

After discussion, Councilman Bissette moved to amend Ordinance 1443 by deleting Section 12.26 (A)(1) and to add the following:

Section 12.22. Smoking Prohibited in Specified Public Spaces.

A. In addition to the prohibitions against smoking in certain places pursuant to Section 3-1.1.11 of the NFPA Code, no person shall smoke or carry a lighted cigar, cigarette, pipe or match, or use any spark, flame, or fire producing device not specifically authorized by the Fire Marshall for use in such place in any of the following places.

1. Elevators. Elevators, regardless of capacity, in any public place.
2. Public and Private Hospitals. Smoking is permitted only in waiting rooms, lounge areas, offices, and restaurants; smoking also may be allowed in a patient's room with permission of the attending physician.

Further, that the section numbers in the ordinance be changed as outlined by the Corporation Counsel. This motion was seconded by Councilman Myers and carried on a voice vote of 5-2 with Councilwomen Frank and Price voting "No."

On a roll call vote of 7-0, Ordinance No. 1443 passed on second reading as amended.

Councilwoman Price requested that definitions be clarified in the ordinance prior to third reading.

ORDINANCE NO. 1444 - AN ORDINANCE AMENDING CHAPTER 8, ARTICLE IV OF THE CODE OF ORDINANCES OF THE CITY OF ASHEVILLE (HEATING CODE)

8. Consideration was given to the second reading of Ordinance No. 1444 - an ordinance amending Chapter 8, Article IV of the Code of Ordinances of the City of Asheville (Heating Code).

Mayor McDevitt said this ordinance was previously read on first reading and would not be reread in its entirety unless there was a specific request to do so.

On a roll call vote of 7-0, Ordinance No. 1444 passed on second reading.

RESCHEDULING PUBLIC HEARING - MONTFORD HISTORIC DISTRICT.

9. Councilwoman Price moved to reschedule the public hearing on the Montford Historic District Amendment from June 19, 1984, to July 10, 1984. This motion was seconded by Councilwoman Frank and carried unanimously.

COUNCILWOMAN PRICE - REGULATION OF CATS INQUIRY.

Corporation Counsel Slawter reported that he had not been able to locate any ordinance or provision regulating the keeping of cats in the City of Asheville.

After discussion, it was the consensus of Council to refer this matter to the Community Services Committee to review the entire existing Animal Control Ordinance.

CLAIMS - ALAN BERLAGE (STREETS); RAMON FROMMER (REC. PARK); VERNA NEWTON (SEWER); JAMES HARRIS (SANITATION); JERRY HIGGINS (STREETS); WILLIAM BOWERS (WATER); JOHN BALL (INSPECTIONS); AND MARY LOU BLACK (STREETS).

The City Manager presented claims received by the City of Asheville from the following individuals: Alan Berlage, Ramon Frommer; Verna Newton; James Harris; Jerry Higgins; William Bowers; John Ball; and Mary Lou Black.

Mayor McDevitt referred the claims to the Corporation Counsel for his investigation and recommendation.

RALPH BISHOP - COMMENTS RELATIVE TO J. C. HALL

Ralph Bishop appeared before the Council relative to former Police Chief J. C. Hall's disability pension.

EXECUTIVE SESSION

Upon motion of Vice-Mayor Bratton, seconded by Councilman Myers, the City Council adjourned to go into Executive Session.

Mayor City Clerk
