



Legislation Text

File #: 150406., **Version:** 7

ORDINANCE PROHIBITING SMOKING IN CITY PARKS AND RTS BUS FACILITIES (B)

Ordinance No. 150406

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances to prohibit smoking outdoors in all City parks and RTS bus facilities; by amending Article II and Article IV of Chapter 11.5; by amending Article II of Chapter 18; by amending Section 2-339 to provide a civil citation penalty; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

The City Commission, at its meeting of April 21, 2016, discussed prohibiting smoking outdoors in all City parks. Smoking is defined in Sec. 11.5-40 of the City Code as follows: the intake and exhalation by a person of smoke from tobacco, a tobacco substitute or other weed or plant, and also possessing, carrying, holding or otherwise having control of a lighted pipe, cigar, cigarette or other lighted smoking equipment, and the use of a nicotine dispensing device as defined in section 11.5-17 (◆vaping◆).

At its October 20, 2016 meeting, after further discussing the matter, the City Commission directed the City Attorney to draft ordinance language prohibiting smoking in all City parks and setting a \$25.00 fine for violation thereof. In drafting this ordinance, the office of the City Attorney, in consultation with City staff, also updated the code provisions that prohibit smoking at RTS bus facilities.

Fiscal impact is expected to be minimal.

The City Commission adopt the proposed ordinance.