

ORDINANCE NO. 99-05-24

AN ORDINANCE PROHIBITING THE USE OF TOBACCO PRODUCTS INSIDE CITY OWNED BUILDINGS; THE POSSESSION AND/OR USE OF ALCOHOLIC BEVERAGES AND THE POSSESSION AND/OR USE OF FIREARMS ON PROPERTY OWNED BY THE CITY OF LYFORD, TEXAS; PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE OF NOT LESS THAN \$10.00 NOR MORE THAN \$200.00; PROVIDING AN EXCEPTION TO THIS ORDINANCE; PROVIDING A SAVING CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Lyford, Texas, has determined that the use of tobacco products inside City owned buildings and the possession and/or use of alcoholic beverages and the use and/or possession of firearms on any property owned by the City of Lyford is hazardous to the health, safety and welfare of the employees and citizens of the City of Lyford and other persons utilizing said buildings and property; and,

WHEREAS, the City Council has determined that the most effective way to prevent the hazards caused by such use of tobacco products, possession and/or use of alcoholic beverages and possession and/or use of firearms is to prohibit their use and/or possession inside City owned buildings and/or on property owned by the City of Lyford.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LYFORD, TEXAS, THAT:

Section 1. Definitions:

1. The term "tobacco products" means any product made of tobacco for use and/or consumption by persons, including, but not limited to, cigarettes, cigars, smoking tobacco for pipes and cigarettes, chewing tobacco, snuff, or other forms of smokeless tobacco.
2. The term "alcoholic beverages" means any beverage containing alcohol made for consumption by persons, regardless of the percentage of the alcohol content, including, but not limited to beer, wine, distilled liquors, or fermented alcoholic beverages.
3. The term "firearms" means any manufactured or homemade device which fires or propels bullets or other projectiles from the device by means of expanding gases

caused by exploding gun powder or other means, including, but not limited to, pistols, handguns, revolvers, rifles, and shotguns.

Section 2. Prohibition against possession and/or use.

1. The use of all tobacco products inside buildings owned by the City of Lyford, Texas is prohibited.
2. The use and/or possession of alcoholic beverages on property owned by the City of Lyford, Texas is prohibited.
3. The use/and or possession of firearms on property owned by the City of Lyford, Texas is prohibited.

Section 3. Penalties.

The penalty for the violation of this Ordinance shall be a fine of not less than \$10.00 nor more than \$200.00 for each offense.

Section 4. Exceptions.

Police officers of the City of Lyford and other commissioned peace officers authorized by state or federal law to carry firearms shall not be subject to the provisions in Section 2, Paragraph 3 of this Ordinance prohibiting the use/and or possession of firearms on property owned by the City of Lyford.

Section 5. Saving clause.

If any section or parts of this Ordinance shall be found to be invalid or unconstitutional by a court of competent jurisdiction, the remaining sections or parts not found to be invalid or unconstitutional shall, to the extent practical, remain valid and in effect and to that end all sections or parts of this Ordinance are declared to be severable.

Section 6. Effective date.

This Ordinance shall be effective and in force after its adoption and the expiration of ten (10) days from the date of the publication of its caption as required by law.

PASSED, APPROVED AND ADOPTED this 24th day of May, 1999.

CITY OF LYFORD, TEXAS

BY: *Rodolfo Saldana*
RODOLFO SALDANA, Mayor

ATTEST:

Lydia Moreno
LYDIA MORENO, City Secretary