

SEC. 55. SMOKING, ETC., ON WHARVES, ETC.

(a) It shall be unlawful for any person to smoke, carry or possess a lighted cigar, cigarette, or pipe, or to smoke tobacco or any other similar substance in any form, or to ignite any match or mechanical lighter on or in any wharf, pier, dock, bulkhead, or marine facility; provided, however, that tobacco may be smoked in any area or space on or in any such place or structure, that may be set apart for such purpose by the joint action of the Chief of the Fire Department and the Board of State Harbor Commissioners, and clearly so designated by duly posted signs; but any such permission to smoke in a designated area or space may be withdrawn at any time by like joint action. Provided, however, that in every area or space set apart as a space or area within which smoking is permitted, in accordance with the provisions of this Section, there shall be provided at least one approved fireproof container filled with sand for every three hundred square feet or fraction thereof of floor area for the purpose of depositing cigarettes or cigar butts, tobacco, matches and other material which may be productive of starting fires and at least one approved portable fire extinguisher for every five hundred square feet or fraction thereof of said floor area, which fire extinguisher shall be at least two and one-half gallon capacity or at least one quart capacity if said fire extinguisher is of the carbon tetrachloride type.

(b) It shall be unlawful for any person to smoke, carry or possess a lighted cigar, cigarette, or pipe, or to smoke tobacco or any other similar substance in any form, or to ignite any match or mechanical lighter on any vessel moored at any wharf, pier, dock, bulkhead, or marine facility; provided, however, that tobacco may be smoked in any area or space that may be set apart for such purpose on any such vessel by the joint action of the Chief of the Fire Department and the master of said vessel, and clearly so designated by duly posted signs; but, any such permission to smoke in a designated area or space may be withdrawn at any time by like joint action; and provided further, that in no case shall smoking be permitted

- (1) On weather decks,
- (2) When loading or discharging explosives,
- (3) In cargo spaces,
- (4) When gas freeing ship's tanks or when loading in bulk any liquid inflammable cargo having a flash point of 80F. or below.

(Amended by Ord. 2692, Series of 1939, App. 4/26/44)