

CITY OF VENETA

ORDINANCE NO. 520

AN ORDINANCE AMENDING VENETA MUNICIPAL CODE CHAPTER 12.10
PROHIBITING SMOKING WITHIN CITY PARKS

WHEREAS, Electronic Smoking Devices (ESDs) are relatively new products which are increasing in use and popularity while their health impacts remain unknown; and

WHEREAS, 80 percent of adult Oregonians do not smoke and 90 percent of adult Oregonians believe that people should be protected from secondhand smoke; and

WHEREAS, the City wishes to prohibit both smoking and the use of ESDs within City parks and open space.

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

Section 1. Amending VMC 12.10.

A. VMC 12.10.010, Definitions, is hereby amended as follows:

- (1) "Electronic Smoking Device" (or "ESD") means any electronic product that delivers nicotine or any other substance to the person inhaling from the device, including, but not limited to an electronic cigarette, e-cigar, e-pipe, vape pen or e-hookah. Electronic Smoking Device includes any component, part, or accessory of such a product, whether or not sold separately.
- (2) "Park" means:
 - (a) any land owned or leased by the City of Veneta and designated as a park by the City Council;
 - (b) any City owned or managed parks and recreational facilities; and
 - (c) all public parks, trails, open space, and special use areas, such as sport fields, basketball courts, and swimming pools, including spectator areas and bleachers."
- (3) "Smoke" and "Smoking" mean inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, weed, plant, or other tobacco-like product or substance in any manner or in any form. "Smoke" and "Smoking" also include the use of an Electronic Smoking Device which creates an

aerosol, in any manner or in any form. A lighted Smoking instrument includes an activated or "switched on" ESD.

B. VMC 12.10.030, Prohibited Smoking and Tobacco Use, is hereby amended as follows:

"12.10.030 Prohibited Smoking and Tobacco Use

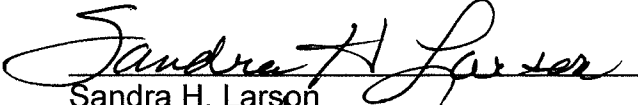
No person may chew any tobacco or tobacco product, or Smoke or carry any lighted Smoking instrument, in any Park or within 10 feet of the boundary of any Park."

Section 2. All other existing Sections of Chapter 12.10, City Parks, shall remain in full force and effect.

READ FOR A FIRST TIME, BY TITLE ONLY, this 8 day of June, 2015, no Council person in attendance having requested that it be read in full.

READ FOR A SECOND TIME, BY TITLE ONLY, AND FOR FINAL ADOPTION, this 8 day of June, 2015, no Council person present having requested that it be read in full.

PASSED AND ADOPTED by a 4 vote for and 0 against by the City of Veneta Council this 8, day of June, 2015.


Sandra H. Larson
Executed on June 8, 2015

ATTEST:



Darci Henneman, City Recorder

Executed on June 8, 2015