

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2020, Legislative Day No. 25

Bill No. 63-20

Introduced by Mr. Pruski

By the County Council, July 20, 2020

Introduced and first read on July 20, 2020
Public Hearing set for and held on September 21, 2020
Public Hearing on AMENDED bill set for and held on October 5, 2020
Bill Expires October 23, 2020

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 ~~AN ORDINANCE concerning: Public Safety— Electronic Smoking Devices in Restaurants~~
2 ~~— Prohibition~~

3
4 ~~FOR the purpose of prohibiting the use of electronic smoking devices in restaurants;~~
5 ~~defining certain terms; allowing sanctions for violations; and generally relating to~~
6 ~~public safety.~~

7
8 ~~BY adding: § 12-6-107~~
9 ~~Anne Arundel County Code (2005, as amended)~~

10
11 ~~SECTION 1. Be it enacted by the County Council of Anne Arundel County, Maryland,~~
12 ~~Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:~~

13
14 ~~**ARTICLE 12. PUBLIC SAFETY**~~

15
16 ~~**TITLE 6. MISCELLANEOUS PROVISIONS**~~

17
18 ~~**12-6-107. Electronic smoking devices.**~~

19
20 ~~(A) **Definition.** IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS~~
21 ~~INDICATED:~~

22
23 ~~(1) “ELECTRONIC SMOKING DEVICE” HAS THE MEANING STATED IN § 16.7-101 OF~~
24 ~~THE BUSINESS REGULATION ARTICLE OF THE STATE CODE.~~

EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter deleted from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.
Underlining indicates amendments to bill.
~~Strikeover~~ indicates matter stricken from bill by amendment.

~~(2) "RESTAURANT" MEANS A COMMERCIAL ESTABLISHMENT FOR THE SALE OF FOOD FOR ON-PREMISES CONSUMPTION.~~

~~(B) **Prohibition.** A PERSON MAY NOT USE AN ELECTRONIC SMOKING DEVICE IN A RESTAURANT.~~

~~(C) **Sanction for violation.** THE ANNE ARUNDEL COUNTY POLICE DEPARTMENT SHALL ENFORCE THE PROVISIONS OF THIS TITLE. A VIOLATION OF THIS TITLE IS A CLASS E CIVIL OFFENSE.~~

AN ORDINANCE concerning: Licenses and Registrations – Electronic Smoking Devices in Restaurants – Indoor Prohibition

FOR the purpose of prohibiting the use of electronic smoking devices indoors in restaurants; defining certain terms; providing for a penalty for violations; and generally relating to licenses and registrations.

BY adding: § 11-6-104
Anne Arundel County Code (2005, as amended)

SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

ARTICLE 11. LICENSES AND REGISTRATIONS

TITLE 6. FOOD SERVICE FACILITIES

11-6-104. Electronic smoking devices.

(A) **Definition.** IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:

(1) "ELECTRONIC SMOKING DEVICE" HAS THE MEANING STATED IN § 16.7-101 OF THE BUSINESS REGULATION ARTICLE OF THE STATE CODE.

(2) "RESTAURANT" MEANS A COMMERCIAL ESTABLISHMENT FOR THE SALE OF FOOD FOR ON-PREMISES CONSUMPTION.

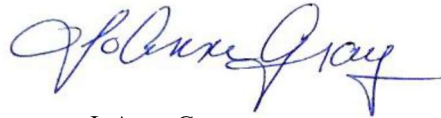
(B) **Prohibition.** A RESTAURANT SHALL PROHIBIT THE INDOOR USE OF ELECTRONIC SMOKING DEVICES.

(C) **Violations.** IT IS A CLASS E CIVIL OFFENSE TO VIOLATE ANY PROVISION OF THIS SECTION.

SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days from the date it becomes law.

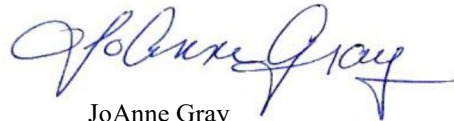
READ AND PASSED this 5th day of October, 2020

By Order:



JoAnne Gray
Administrative Officer

PRESENTED to the County Executive for his approval this 6th day of October, 2020



JoAnne Gray
Administrative Officer

APPROVED AND ENACTED this 12th day of October, 2020



Steuart Pittman
County Executive

EFFECTIVE DATE: November 26, 2020

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 63-20. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



JoAnne Gray
Administrative Officer