



TOWN OF APPOMATTOX TOWN COUNCIL ACTION FORM

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Consideration of Voluntary Participation in the Share The Air Program

ISSUE: Council received information regarding the Share The Air program, a voluntary public education and signage program encouraging tobacco-free, vape-free, and smokeless-tobacco-free parks and outdoor public spaces. Council Member McKinley Cardwell requested Council consideration of voluntary participation.

RECOMMENDATION: Council discretion. At Council Member Cardwell's request, staff has prepared this item and a draft resolution for Council consideration. Council may adopt the resolution authorizing voluntary participation in the Share The Air program or take other action.

TIMING: Council consideration is scheduled for the June 8, 2026 regular meeting. If approved, staff can coordinate with program representatives regarding signage, materials, and public communication after adoption.

BACKGROUND: At a recent work session, Council received a presentation and follow-up information regarding Share The Air. The program is associated with Y Street, the youth engagement initiative of the Virginia Foundation for Healthy Youth, and appears to focus on voluntary compliance, signage, public education, and staff awareness.

DESCRIPTION: Council is being asked to consider voluntary participation in Share The Air. Approval would authorize staff to coordinate with program representatives regarding voluntary signage, educational materials, and public communication. The action would not create an enforceable ordinance, civil penalty, criminal violation, or staff enforcement obligation. Additional operational considerations are addressed in the attached Implementation Considerations Memo.

ENCLOSED DOCUMENTS: Draft resolution authorizing voluntary participation; Share The Air program materials; Implementation Considerations Memo.

STAFF/SPONSOR: Council Member McKinley Cardwell - Sponsor; Michael Campbell - Town Manager/Staff Contact

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call

SUMMARY:

Y N

- Councilor Timothy W. Garrett
- Councilor Jack Hensley
- Councilor James Boyce, Sr.
- Councilor McKinley Cardwell

Y N

- Councilor Danielle Ulmer
- Councilor Mary Lou Spiegel
- Mayor Richard Conner (If required)



TOWN OF APPOMATTOX

MEMORANDUM

TO: Mayor and Members of Town Council
FROM: Michael Campbell, Town Manager
DATE: June 8, 2026
SUBJECT: Share The Air Program - Implementation Considerations

At the request of Council Member Cardwell, Council is being asked to consider voluntary participation in the Share The Air program. This memo is intended to identify practical implementation considerations if Council chooses to authorize participation. It is not intended to recommend approval or disapproval of the program.

1. Nature of Participation

Staff would treat participation as a voluntary public education and signage effort. Approval would not create an enforceable ordinance, civil penalty, criminal violation, or independent staff enforcement obligation. Any signage or public information should make the voluntary nature of the program clear.

2. Signage and Public Communication

If approved, staff can coordinate with program representatives regarding no-cost signage and educational materials. Public communication should focus on cleaner parks and public spaces, reduced tobacco-related litter, youth tobacco prevention, and family-friendly outdoor areas. Staff should avoid wording that implies a legal prohibition unless Council later adopts an enforceable ordinance after legal review.

3. Staff Response to Questions or Complaints

If staff receives questions or complaints, the response should be informational. Staff can explain that the Town encourages voluntary compliance in designated outdoor public areas but would not issue citations, impose penalties, or place employees in confrontational enforcement situations. If repeated operational issues arise, staff can bring the matter back to Council for further policy direction.

4. Use of the Town Name, Logo, and Public Identification

Share The Air may wish to identify the Town as a participating locality or include the Town in program-related materials. Any use of the Town name or logo should be reviewed and authorized by the Town before publication. Materials should accurately reflect that participation is voluntary and should not suggest that the Town has adopted an enforceable smoking or vaping ordinance unless Council takes separate action to do so.

5. If Council Wants an Enforceable Policy

If Council wishes to consider anything beyond voluntary participation, such as a mandatory restriction or ordinance with penalties, that issue should be reviewed separately by the Town Attorney before further action. A separate ordinance or formal policy discussion would also need to address enforcement authority, staff responsibilities, penalties, signage language, and complaint handling.

Summary

If Council adopts the resolution, staff can proceed with voluntary program coordination, signage, and public education. If Council wants mandatory restrictions or enforcement, staff recommends that the matter be reviewed separately with the Town Attorney before additional Council action.



