stores enable retailers to sell cigarettes without paying the excise taxes that are imposed on conventionally manufactured cigarettes. High excise taxes encourage adult smokers to quit and high prices deter youth from starting. Inexpensive cigarettes, like those produced from RYO machines, promote the use of tobacco, resulting in a negative impact on public health and increased health care costs, and severely undercut the evidence-based public health benefit of imposing high excise taxes on tobacco (<sup>1</sup> Eriksen, M., Mackay, J., Ross, H. (2012). *The Tobacco Atlas*, Fourth Edition, American Cancer Society, Chapter 29, p. 80. Retrieved from: [www.TobaccoAtlas.org](http://www.TobaccoAtlas.org).) and (Chaloupka, F. J. & Liccardo Pacula, R., NIH, NCI (2001). *The Impact of Price on Youth Tobacco Use, Smoking and Tobacco Control Monograph 14: Changing Adolescent Smoking Prevalence*) 193 – 200. Retrieved from: <http://dcccps.nih.gov/TCRB/monographs/>);

Whereas it is estimated that 90% of what is being sold as pipe tobacco is actually being used in Non-Residential RYO machines. Pipe tobacco shipments went from 11.5 million pounds in 2009 to 22.4 million pounds in 2010. Traditional RYO tobacco shipments dropped from 11.2 million pounds to 5.8

million pounds; and cigarette shipments dropped from 308.6 billion sticks to 292.7 billion sticks according to the December 2010 statistical report released by the U.S. Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau (TTB) (TTB (2011). *Statistical Report – Tobacco* (2011) (TTB S 5210-12-2010). Retrieved from: <http://www.ttb.gov/statistics/2010/201012tobacco.pdf>;

Whereas the sale of tobacco products is incompatible with the mission of health care institutions because these products are detrimental to the public health and their presence in health care institutions undermine efforts to educate patients on the safe and effective use of medication, including cessation medication;

Whereas educational institutions sell tobacco products to a younger population, who is particularly at risk for becoming smokers and such sale of tobacco products and nicotine delivery products are incompatible with the mission of educational institutions that educate a younger population about social, environmental and health risks and harms;

Now, therefore it is the intention of the Dracut Board of Health to regulate the sale of tobacco products.

## **SECTION 2: AUTHORITY**

This regulation is promulgated pursuant to the authority granted to the Dracut Board of Health by Massachusetts General Laws Chapter 111, Section 31 which states “Boards of Health may make reasonable health regulations”.

## **SECTION 3: DEFINITIONS**

For the purpose of this regulation, the following words shall have the following meanings:

**ADULT-ONLY RETAIL TOBACCO STORE:** An establishment which is not required to possess a retail food permit whose primary purpose is to sell or offer for sale to consumers, but not for resale, tobacco products and tobacco paraphernalia, in which the sale of other products is merely incidental, and in which the entry of person under the minimum legal sales age is prohibited at all times, and maintains a valid permit for the retail sale of tobacco products as required to be issued by the Dracut Board of Health.

**BLUNT WRAP:** Any tobacco product manufactured or packaged as a wrap or as a hollow tube made wholly or in part from tobacco that is designed or intended to be filled by the consumer with loose tobacco or other fillers, regardless of content.

**BUSINESS AGENT:** An individual who has been designated by the owner or operator of any establishment to be the manager or otherwise in charge of said establishment.

**CHARACTERIZING FLAVOR:** A distinguishable taste or aroma, other than the taste or aroma of tobacco, menthol, mint or wintergreen, imparted or detectable either prior to or during consumption of a tobacco product or component part thereof, including, but not limited to, tastes or aromas relating to any fruit, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, herb or spice; provided, however, that no tobacco product shall be determined to have a characterizing flavor solely because of the provision of ingredient information or the use of additives or flavorings that do not contribute to the distinguishable taste or aroma of the product.

**CIGAR:** Any roll of tobacco that is wrapped in leaf tobacco or in any substance containing tobacco with or without a tip or mouthpiece not otherwise defined as a cigarette under Massachusetts General Law, Chapter 64C, Section 1, Paragraph 1.

**COMPONENT PART:** Any element of a tobacco product, including, but not limited to, the tobacco, filter and paper, but not including any constituent.

**CONSTITUENT:** Any ingredient, substance, chemical or compound, other than tobacco, water or reconstituted tobacco sheet, that is added by the manufacturer to a tobacco product during the processing, manufacturing or packaging of the tobacco product. Such term shall include a smoke constituent.

**COUPON:** Any card, paper, note, form, statement, ticket or other communication distributed for commercial or promotional purposes to be later surrendered by the bearer so as to receive an article, service or accommodation without charge or at a discount price.

