

CITY OF OBERLIN, OHIO

ORDINANCE No. 14-22 AC CMS

AN ORDINANCE AMENDING CHAPTER 927 OF THE CODIFIED ORDINANCES OF THE CITY OF OBERLIN, OHIO, PERTAINING TO SMOKING IN CITY PARKS TO INCORPORATE BY REFERENCE THE DEFINITION OF SMOKING AS ESTABLISHED IN SECTION 506 THE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY

BE IT ORDAINED, by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1: That Paragraph 1. of Section 927.29 of the Codified Ordinances of the City of Oberlin hereby amended to read as follows:

927.29 SMOKING AND TOBACCO.

a. Smoking, as defined in Section 506, of the Codified Ordinances, and the use of smokeless tobacco products is hereby prohibited in any areas of any Oberlin Park, as defined in Section 927.00, as may be established by the City Manager as non-smoking and tobacco-free zones.

1. No person found to be smoking or using smokeless tobacco products in such designated non-smoking and tobacco-free zones in a park shall fail to immediately cease said activity when requested to do so by City staff, a Police Officer, or a person charged with the management, operation or care of any City-owned park, including any baseball or softball umpire or soccer official.
2. Should a person found to be smoking or using smokeless tobacco products in a non-smoking and tobacco free zone in a park not immediately cease said activity when requested to do so, as described in subsection (a)(1)hereof, he or she shall be guilty of a minor misdemeanor.
3. Persons who repeatedly violate this section, may be permanently banned from City Parks.
4. Lack of intent to violate a provision of this chapter shall not be a defense to a violation.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit: to the establish regulations to protect the health and safety of patrons of Oberlin Parks, and shall take effect immediately upon passage.

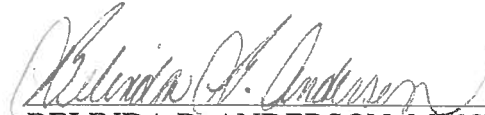
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PASSED: 1st: Reading: June 2, 2014

2nd: Reading: June 16, 2014

3rd: Reading: July 7, 2014 (Effective in 30 days)

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL



H. SCOTT BROADWELL
PRESIDENT OF COUNCIL

POSTED: 07/08/2014

EFFECTIVE DATE: 08/06/2014