**TOWN OF APPOMATTOX,
VIRGINIA**

RESOLUTION NO. 2026-__

**A RESOLUTION AUTHORIZING VOLUNTARY PARTICIPATION IN THE SHARE THE
AIR PROGRAM**

WHEREAS, the Town Council has received information regarding the Share The Air program, a voluntary public education and signage program intended to encourage tobacco-free, vape-free, and smokeless-tobacco-free parks, playgrounds, trails, athletic fields, shelters, and other outdoor public spaces; and

WHEREAS, the program is presented as a voluntary compliance effort and does not, by itself, create a criminal offense, civil penalty, enforceable local ordinance, or mandatory enforcement process; and

WHEREAS, potential benefits of voluntary participation may include no-cost signage and materials, support for cleaner parks and public spaces, reduced tobacco-related litter, alignment with youth tobacco prevention efforts, and a public health message related to secondhand smoke, vaping, asthma, and family-friendly outdoor areas; and

WHEREAS, the Town Council recognizes that Town staff resources are limited and that any implementation of a voluntary program must be administered within existing staffing, budgeted resources, and higher-priority Town responsibilities; and

WHEREAS, the Town Council desires to clearly distinguish voluntary program participation from the adoption of any enforceable ordinance, penalty structure, or staff enforcement obligation.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Appomattox, Virginia, that:

1. Voluntary Participation Authorized. The Town Council hereby authorizes the Town of Appomattox to participate in the Share The Air program as a voluntary public education and signage program.

2. No Ordinance or Enforcement Created. This resolution does not create an enforceable ordinance, civil penalty, criminal violation, or independent enforcement obligation for Town staff. Participation shall be understood and communicated as voluntary and educational in nature.

3. Staff Role. The Town Manager, or the Town Manager's designee, is authorized to coordinate with Share The Air program representatives regarding available no-cost signage, educational materials, staff awareness materials, and appropriate public information. The Town Manager, or designee, is further authorized to complete and submit any required Share The Air sign-on or commitment form, provided that participation is understood and administered as a voluntary public education and signage program consistent with this resolution. Staff may place signage and share information in a manner determined administratively by the Town Manager or designee.

4. Staff Resources and Priorities. Implementation shall be carried out within existing staff capacity and budgeted resources. This program shall not take priority over core Town operations, public works, utility responsibilities, public safety coordination, agenda preparation, FOIA responsibilities, finance duties, or other higher-priority administrative functions. The Town Manager may phase, limit, defer, or adjust implementation as needed based on workload, operational needs, public safety, facility needs, and available staff capacity.

5. Questions and Complaints. If Town staff receive questions or complaints related to tobacco, vaping, or smokeless tobacco use in outdoor public areas, staff shall respond in an informational manner. Staff shall not be expected to issue citations, impose penalties, or engage in confrontational enforcement activity unless the Town Council later adopts a separate ordinance or formal policy after appropriate legal review.

6. Public Communication and Signage. Any public communication, signage, or educational material associated with participation should accurately describe the Town's participation as a voluntary public education and signage program. Materials may use Share The Air's standard tobacco-free, vape-free, and smokeless-tobacco-free program language, but should not imply that the Town has adopted a legally enforceable ordinance, citation process, civil penalty, criminal penalty, or mandatory enforcement program unless such action is separately adopted by the Town Council after appropriate legal review.

7. Town Name, Seal, Logo, or Public Identification. Any use of the Town's name, seal, logo, or public identification in Share The Air materials shall be reviewed and authorized by the Town prior to publication or distribution and shall accurately reflect the voluntary nature of the Town's participation.

8. Future Enforceable Policy. If the Town Council wishes to consider a mandatory restriction, ordinance, penalty, or enforcement mechanism beyond voluntary participation, that matter shall be reviewed separately by the Town Attorney before further Council action.

9. Effective Date. This resolution shall be effective upon adoption.

ADOPTED this 8th day of June, 2026.

ATTEST:

TOWN OF APPOMATTOX, VIRGINIA

Dianne Tanner, Deputy Town Clerk

Richard Conner, Mayor

SUGGESTED SIMPLE MOTIONS

The resolution above is drafted so Council can act with a simple motion. The following suggested motions may be used during the meeting:

Motion to Approve

I move to approve Resolution No. 2026-____ authorizing the Town of Appomattox to participate in the Share The Air program as a voluntary public education and signage program.

Motion to Deny

I move to deny Resolution No. 2026-____ regarding voluntary participation in the Share The Air program.

Motion to Defer

I move to defer action on Resolution No. 2026-____ regarding voluntary participation in the Share The Air program until a future meeting.

Note: If Council approves the resolution, staff implementation remains limited to voluntary public education, signage coordination, and non-enforcement activity as described in the resolution.