

Vernonia Ordinances

ORDINANCE NO. 906

An ordinance prohibiting smoking, tobacco, and inhalant delivery devices in City of Vernonia Parks

WHEREAS, the City Council of the City of Vernonia finds that a smoke and tobacco free parks policy creates a healthy and safe environment for Vernonia residents, visitors, youth, and children;

WHEREAS, a smoke and tobacco free policy protects residents and visitors from secondhand smoke, ensures equal access to parks for people with asthma and respiratory conditions, and helps people breathe clean air;

WHEREAS, a smoke and tobacco free policy reduces the exposure of children and youth to smoking and tobacco use and therefore protects their health and discourages them from starting a harmful habit that is difficult to quit;

WHEREAS, a smoke and tobacco free policy protects parks and natural areas from environmental degradation caused by the littering of cigarette butts and other tobacco related waste;

WHEREAS, a smoke and tobacco free policy protects parks and natural areas from potential risk of fires; and

WHEREAS, a smoke and tobacco free policy supports individuals who are trying to quit smoking or tobacco use or have already quit.

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

Section 1. [Definitions.]

1. "Smoking" means inhaling or exhaling from any lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product, or inhaling or exhaling vapor from any electronic delivery device. Smoking shall include carrying a lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product intended for inhalation.
2. "Inhalant delivery system" means a device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device. It also includes a component of a device described in this subparagraph or a substance in any form sold for the purpose of being vaporized or aerosolized by a device described in this subparagraph whether the component or substance is sold separately or is not sold separately.

“Inhalant delivery system” does not include any product or device that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for any other therapeutic purpose, if the product is marketed and sold solely for the approved purpose.

3. “Tobacco Product” means any product containing, made, derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to: cigarettes, cigarillos, cigars, cloves, stogies, kreteks, pipes, cavendish, hookah, and other forms of smoking tobacco. “Tobacco Product” shall also include non smoking forms, including, but not limited to: snuff, chewing tobacco, and snus.
4. “Tobacco Use” means the act of smoking, the use of smokeless tobacco, or the use of any other tobacco product in any form, including the use of an inhalant delivery system.
5. A “Park” is:
 - a. **Any land owned or leased by the City of Vernonia which is zoned public recreation (PR).** Such as; any City owned or managed park or recreational facility; public park, trail, designated nature area, or special use area such as playgrounds, athletic fields and courts, restrooms, concession areas, aquatic areas, spectator areas, and bleachers.

Section 2. [Smoking and Tobacco Use Prohibited.]

Smoking and tobacco use is prohibited in any area designated as a Park as defined in Section 1. This policy shall be in effect at all times, including during all festivals, concerts, or similar public events occurring on all Park property.

Section 3. [Exemption for Campsites.]

Notwithstanding the prohibition in Section 2, Smoking and tobacco use is allowed in designated campsites located within a park.

Section 4. [Enforcement]

1. Appropriate signs to communicate the smoke and tobacco free policy shall be posted in all parks.
2. Park user agreements shall contain appropriate language regarding smoking and tobacco use prohibitions to advise facility users and staff.
3. Staff shall make periodic observations of park areas and facilities to monitor for compliance with this policy.

4. Any person found violating this policy will receive a verbal warning to stop such use immediately. If the smoking or tobacco use continues, the person may be immediately ejected from the park.

Emergency Clause: This ordinance being necessary for health, safety and welfare, shall become effective immediately upon adoption.

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.

Read for the first time by title only this ____ day of August, 2015

Read for the second time by title only and passed this ____ day of August, 2015.

Ayes: _____, Nays: _____ Abstain: _____ Absent: _____

Randall J. Parrow, Mayor

ATTEST:

Josette M. Mitchell, City Recorder