

Council Bill 24-0418

1 (B) *ELECTRONIC SMOKING DEVICE.*

2 "ELECTRONIC SMOKING DEVICE" HAS THE MEANING STATED IN § 12-101 {"DEFINITIONS"}
3 OF THIS TITLE.

4 (C) *PROFESSIONAL SPORTING EVENT.*

5 (1) *IN GENERAL.*

6 "PROFESSIONAL SPORTING EVENT" MEANS ANY SPORTING OR ATHLETIC EVENT FOR
7 WHICH THE COMPETING ATHLETES RECEIVE MONETARY PAYMENT FOR PARTICIPATION.

8 (2) *INCLUSIONS.*

9 "PROFESSIONAL SPORTING EVENT" INCLUDES:

- 10 (I) A COLLEGIATE SPORTING OR ATHLETIC EVENT;
- 11 (II) AN OLYMPIC OR INTERNATIONAL SPORTING OR ATHLETIC EVENT; OR
- 12 (III) A MOTOR RACE EVENT.

13 (3) *EXCLUSIONS.*

14 "PROFESSIONAL SPORTING EVENT" EXCLUDES:

- 15 (I) A HIGH SCHOOL SPORTING OR ATHLETIC EVENT; AND
- 16 (II) AN AMATEUR SPORTING OR ATHLETIC EVENT FOR WHICH THE COMPETING
17 ATHLETES DO NOT RECEIVE MONETARY PAYMENT FOR PARTICIPATION.

18 (D) *TOBACCO PRODUCT.*

19 (1) *IN GENERAL.*

20 "TOBACCO PRODUCT" MEANS A PRODUCT THAT IS:

- 21 (I) INTENDED FOR HUMAN CONSUMPTION OR LIKELY TO BE CONSUMED, WHETHER
22 INHALED, CHEWED, ABSORBED, DISSOLVED, SMOKED, OR INGESTED IN ANY
23 OTHER MANNER, AND THAT IS MADE OR DERIVED FROM, OR THAT CONTAINS:

24 (A) TOBACCO; OR

25 (B) NICOTINE; OR

- 26 (II) AN ACCESSORY OR A COMPONENT USED IN ANY MANNER OF CONSUMPTION
27 DESCRIBED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

Council Bill 24-0418

1 (2) *INCLUSIONS.*

2 “TOBACCO PRODUCT” INCLUDES:

3 (I) CIGARETTES;

4 (II) CIGARS;

5 (III) PIPE TOBACCO;

6 (IV) CHEWING TOBACCO;

7 (V) SNUFF;

8 (VI) SNUS;

9 (VII) ELECTRONIC SMOKING DEVICES;

10 (VIII) FILTERS;

11 (IX) ROLLING PAPERS;

12 (X) PIPES; AND

13 (XI) LIQUIDS USED IN ELECTRONIC SMOKING DEVICES, REGARDLESS OF NICOTINE
14 CONTENT.

15 (3) *EXCLUSIONS.*

16 “TOBACCO PRODUCT” DOES NOT INCLUDE DRUGS, DEVICES, OR COMBINATION
17 PRODUCTS APPROVED FOR SALE BY THE UNITED STATES FOOD AND DRUG
18 ADMINISTRATION, AS DEFINED IN THE FEDERAL FOOD, DRUG, AND COSMETIC ACT.

19 (D) *STADIUM.*

20 (1) *IN GENERAL.*

21 “STADIUM” MEANS A STRUCTURE WITH TIERS OF SEATS RISING AROUND A FIELD OR
22 COURT, OR ANOTHER AREA WHERE SPORTING EVENTS OCCUR, INTENDED TO BE USED:

23 (I) PRIMARILY FOR THE VIEWING OF ATHLETIC EVENTS; AND

24 (II) SECONDARILY, FOR ENTERTAINMENT AND OTHER PUBLIC GATHERING
25 PURPOSES.

26 (2) *INCLUSIONS.*

27 “STADIUM” INCLUDES:

Council Bill 24-0418

1 (I) ANY "ATHLETIC FACILITY", AS DEFINED IN § 12-801 {"DEFINITIONS"} OF THIS
2 TITLE; AND

3 (II) ANY SWIMMING POOL OR OTHER BODY OF WATER THAT IS USED:

4 (A) TO TRAIN OR PRACTICE FOR COMPETITIVE SWIMMING OR DIVING; OR

5 (B) FOR SPORTING EVENTS.

6 **§ 12-1002. USE PROHIBITION - STADIUMS.**

7 USE OF A TOBACCO PRODUCT IN ANY MANNER IS PROHIBITED IN ANY STADIUM.

8 **§ 12-1003. ENFORCEMENT BY CITATION.**

9 (A) *IN GENERAL.*

10 IN ADDITION TO ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT PROCEDURE,
11 THIS SUBTITLE MAY BE ENFORCED BY ISSUANCE OF:

12 (1) AN ENVIRONMENTAL CITATION AS AUTHORIZED BY CITY CODE ARTICLE 1,
13 SUBTITLE 40 {"ENVIRONMENTAL CONTROL BOARD"}; OR

14 (2) A CIVIL CITATION AS AUTHORIZED BY CITY CODE ARTICLE 1, SUBTITLE 41 {"CIVIL
15 CITATIONS"}.

16 (B) *PROCESS NOT EXCLUSIVE.*

17 THE ISSUANCE OF A CITATION TO ENFORCE THIS SUBTITLE DOES NOT PRECLUDE PURSUING
18 ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT ACTION AUTHORIZED BY LAW.

19 **§ 12-1004. CIVIL PENALTIES: \$500.**

20 ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS SUBJECT TO A CIVIL FINE OF
21 NOT MORE THAN \$500 FOR EACH VIOLATION.

22 **Article 1. Mayor, City Council, and Municipal Agencies**

23 **Subtitle 40. Environmental Control Board**

24 **§ 40-14. Violations to which this subtitle applies.**

25 (e) *Provisions and penalties enumerated.*

26 (7) *Health Code*

27 . . .

Council Bill 24-0418

1	Title 12: Tobacco Products and Smoking Devices	
2	...	
3	Subtitle 9: Nicotine Replacement Therapy Products	\$100
4	SUBTITLE 10: TOBACCO PRODUCT USE IN STADIUMS	
5	NON-PROFESSIONAL SPORTING EVENT	\$50
6	PROFESSIONAL SPORTING EVENT	\$500

7 **Subtitle 41. Civil Citations**

8 **§ 41-14. Offenses to which subtitle applies – Listing.**

9 **(6) *Health Code***

10	...	
11	Title 12: Tobacco Products and Smoking Devices	
12	...	
13	Subtitle 9: Nicotine Replacement Therapy Products	\$100
14	SUBTITLE 10: TOBACCO PRODUCT USE IN STADIUMS	
15	NON-PROFESSIONAL SPORTING EVENT	\$50
16	PROFESSIONAL SPORTING EVENT	\$500

17 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
18 enacted.

Council Bill 24-0418

Certified as duly passed this 12 day of February, 2024



President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 12 day of February, 2024



Chief Clerk

Approved this 13 day of March, 2024



Mayor, Baltimore City

Approved for Form and Legal Sufficiency
This 13th Day of February, 2024.

Elena R. DiPietro

Chief Solicitor