

**TOWN OF FRANKLIN BY-LAW AMENDMENT 97-331—TOBACCO  
PRODUCTS  
A BY-LAW TO AMEND THE FRANKLIN CODE BY ADDING  
CHAPTER 48, TOBACCO PRODUCTS**

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:**

**CHAPTER 48  
TOBACCO PRODUCTS  
ARTICLE I**

Public Schools

- §48-1 Statutory Authority
- § 48-2 Definitions
- § 48-3 Use of Tobacco Products Prohibited
- § 48-4 Enforcement
- § 48-5 Violation and Penalties

**ARTICLE I**

**§ 48-1 Statutory Authority**

Pursuant to the powers conferred on the Franklin Town Council (hereafter "Council") by the Provisions of Massachusetts General Laws Chapter 40, § 21 and § 21 and § 21D, and all other powers the Council may have, the Council, consistent with the provisos of Massachusetts General Laws Chapter 71, § 2A and 527 CMR 10.07(3), hereby adopts the following By Law prohibiting the use of tobacco products on public school property.

**§48-2 Definitions**

- A. Tobacco Products. Tobacco products shall mean and include cigarettes, cigars, pipe and chewing tobacco or any other substance whose smoke is inhaled.
- B. School property. School property means all real and personal property held in the care, custody, management and control of the School Committee of the Town of Franklin.

**§ 48-3 Use of Tobacco Products Prohibited.**

The use of tobacco products by any person on school property is prohibited.

**§ 48-4 Enforcement.**

The provisions of this Chapter shall be enforced by all Principals and Assistant Principals within each school of the Franklin School Department and by members of the Franklin Police Department who have been hired by the Public Schools for detail duty at athletic contests and other school-sponsored events.

**§ 48-5 Violations and Penalties.**

The penalty for violations of the provisions of this Chapter shall be a fine of \$100.00 per violation. Such fines may be imposed as criminal fines, pursuant to Massachusetts General Laws Chapters 40, Section 21 or civil fines pursuant Massachusetts General Laws Chapter 40, Section 21 D.

DATED: September 17, 1997

VOTED: Passed

UNANIMOUSLY: \_\_\_\_\_

A True Record Attest:

YES:   6   NO:   3  

Deborah L. Pellegrini  
Town Clerk

ABSTAIN:   0   ABSENT:   0  

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Judith Pond Pfeffer, Clerk  
FRANKLIN TOWN COUNCIL