

ORDINANCE NO. 180

AN ORDINANCE REGULATING TOBACCO FREE PARKS AND RELATED WITHIN THE CITY OF GLYNDON MINNESOTA

THE CITY COUNCIL OF THE CITY OF GLYNDON, MINNESOTA DOES ORDAIN:

PURPOSE

The City of Glyndon is committed to providing safe and healthy environments. Tobacco use is a major cause of preventable disease and death. Smoking, tobacco use, and exposure to second-hand smoke have been found to cause heart disease, cancer, asthma, bronchitis, and other respiratory problems. Electronic delivery devices, more commonly referred to as electronic cigarettes or e-cigarettes, closely resemble and purposefully mimic the act of smoking. They produce a vapor of undetermined and potentially harmful substances and typically contain nicotine derived from tobacco, which is a highly addictive substance. Their use in locations where smoking is prohibited creates concern and confusion.

The City of Glyndon believes the use of tobacco products, including electronic delivery devices, in its parks is detrimental to the health and safety of its community.

DEFINITIONS

“All times” means 24 hours a day, seven days a week.

“Electronic Delivery Device” means any product containing or delivering nicotine, lobelia, or any other substance intended for human consumption that can be used by a person to stimulate smoking in the delivery of nicotine or any other substance through inhalation of vapor from the product. The term includes any such devices, whether they are manufactured, distributed, marketed or sold as e-cigarettes, e-cigars, e-pipes, or under any other product name or descriptor.

“Park Property” means all facilities, parks, trails, open space, and other property owned, leased, rented, contracted, used, or controlled by the City of Glyndon for parks and recreational purposes.

“Smoking” means inhaling or exhaling from any lighted or heated cigar, cigarette, pipe, or any other tobacco or plant product, or inhaling or exhaling aerosol or vapor from any electronic delivery device. Smoking shall include being in possession a lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product intended for inhalation, or an electronic delivery device that is turned on or is otherwise activated.

“Staff” means any person employed by the City of Glyndon in a full- or part-time capacity, any position contracted for by the city, or any person working on a volunteer basis. The term includes, but is not limited to: elected and appointed officials, city personnel, contractors, consultants, and vendors.

“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, cigars and other smoking tobacco; snuff and other chewing tobaccos; and any other kinds and forms of tobacco.

“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 electronic delivery devices.

“Visitor” means any person subject to this policy who is not (city)(county) staff.

POLICY

The sale and use of tobacco products and electronic delivery devices is prohibited at all times in or on all park property the City of Glyndon has the authority to control regardless of location.

APPLICABILITY

This policy applies to all visitors and staff on park property.

Organizers and attendees at public or private events on city park property are required to abide by this policy. Event organizers are also responsible for communicating and enforcing this policy.

EXCEPTIONS

It is not a violation of this policy to use a product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

It is not a violation of this policy for a Native American to use tobacco on park property as part of a traditional Native American spiritual or cultural ceremony. Approval from city administration must be requested and received prior to the ceremony.

DISSEMINATION

Signage will be posted at strategic locations to notify staff and visitors of this policy.

COMPLIANCE AND ENFORCEMENT

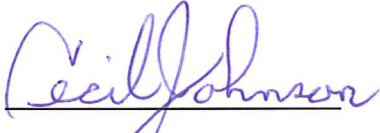
The success of this policy depends on the consideration and cooperation of both tobacco-users and non-users. Enforcement of this policy is a shared responsibility of staff and park visitors. Individuals acting in violation of this policy will be reminded and asked to comply. Staff found to have violated this policy

may be subject to disciplinary action. Visitors who violate this policy may be asked to leave park property.

EFFECTIVE DATE

This Ordinance shall become effective upon publication.

Passed by the Council this 13 day of January, 2016



Mayor

Attested:



City Clerk

Introduction – September 23, 2015

1st Reading - December 9, 2015

2nd Reading – December 21, 2015

3rd Reading – January 13, 2016 and Adopted by Council Motion

Publication in the Clay County Union – January 25, 2016