**DISTINGUISHABLE:** Perceivable by either the sense of smell or taste.

**ELECTRONIC NICOTINE DELIVERY SYSTEM:** An electronic device, whether for one time use or reusable, that can be used to deliver nicotine or another substance to a person inhaling from the device including, but not limited to, electronic cigarettes, electronic cigars, electronic cigarillos, electronic pipes, vaping pens, hookah pens and other similar devices that rely on vaporization or aerosolization; provided, however, that “electronic nicotine delivery system” shall also include any noncombustible liquid or gel that is manufactured into a finished product for use in such electronic device; provided further, that “electronic nicotine delivery system” shall also include any component, part, or accessory of a device used during the operation of the device even if the part or accessory was sold separately; provided further, that “electronic nicotine delivery system” shall not include a product that has been approved by the United States Food and Drug Administration for the sale of or use as a tobacco cessation product or for other medical purposes and is marketed and sold or prescribed exclusively for that approval purpose.

**EDUCATIONAL INSTITUTION:** Any public or private college, school, professional school, scientific or technical institution, university or other institution furnishing a program of higher education.

**EMPLOYEE:** Any individual who performs services for an employer.

**EMPLOYER:** Any individual, partnership, association, corporation, trust or other organized group of individuals, including Dracut or any agency thereof, which uses the services of one (1) or more employees.

**ENCLOSED:** A space bounded by walls, with or without windows or fenestrations, continuous from floor to ceiling and enclosed by one (1) or more doors, including but not limited to an office, function room or hallway.

**FLAVORED TOBACCO PRODUCT:** Any tobacco product or component part thereof that contains a constituent that has or produces a characterizing flavor. A public statement, claim or indicia made or disseminated by the manufacturer of a tobacco product, or by any person authorized or permitted by the manufacturer to make or disseminate public statements

concerning such tobacco product, that such tobacco product has or produces a characterizing flavor shall constitute presumptive evidence that the tobacco product is a flavored tobacco product.

**HEALTH CARE INSTITUTION:** An individual, partnership, association, corporation or trust or any person or group of persons that provides health care services and employs health care providers licensed, or subject to licensing, by the Massachusetts Department of Public Health under M.G.L. c. 112 or a retail establishment that provides pharmaceutical goods and services and subject to the provisions of 247 CMR 6.00. Health care institution includes, but is not limited to, hospitals, clinics, health centers, pharmacies, drug stores, doctor offices and dentist offices.

**LIQUID NICOTINE CONTAINER:** A bottle or other vessel which contains nicotine in liquid or gel form, whether or not combined with another substance(s), for use in a tobacco product, as defined herein. The term does not include a container containing nicotine in a cartridge that is sold, marketed, or intended for use in a tobacco product, as defined herein, if the cartridge is prefilled and sealed by the manufacturer and not intended to be opened by the consumer or retailer.

**LISTED OR NON-DISCOUNTED PRICE:** The higher of the price listed for a tobacco product on its package or the price listed on any related shelving, posting, advertising or display at the place where the tobacco product is sold or offered for sale, plus all applicable taxes if such taxes are not included in the state price, and before the application of any discounts or coupons.

**MINIMUM LEGAL SALES AGE (MLSA):** The age an individual must be before that individual can be sold a tobacco product in the municipality.

**NON-RESIDENTIAL ROLL-YOUR-OWN (RYO) MACHINE:** A mechanical device made available for use (including to an individual who produces cigars, cigarettes, smokeless tobacco, pipe tobacco, or roll-your-own tobacco solely for the individual's own personal consumption or use) that is capable of making cigarettes, cigars or other tobacco products. RYO machines located in private homes used for solely personal consumption are not Non-Residential RYO machines.

**PERMIT HOLDER:** Any person engaged in the sale or distribution of tobacco products directly to consumers who applies for and receives a tobacco product sales permit or any person who is required to apply for a tobacco product sales permit pursuant to these regulations, or his or her business agent

**PERSON:** Any individual, firm, partnership, association, corporation, company or organization of any kind, including, but not limited to, an owner, operator, manager, proprietor or person in charge of any establishment, business or retail store.

**SCHOOLS:** Public or private elementary or secondary schools.

**SELF SERVICE DISPLAY:** Any display from which customers may select a tobacco product without assistance from an employee or store personnel.

**SMOKE CONSTITUENT:** Any chemical or chemical compound in mainstream or side stream tobacco smoke that either transfers from any component of the tobacco product to the smoke or that is formed by the combustion or heating of tobacco, additives or other component of the tobacco product.

