

20.12.110 Fires, Fireworks and Smoking Prohibited.

(Amended by Ordinance No. 187020, effective March 20, 2015.)

A. No person shall light any fire in any Park, except in areas and/or facilities designated by the Director for such use and in conformance with all applicable laws. This Section does not prohibit lighting cigarettes, cigars or pipes in areas where smoking is permitted, nor does it prohibit the use of legal fireworks except as provided in Subsection B. of this Section or in areas in which the Director has prohibited such use.

B. No person shall possess or ignite any fireworks in any Park, where such possession or use is unlawful under State law. No person shall possess or ignite any otherwise legal fireworks in any of the following Parks, without a permit:

1. Pioneer Courthouse Square;
2. O'Bryant Square;
3. Lownsdale Square;
4. Forecourt/Ira Keller Fountain;
5. Ankeny Square;
6. Classical Chinese Garden;
7. Block 5 Park (Moyer);
8. Eastbank Esplanade;
9. Holladay Park;
10. Any nature park or area designated as a natural area;
11. Any other Park or Park area designated by the Director.

C. No person shall smoke or use tobacco in any form in any place in any Park. For purposes of this Section, smoking and tobacco are defined to include, but are not limited to: bidis, cigarettes, cigarillos, cigars, clove cigarettes, e-cigarettes, nicotine vaporizers, nicotine liquids, hookahs, kreteks, pipes, chew, snuff, smokeless tobacco, and marijuana.

D. Notwithstanding the prohibitions contained in this Section, golf tournaments may apply for a permit to allow smoking and tobacco use in designated areas at City golf courses.

E. The Director, in consultation with the Commissioner in Charge, in a manner consistent with the City's Human Resource Administrative Rules, may establish designated smoking and tobacco use areas for Parks employees for whom there is no reasonably available non-parks property where smoking and tobacco use is allowed.

F. Smoking of noncommercial tobacco products for ceremonial purposes in spaces designated for traditional ceremonies in accordance with the American Indian Religious Freedom Act, 42 U.S.C. 1996, as well as for similar religious ceremonial uses for other cultural groups shall be permitted. "Noncommercial tobacco products" means unprocessed tobacco plants or tobacco by-products used for ceremonial or spiritual purposes by Native Americans.

G. Following Portland City Council approval, there will be a five-month grace period to educate the public about the policy. Starting July 1, 2015, while any violation of a City Code is a misdemeanor which could lead to citation, the primary method of enforcement will be education. Patrons who refuse to comply with the policy may also be subject to a parks exclusion. Enforcement will be administered by PP&R staff and other Park Officers who have the authority to enforce park rules.