

**AN ORDINANCE PROHIBITING SMOKING AND VAPING ON THE MORGAN  
COUNTY ADMINISTRATIVE AND JUDICIAL CAMPUS PROPERTY  
OUTSIDE OF DESIGNATED AREAS**

**WHEREAS**, numerous medical studies have found that tobacco smoke is a major contributor to indoor pollution, and that breathing secondhand smoke is a major cause of disease, including lung cancer, in non-smokers;

**WHEREAS**, people at special risk to secondhand smoke include children, the elderly, individuals with cardiovascular disease or impaired respiratory function, including asthmatics, and those with obstructive airway disease;

**WHEREAS**, health hazards are induced by breathing secondhand smoke, including lung cancer, heart disease, respiratory infection, decreased respiratory function, and bronchospasm;

**WHEREAS**, the risks of vaping and secondhand inhalation of vapors from vaping are yet to be determined;

**WHEREAS**, residents of Morgan County with reasons to visit the Morgan County Judicial Campus have expressed concerns about smoking and vaping within close proximity to the main entrance of the Morgan County Administration Building and Judicial Campus; and

**WHEREAS**, the Morgan County Board of Commissioners finds and declares that the purposes of this ordinance are to: 1) protect the public health and welfare by prohibiting smoking and vaping near the entrances to the Morgan County Judicial Campus building; and 2) stating that the need to breathe smoke-free and vapor-free air shall have priority over the desire to smoke or vape.

**NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED** by the Morgan County Board of Commissioners that:

**Section 1.** Smoking and vaping shall not be allowed on the property of the Morgan County Administrative Building and Judicial Campus outside of designated smoking areas. A designated smoking and vaping area has been provided in the parking area for the Morgan County Administrative Building and Judicial Campus, with seating and a receptacle for disposal of smoking and vaping materials. The Commissioners, at their discretion, may elect to designate one or more additional smoking areas in the future.

**Section 2.** Signage will be conspicuously placed near entrances and on other locations around the Morgan County Administrative Building and Judicial Campus clearly stating that smoking and vaping are prohibited on the property except in the designated smoking area or areas.

**Section 3.** This Chapter shall not be interpreted to permit smoking or vaping where it is otherwise restricted by other applicable laws or to supercede any State or local laws which are more restrictive.

**Section 4.** A first violation of this Ordinance will result in a verbal warning. Any person so-warned who refuses to cease smoking or vaping outside of the designated smoking and vaping area will be considered to be trespassing and will be subject to removal from the property.

**Section 5.** Any person who smokes or vapes on the property of the Morgan County Administration Building and Judicial Campus outside of the designated smoking and vaping area shall be guilty of an infraction punishable by a fine not exceeding \$250 per infraction, according to the following schedule:

- (a) A fine not exceeding \$50 for a first infraction;
- (b) A fine not exceeding \$100 for a second infraction; and
- (c) A fine not exceeding \$250 for a third infraction and any subsequent infractions.

Repeated violations of this Ordinance will subject violators to permanent trespass from the property at the discretion of the Commissioners.


**Section 6.** The provisions of all other Morgan County ordinances in conflict with the provisions hereof, if any, are of no further force or effect and are hereby repealed.

**Section 7.** If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.

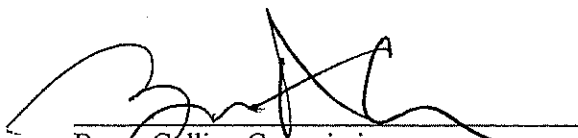
Ordinance 2024-26 is hereby presented to the Board of Commissioners of Morgan County, Indiana, read in full, and adopted this 18<sup>th</sup> day of November, 2024.

Approved by the Board of Commissioners of Morgan County, Indiana on the 18<sup>th</sup> day of November, 2024.

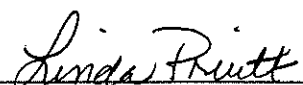
**BOARD OF COMMISSIONERS OF MORGAN COUNTY, INDIANA**

  
Don Adams, President

  
Kenny Hale, Commissioner

  
Bryan Collier, Commissioner

**ATTEST:**

  
Linda Pruitt, Auditor  
Morgan County, Indiana

Date: 11/18/2024