**SMOKING (or smoke):** The inhaling, exhaling, burning or carrying of a lighted or heated cigar, cigarette, pipe or other tobacco product intended for inhalation in any manner or form, including the use of an electronic nicotine delivery system.

**SMOKING BAR:** An establishment that: (1) exclusively occupies an enclosed indoor space and is primarily engaged in the retail sale of tobacco products for consumption by customers on the premises only; (2) derives revenue from the sale of food, alcohol or other beverages that is incidental to the sale of a tobacco product and prohibits entry to a person younger than 21 years old; (3) prohibits a food or beverage not sold directly by the establishment from being consumed on the premises; (4) maintains a valid permit for the retail sale of a tobacco product as required to be issued by the appropriate authority in the city, town, or other legally constituted governmental unit within the Commonwealth in which the establishment is located; and (5) maintains a valid permit issued by the department of revenue to operate as a smoking bar.

**TOBACCO AND/OR TOBACCO PRODUCT:** Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, or electronic cigarettes, electronic cigars, electronic pipes, electronic hookah, electronic nicotine delivery systems or any other similar products that rely on vaporization or aerosolization regardless of nicotine content in the product; provided, however, that “tobacco product” shall also include any component, part or accessory of a tobacco product. “Tobacco product” does not include any product that has been approved by the United States Food and Drug Administration either as a tobacco use cessation product, or for other medical purposes and which is being marketed and sold or prescribed solely for the approved purpose.

**TOBACCO PRODUCT FLAVOR ENHANCER:** Any product designed, manufactured, produced, marketed, or sold to produce a characterizing flavor when added to any tobacco product.

**VENDING MACHINE:** Any automated or mechanical self-service device, which upon insertion of money, tokens or any other form of payment, dispenses or makes cigarettes, any other tobacco product.

#### **SECTION 4: TOBACCO AND NICOTINE DELIVERY PRODUCT SALES TO MINORS PROHIBITED**

- 4.1** No person shall sell or provide a tobacco product to any individual younger than 21 years old, as verified by said person’s valid government issued photographic identification.

##### **REQUIRED SIGNAGE**

- 4.2** All signage required by G.L. c. 270 sections 6, 6A and 7, and 105 CMR 665 shall be required by these regulations.
- 4.3** **IDENTIFICATION:** Each person selling or providing tobacco products shall verify the age of the purchaser by means of a valid government-issued photographic identification

containing the bearer's date of birth that the purchaser is 21 years of age or older, as verified by said person's proof of identification.

- 4.4** All retail sales of tobacco products must be face-to-face between the seller and the buyer and occur at the permitted location.

## **SECTION 5: TOBACCO PRODUCT SALES PERMIT**

- 5.1** No person shall sell or otherwise distribute tobacco products within Dracut without first obtaining a Tobacco Product Sales Permit issued annually by the Dracut Board of Health. Only owners of establishments with a permanent, non-mobile location in Dracut are eligible to apply for a permit and sell tobacco products at the specified location in Dracut.
- 5.2** As part of the Tobacco Product Sales Permit application process, the applicant will be provided with the Dracut Board of Health regulation. Each applicant is required to sign a statement declaring that the applicant has read said regulation and that the applicant is responsible for instructing any and all employees who will be responsible for tobacco product sales regarding federal, state and local laws regarding the sale of tobacco and this regulation.
- 5.3** Each applicant who sells tobacco is required to provide proof of a current tobacco sales license issued by the Massachusetts Department of Revenue before a Tobacco Product Sales Permit can be issued.
- 5.4** The fee for a Tobacco Product Sales Permit shall be in accordance with the most current Board of Health fee schedule. All such permits shall be renewed annually.
- 5.5** A separate permit is required for each location where a retail establishment is selling tobacco products.
- 5.6** Each Tobacco Product Sales Permit shall be displayed at the retail establishment in a conspicuous place.
- 5.7** No Tobacco Product Sales Permit holder shall allow any employee to sell tobacco products until such employee reads this regulation and federal and state laws regarding the sale of tobacco and signs a statement, a copy of which will be placed on file in the office of the employer, that he/she has read the regulation and applicable state and federal laws.
- 5.8** A Tobacco Product Sales Permit is non-transferable. A new owner of an establishment that sells tobacco products must apply for a new permit. No new permit will be issued unless and until all outstanding penalties incurred by the previous permit holder are satisfied in full.
- 5.9** Issuance of a Tobacco Product Sales Permit shall be conditioned on an applicant's consent to unannounced, periodic inspections of his/her retail establishment to ensure compliance with this regulation.
- 5.10** Issuance and holding of a Tobacco Product Sales Permit shall be conditioned on an applicant's on-going compliance with current Massachusetts Department of Revenue requirements and policies including, but not limited to, minimum retail prices of tobacco

products.

