

LEGAL NOTICE

CITY OF NORTH TONAWANDA REGULATING SMOKING AT CITY PARKS

WHEREAS, tobacco related illness is the leading cause of preventable death in the United States; and

WHEREAS, exposure to secondhand smoke causes death and many diseases including cancer; and

WHEREAS, the U.S. Surgeon General concluded in a 2004 report that smoking has a direct relationship with various forms of cancer; and

WHEREAS, the U.S. Surgeon General concluded in a 2010 report that even occasional secondhand smoke is harmful; and

WHEREAS, smoke free workplace laws protect people from secondhand smoke, reduce tobacco use overall and reduce health care costs; and

WHEREAS, the Community Health Alliance of North Tonawanda 2020 Preventative Health Assessment identified a linear increase for youth e-cigarette/vaping use as grade increases; and

WHEREAS, tobacco free environments are more family friendly and provide the following impacts:

- Health Impacts: Improves community health, reduces health risks and exposure to secondhand smoke and/or e-cigarette aerosol, especially among children and those with chronic conditions.
- Environmental Impacts: Protects against litter and fires, protects green spaces and animal habitats (cigarette butts contribute to 1/3 of all litter collected)
- Social Impact: Lead by example – children/teen emulate adults, parks enhance quality of life.
- Economic Impacts: Decrease maintenance/clean-up costs, increase health of community members.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to Section 79 of the North Tonawanda City Code, the City Council of the City of North Tonawanda does hereby declare the follow:

1. Smoking a cigarette, pipe, cigar, electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, vape pen, any cartridge or other component of the device or related product or any other matter of substance which contains tobacco, nicotine, any illegal substance or any other substance that is similar shall be prohibited as follows;
 - A. At all times on the grounds of North Tonawanda City Parks

B. “No Smoking/Vaping” signs shall be placed on the property entrances at an appropriate location on the park entrances.

C. Penalties for Offences

- 1) Smoking of tobacco, nicotine and other similar products shall be unlawful in the areas posted as stated in this Chapter.
- 2) A violation of any provision of this ordinance shall be subject to a fine not to exceed \$250 for each offense or imprisonment for not more than 15 days for each offense, or both fine and imprisonment.

D. Severability

- 1) The several terms and provisions of this section shall be deemed severable, and if any provision hereof or the application hereof to any person or circumstances is held invalid, the remainder of the section and the applicability of such provisions to other persons and circumstances shall not be affected thereby.

E. When effective

- 1) This ordinance shall become effective on the day after publication in the official newspaper of the City of North Tonawanda

ADOPTED 11/2/2020