CITY OF SMITH CENTER

ORDINANCE NO. 103

AN ORDINANCE PROMOTING A TOBACCO-FREE ENVIRONMENT AT OUTDOOR RECREATIONAL AREAS WITHIN THE CITY OF SMITH CENTER, KANSAS.

Whereas the City of Smith Center is committed to promoting a high quality of life for all residents; and wishes to create and sustain an environment that prohibits tobaccouse through a tobacco-free policy, rule enforcement and to promote a positive role model on City of Smith Center owned outdoor recreational facilities; and

Whereas, tobacco use in the proximity of children, youth and adults who may be participating in or watching outdoor recreational activities is unhealthy and is detrimental to the health of others; and parents, activity leaders, coaches, and officials are role models, and the use of tobacco products around youth has been proven to have a negative effect on youth lifestyle choices; and

Whereas, tobacco products consumed in public spaces are often discarded on the ground requiring additional maintenance expenses, diminishing the beauty of recreational facilities, and posing a risk of ingestion to toddlers, pets and wildlife, and contamination of water sources; and

Whereas, the City Council believes that tobacco use is detrimental to the public's health and has determined that prohibiting the use of tobacco products and electronic delivery devices in all City of Smith Center recreational areas where children may be present, serves to protect the health, safety, and welfare of the citizens of Smith Center.

Now, therefore, be it resolved by the governing body of the City of Smith Center, Kansas:

Section 1 "Tobacco" is defined to include any product that contains tobacco, is derived from tobacco or contains nicotine (or lobelia), that is intended for human consumption, or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, or ingested by any other means.

The term "tobacco products" includes e-cigarettes and other electronic smoking devices.

Section 2 No person shall use any form of tobacco at or on any City of Smith Center owned or operated outdoor recreational facilities, specifically Wagner Park, including playground, restrooms, the Old Dutch Mill, hiking/biking trails and sidewalks, and City open spaces.

Section 3 Enforcement

1. Appropriate signs shall be posted at all City of Smith Center owned and operated parks and recreational areas.
2. The community and facility users and staff will be notified about this policy through ongoing publiceducation.
3. City staff will make periodic observations of recreational facilities to monitor compliance.
4. Any individual found violating this policy will be reminded of it and asked to comply.
5. Any individual failing to comply with this policy shall be subject to ejection from such areas.

This ordinance shall be in full force and effect from and after its adoption and publication in the official city newspaper.

Adopted and approved by the Governing Body, this 23rd day of August 2021.

Bryce Wiehl, Mayor

ATTEST:

Jill Conaway, City Clerk