- 5.11** A Tobacco Product Sales Permit will not be renewed if the permit holder has failed to pay all fines issued and the time period to appeal the fines has expired and/or has not satisfied any outstanding permit suspensions.
- 5.12** A Tobacco Product Sales Permit shall not be issued to any new applicant for a retail location within 500 feet of a public or private elementary or secondary school as measured by a straight line from the nearest point of the property line of the school to the nearest point of the property line of the site of the applicant's business premises. A purchaser of a retail location whose owner currently holds a tobacco sales permit shall not be considered a "new applicant" provided that the purchaser applies for said permit within 60 days of purchase.

#### **SECTION 6: CIGAR SALES REGULATED**

- 6.1** No person shall sell or distribute or cause to be sold or distributed a single cigar.
- 6.2** No person shall sell or distribute or cause to be sold or distributed any original factory-wrapped package of two or more cigars, unless such package is priced for retail sale at \$5.00 or more.
- 6.3** This Section shall not apply to:
- a. The sale or distribution of any single cigar having a retail price of two dollars and fifty cents (\$2.50) or more.
  - b. A person or entity engaged in the business of selling or distributing cigars for commercial purposes to another person or entity engaged in the business of selling or distributing cigars for commercial purposes with the intent to sell or distribute outside the boundaries of Dracut.
- 6.4** The Dracut Board of Health may adjust from time to time the amounts specified in this Section to reflect changes in the applicable Consumer Price Index by amendment of this regulation.

#### **SECTION 7: SALE OF FLAVORED TOBACCO PRODUCTS RESTRICTED**

No person shall sell, distribute, cause to be sold or distributed, or offer for sale to a consumer located in the Commonwealth a flavored tobacco product or tobacco product flavor enhancer, except for a smoking bar for on-site consumption only in accordance with federal law and regulations.

#### **SECTION 8: SALE OF BLUNT WRAPS RESTRICTED**

No person or entity shall sell or distribute blunt wraps within Dracut, except that adult-only retail tobacco stores are permitted to sell or distribute blunt wraps.

## **SECTION 9: FREE DISTRIBUTION AND COUPON REDEMPTION**

No person shall accept or redeem, offer to accept or redeem, or cause or hire any person to accept or redeem or offer to accept or redeem any coupon that provides any tobacco product without charge or for less than the listed or non-discounted price. No retail establishment that is not a retail tobacco store or smoking bar, or any other establishment shall distribute or cause to be distributed a free sample of a tobacco product.

## **SECTION 10: OUT-OF-PACKAGE SALES**

The sale or distribution of tobacco products in any form other than an original factory-wrapped package is prohibited, including the repackaging or dispensing of any tobacco product for retail sale. No person may sell or cause to be sold or distribute or cause to be distributed, any cigarette package that contains fewer than twenty (20) cigarettes, including single cigarettes.

## **SECTION 11: SELF-SERVICE DISPLAYS**

All self-service displays of tobacco products are prohibited. All humidors including, but not limited to, walk-in humidors must be locked.

## **SECTION 12: TOBACCO VENDING MACHINES**

All tobacco product vending machines are prohibited.

## **SECTION 13: NON-RESIDENTIAL ROLL-YOUR-OWN (RYO) MACHINES**

All Non-Residential Roll-Your-Own (RYO) Machines are prohibited.

## **SECTION 14: PROHIBITION OF THE SALE OF TOBACCO PRODUCTS BY HEALTH CARE INSTITUTIONS**

No health care institution located in Dracut shall sell or cause to be sold tobacco products. No retail establishment that operates or has a health care institution within it, such as a pharmacy, optician/optometrist, or drug store, shall sell or cause to be sold tobacco products.

## **SECTION 15: PROHIBITION OF THE SALE OF TOBACCO PRODUCTS BY EDUCATIONAL INSTITUTIONS**

No educational institution located in Dracut shall sell or cause to be sold tobacco products. This includes all educational institutions as well as any retail establishments that operate on the property of an educational institution.

