

ORDINANCE NO. 547

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, RELATING TO CITY PARKS; AMENDING CHAPTER 12.50 OF THE WOODINVILLE MUNICIPAL CODE, PROHIBITING TOBACCO USE IN ALL CITY PARKS; ESTABLISHING A CIVIL PENALTY; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE AND ALLOWING FOR SUMMARY PUBLICATION BY TITLE ONLY.

WHEREAS, the City's parks are intended for the healthy enjoyment of all citizens, including children and youth; and

WHEREAS, the Environmental Protection Agency has classified secondhand smoke as a Group A human carcinogen and therefore concludes that secondhand smoke is a risk to nonsmokers; and there is no safe level of exposure to secondhand smoke and even brief exposure can cause immediate harm; and

WHEREAS, adults are often role models for young people, and adults who smoke set a bad example for youth; and

WHEREAS, smoking and tobacco use in parks results in litter of cigarette butts, cigar butts, and other tobacco-related waste, which studies have shown can cause environmental degradation and pose a health risk to children and animals; and

WHEREAS, many parks in the City contain brush and trees, which can be combustible, particularly in the dry summer months, and the parks do not contain facilities for disposing of tobacco products, and tobacco products that are not completely extinguished pose an increased risk of fire; and

WHEREAS, the City Council has determined it in the interest of the public health and safety to prohibit the use of tobacco products in Woodinville Parks and Recreation areas and to establish a civil penalty for violations of the prohibition, and that signage identifying that the Park or Recreation Area is "Tobacco-Free" and that the use of tobacco products is in violation of city ordinance should be erected at Woodinville Parks and Recreation Areas (i.e., Sports Fields);

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment to Section 12.50 of the Woodinville Municipal Code WMC.

Section 12.50 WMC is hereby amended by the addition of new subsection 12.50.285. All other provisions of Chapter 12.50 shall remain unchanged and in full force and effect.

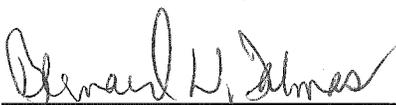
12.50.285 Tobacco Products – Prohibited

It is unlawful for any person to light cigars, cigarettes, tobacco or otherwise to use any tobacco products, including chewing tobacco in a city park or city parks and recreation area. Violation of this section shall be a civil infraction under subsection 1.03.010(2) WMC subject to a penalty of \$100.00 for each infraction.

Section 2. Effective date. This ordinance shall be effective five (5) days after publication of an approved summary consisting of the title to this ordinance.

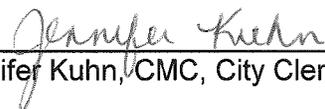
Section 3. Severability. If any section, sentence, clause or phase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

ADOPTED BY THE CITY COUNCIL AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 15th DAY OF MAY, 2012.



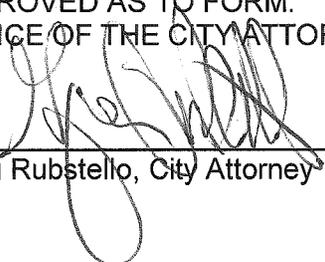
Bernard W. Talmas, Mayor

ATTEST/AUTHENTICATED:

By: 

Jennifer Kuhn, CMC, City Clerk

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: 

Greg Rubstello, City Attorney

PASSED BY THE CITY COUNCIL: 5-15-2012
PUBLISHED: 5-21-2012
EFFECTIVE DATE: 5-29-2012
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