

Pursuant to Municipal Order No. 2007 – 261 approved by the Board of Commissioners on August 21, 2007, the City Manager was authorized and directed to promulgate rules and regulations to regulate smoking in designated public areas of the City’s park system as recommended by the Board of Park Commissioners. The City policy is as follows:

REGULATIONS REGARDING SMOKING IN CITY PARKS

Section 1. Definitions.

As used in this Policy, smoke or smoking means the act of inhaling or exhaling the smoke from any lighted cigarette, cigar or pipe or other combustible tobacco product.

Section 2. Smoking Prohibited.

Smoking is prohibited in City parks at all times except as set out below. This prohibition extends to City employees and all other persons on City park property.

Section 3. Exceptions / Designated Smoking Areas.

Smoking is permitted in City parks only:

- in the parking areas of City parks;
- in the non-building areas of the City golf courses and City cemetery;
- in Fountain Square Park, but only during those times when the Park is rented for private use; and,
- in those areas of Circus Square Park designated as smoking areas.

Section 4. Notice.

The Parks and Recreation Department, in cooperation with the Downtown Redevelopment Authority, shall make every reasonable effort to ensure compliance with this policy, including posting of signs at appropriate locations to inform the public of the smoking prohibition policy and to designate those areas of City parks in which smoking is permitted.

Section 5. Use of Appropriate Smoking Disposal Receptacles.

All persons smoking in permitted areas of City parks shall dispose of the remains of any cigarette, cigar or other tobacco product in the appropriate trash receptacle provided by the City and shall not litter any City park.

Section 6. Enforcement.

a. It shall be the duty of any City employee, with the assistance of a supervisor if necessary, and employees of the Downtown Redevelopment Authority for any City park under its supervision to assist in the enforcement of this policy. Any person violating this policy shall be requested by the City or DRA employee observing the violation to comply with this policy. If the visitor refuses to comply with that request, the City or DRA employee should then request that the visitor exit the park. If the visitor refuses to honor that request, the City or DRA employee should then contact Police Dispatch at 911 and request assistance.

b. Any City employee violating this policy shall be subject to appropriate disciplinary procedures, including reprimand, suspension or termination.