

ORDINANCE NO. 088-017

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING SECTION 5-280, CHAPTER 5, BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES, TOWN OF ADDISON, TEXAS, PROHIBITING SMOKING IN CERTAIN AREAS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

SECTION 1. That Chapter 5 of the Code of Ordinances, Town of Addison, Texas, is hereby amended to amend Sec. 5-280 to read as follows:

Sec. 5-280. Employer Workplace Requirements.

An Employer who owns, occupies, or controls a Workplace shall:

- (1) have and implement a written policy on smoking that:
  - (a) conforms to this chapter;
  - (b) reasonably accomodates the interests of both smokers and nonsmokers but minimizes the involuntary exposure of nonsmokers to Second-Hand Smoke;
  - (c) prohibits smoking in the Workplace, except private enclosed offices and specifically designated smoking areas which shall use existing structural barriers and ventilation to minimize involuntary exposure of nonsmokers to Second-Hand Smoke; and
  - (d) establishes a procedure for addressing Employee complaints;
- (2) provides conspicuous signage indicating nonsmoking areas;

- (3) not discharge, retaliate or discriminate against any Employee who:
  - (a) files a complaint or causes any proceeding to be instituted under or related to this chapter;
  - (b) testifies or will testify in any proceeding instituted under this chapter; or
  - (c) excercises on his own behalf or the behalf of others any right afforded by this chapter; and
- (4) not be responsible for fines assessed against an Employee for violation of Sec. 5-282 of this chapter.

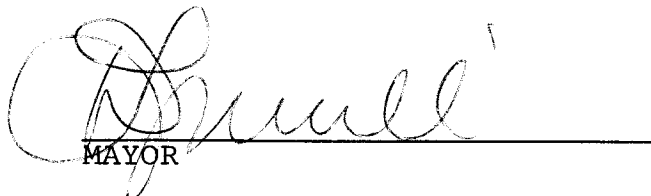
SECTION 2. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or be held unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional.

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a penalty of fine only not to exceed the sum of Five Hundred and no/100 Dollars (\$500.00) for each offense and each and every day such offense is continued shall constitute a new and separate offense.

SECTION 7. This ordinance which amends Ordinance No. 088-011 shall take effect on August 1, 1988, the effective date of said Ordinance No. 088-011.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,  
TEXAS, on this the 22nd day of March, 1988.

  
MAYOR

ATTEST:

  
CITY SECRETARY