## **SECTION 16: INCORPORATION OF ATTORNEY GENERAL REGULATIONS 940 CMR 21.00**

The sale or distribution of tobacco products must comply with those provisions found in

**SECTION 17: VIOLATIONS/ENFORCEMENT/PENALTIES**

- 17.1** It shall be the responsibility of the permit holder and/or his or her business agent to ensure compliance with all sections of this regulation that incorporate 105 CMR 665. The violator shall receive:
- a) In the case of a first violation a fine of one thousand (1,000) dollars;
  - b) In the case of a second violation within a period of thirty-six (36) months from the first violation, a fine of two thousand (2,000) dollars and the Tobacco Product Sales Permit shall be suspended for seven (7) consecutive business days.
  - c) In the case of three violations within a period of thirty-six (36) months from the first violation or additional violations during that time period, a fine of five thousand (5,000) dollars and the Tobacco Product Sales Permit shall be suspended for thirty (30) consecutive business days.
- 17.2** It shall be the responsibility of the permit holder and/or his or her business agent to ensure compliance with all sections of this regulation that do NOT incorporate 105 CMR 665. The violator shall receive:
- a) In the case of a first violation a fine of one hundred (100) dollars;
  - b) In the case of a second violation within twenty-four (24) months of the date of the current violation, a fine of two hundred (200) dollars and the Tobacco Product Sales Permit shall be suspended for seven (7) consecutive business days.
  - c) In the case of three violations within a twenty-four (24) month period, a fine of three hundred (300) dollars and the Tobacco Product Sales Permit shall be suspended for thirty (30) consecutive business days.
  - d) In the case of more than three violations within a twenty-four (24) month period, a fine of three hundred (300) dollars and the Tobacco Product Sales Permit may be revoked.
- 17.3** Refusal to cooperate with inspections pursuant to this regulation shall result in the suspension of the Tobacco Product Sales Permit for thirty (30) consecutive business days.
- 17.4** In addition to the monetary fines set above, any permit holder who engages in the sale or distribution of tobacco products while his or her permit is suspended, or any non-permit

holder who engages in such sale or distribution, may be subject to the suspension of all Board of Health issued permits for thirty (30) consecutive business days.

- 17.5** The Dracut Board of Health shall provide notice of the intent to suspend or revoke a Tobacco Product Sales Permit, which notice shall contain the reasons therefore and establish a time and date for a hearing which date shall be no earlier than seven (7) days after the date of said notice. The permit holder or its business agent shall have an opportunity to be heard at such hearing and shall be notified of the Board of Health's decision, and the reasons therefore in writing. After a hearing, the Dracut Board of Health shall suspend or revoke the Tobacco Product Sales Permit if the Board finds that a violation of this regulations occurred. For purposes of such suspensions or revocations, the Board shall make the determination notwithstanding any separate criminal or non-criminal proceedings brought in court hereunder or under the Massachusetts General Laws for the same offense. All tobacco products shall be removed from the retail establishment upon suspension or revocation of the Tobacco Product Sales Permit. Failure to remove all tobacco products shall constitute a separate violation of this regulation.
- 17.6** Non-Criminal Disposition: Whoever violates any provision of this regulation that does not incorporate 105 CMR 665 may be penalized by the non-criminal method of disposition as provided in Massachusetts General Laws, Chapter 40, Section 21D or by filing a criminal complaint a the appropriate venue. Each day any violation exists shall be deemed to be a separate offense.
- 17.7** Enforcement: Enforcement of this regulation shall be by the Dracut Board of Health or its designated agent(s). Any resident who desires to register a complaint pursuant to the regulation may do so by contacting the Dracut Board of Health or its designated agent(s) and the Board shall investigate.

#### **SECTION 18: OTHER APPLICABLE LAWS**

This regulation shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable health, safety and fire codes, regulations or statutes.

#### **SECTION 19: PROHIBITING SMOKING IN WORKPLACES AND PUBLIC PLACES**

- 19.1** The Board of Health adopts the Massachusetts Smoke-Free Workplace Law (Massachusetts General Law Chapter 270, Sections 21 and 22) by reference and any future revisions as a local regulation.
- 19.2** Pursuant to Massachusetts General Laws Chapter 270, Section 22 (j) smoking is also hereby prohibited in the following locations:

- a) Adult-only retail tobacco stores
- b) Smoking bars
- c) Within 20 feet of any playground equipment inside a public park or recreation area owned or controlled by the Town of Dracut
- d) Within 20 feet of all entrances to municipal buildings

**19.3** The use of e-cigarettes is prohibited wherever smoking is prohibited per Massachusetts General Laws Chapter 270, Section 22 and Section 14 of this regulation.

**SECTION 20 THROUGH 26:**

Reserved for the future regulations, amendments, etc.

**SECTION 27: SEVERABILITY**

If any provision of these regulations is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.

**SECTION 28: EFFECTIVE DATE:**

This regulation shall take effect on January 1, 2026.

(Signature on file)  
Dr. Louis Rousseau, Chairman

(Signature on file)  
Cynthia Campbell R.N., Vice-Chairman

(Signature on file)  
Tom Bomil, Clerk