

RECORDED

MAY 14 2015

Doc# 2015050009

IN THE BOARD OF COUNTY COMMISSIONERS  
FOR CLATSOP COUNTY, OREGON

ORDINANCE 2015-01 ) AN ORDINANCE AMENDING  
) CLATSOP COUNTY CODE CHAPTER  
) 12.28 (ORDINANCE 1999-13)  
) REGARDING PARK RULES

The Board of Commissioners of Clatsop County ordains as follows:

SECTION 1. SHORT TITLE

This ordinance shall be entitled and shall be known as the "Ordinance Amending Clatsop County Code Chapter 12.28 (Ordinance 99-13) Regarding Park Rules."

SECTION 2. PURPOSE

The purpose of this ordinance is to amend the park rules and regulations to ban smoking (any material) or tobacco use in Clatsop County Parks.

SECTION 3. CONFORMANCE OF STATE LAW

This ordinance shall not substitute for nor eliminate the necessity for conformity with any and all laws or rules of the State of Oregon, or its agencies, or any ordinance, rule, or regulation of Clatsop County.

SECTION 4. INCONSISTENT PROVISIONS

This ordinance shall supersede, control and repeal any inconsistent provision of any County ordinance as amended or any other regulations made by Clatsop County.

SECTION 5. SEPARABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not effect the validity of the remaining portions of this ordinance.

SECTION 6. EFFECTIVE DATE

This ordinance shall take effect on the 30<sup>th</sup> day following adoption by the Board of Commissioners as provided in Chapter III, Section 8(C) of the Home Rule Chapter for the

Government of Clatsop County.

SECTION 7. ADOPTION CLAUSE

The Board of Commissioners hereby amends Clatsop County Code Chapter 12.28 (Ordinance 99-13) as follows:

**Section 12.28.020 Definitions**, is amended to add:

"Smoking" means any inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, grass, plant, liquid, vapor or any other tobacco or tobacco-like product or any substance in any manner or any form. This includes the use of any electronic smoking or inhalant device which creates smoke, aerosol, vapor or any other byproduct, in any manner or in any form.

"Tobacco product" means any product that contains tobacco or is derived from tobacco and is intended to be put in the human body. "Tobacco product" includes all electronic smoking devices and nicotine delivery devices and products, but does not mean tobacco use cessation products approved by the United States Food and Drug Administration.

"Tobacco use" means smoking, chewing, inhaling, exhaling, vaping and any other ingestion or consumption of a tobacco or vapor product.

**Section 12.28.030 Park and County Property Restrictions**, is amended as follows:

The section heading shall read:

**"Section 12.28.030 Park Restrictions"**

Item A. is deleted and replaced with the following:

"A. Smoking, all tobacco products and tobacco use is prohibited in all Clatsop County Park areas."

Item B. is amended to read:

"B. Fires may be restricted by the Park Ranger at any time. All fires, when allowed, shall be confined to a stove, pit, or fireplace designated for fires, attended at all times, and extinguished before its user leaves the fire. As used in this subsection, "fire" includes all open flames except for camp stoves, charcoal cookers, and other contained camping equipment used for cooking."

BOARD OF COUNTY COMMISSIONERS FOR  
CLATSOP COUNTY, OREGON

By: \_\_\_\_\_

Scott Lee, Chair

Effective Date: 6/12/15

By: \_\_\_\_\_

Recording Secretary