

ORDINANCE NO. 882

An Ordinance of the City of Vernonia Establishing a Drug, Alcohol and Tobacco Free Zone within the Swimming Area of Hawkins Park and Repealing Ordinance No. 860

WHEREAS, Hawkins Park, a public park of the City of Vernonia, has within it access to Rock Creek for purposes of swimming known as the Hawkins Park Swimming Hole (known as Dewey Pool) as described below;

WHEREAS, the purpose of this ordinance is to protect the public health, safety and welfare of swimmers and visitors by prohibiting tobacco, nicotine delivery devices, such as e-cigarettes, alcohol and drug use in the Swimming Hole and nearby area by creating a Drug, Alcohol and Tobacco Free Zone in the Swimming Hole;

WHEREAS, because all, lighted cigarettes or other smoking devices which may deposit hot embers or ash which could cause burns or start fires, further any devices that emit a second hand smoke or vapor that may potentially cause harm to nonusers such as nicotine delivery devices, all other tobacco products, alcohol and drugs will be prohibited in the Swimming Hole and nearby area by this ordinance and because the season for increased public use of the Swimming Hole begins prior to 30 days after Council adoption of this ordinance, an emergency exists to protect the public health, welfare and safety.

NOW, THEREFORE, THE CITY OF VERNONIA ORDAINS AS FOLLOWS:

Section 1. Drug, Alcohol and Tobacco Free Zone at Hawkins Park Swimming Hole. Drug, alcohol and tobacco use shall be prohibited in the area bounded by Rock Creek on the west, the top of the stairway area on the south, the cable fence on the east and an imaginary line connecting to end of the cable fence and the north end of the retaining wall for the swimming pool along Rock Creek, all within Hawkins Park, Vernonia, Oregon. For the purposes of this ordinance, "Smoking" shall mean any inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, plant, marijuana, or other tobacco product or tobacco-like products such as a nicotine delivery device or substance in any manner or in any form; "Tobacco Product" shall mean any chewing tobacco, snuff, tobacco cigarette, cigar, pipe tobacco, or any other form of tobacco which may be utilized for smoking or inhalation. Further it is prohibited for anyone one person to inhale, exhale, burn any nicotine delivery device such as e-cigarettes and other products. Drugs include any substance recognized as a drug in the official United States Pharmacopeia. Physician prescribed substances that are not ingested by smoking are exempt from this ordinance.

Section 2. Penalties for Violation. Violation of this ordinance shall be punishable by a fine of not to exceed \$50.00 for the first conviction and not less than \$100.00 for any subsequent conviction in any five (5) year period.

Section 3 Emergency Clause.

Section 4. Recorder's Duties. The City Recorder is hereby directed upon its adoption and authentication, to number this ordinance as the next adopted ordinance of the City of Vernonia.

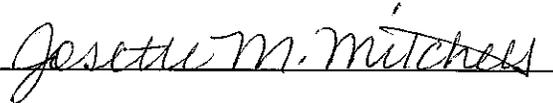
May be read in full if requested

Read for the first time by title only: 18, June, 2012.

Read for the second time by title only and passed: 18, June, 2012, to become effective 30 days after adoption.

Ayes: 3 Nays: _____ Abstain: _____ Absent: 2

Signed by me, Josette Mitchell, Mayor in its authentication on this 18 day of June, 2012



Josette Mitchell, Mayor

ATTEST:



Joann M Glass, City Recorder