

CITY OF FIFE, WASHINGTON

ORDINANCE NO. 1943

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON, ADDING A NEW CHAPTER 8.35 TO THE FIFE MUNICIPAL CODE TITLED "SMOKING AND TOBACCO USE IN PUBLIC PARKS"

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

WHEREAS, the City of Fife has the authority under its police power to regulate activities which effect the public health within the city parks; and

WHEREAS, it has been established that tobacco use, smoking, and e-cigarettes/vaping have been linked to a large number of health issues, including through exposure to secondhand smoke;

WHEREAS, the Council desires to protect the patrons of Fife city parks from the health hazards associated with tobacco use, smoking, and e-cigarettes; now therefore,

THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. A new chapter 8.35 is hereby added to the Fife Municipal Code to read as follows:

**Chapter 8.35
SMOKING AND TOBACCO USE IN PUBLIC PARKS**

Sections:

8.35.010 Purpose.

8.35.020 Definitions.

8.35.030 All Public Park Smoking And Tobacco Use Prohibited.

8.35.040 Violations.

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8.35.010 Purpose.

The purpose of this chapter is to allow the public to enjoy the benefits of public parks in a smoke, vaping, and tobacco free environment.

8.35.020 Definitions.

- (1) "Parks" means all City of Fife public parks.
- (2) "Smoke" or "smoking" means the carrying or smoking of any kind of lighted pipe, cigar, cigarette, e-cigarette, or any other lighted or electronic smoking equipment or material.
- (3) "Vape" or "vaping" means to inhale and exhale the vapor produced by an electronic cigarette or similar device.
- (4) "Tobacco" or "tobacco product" means any product containing tobacco, including cigarettes, cigars, pipe tobacco, and includes the use of smokeless and/or chewing tobacco.

8.35.030 All Public Park Smoking And Tobacco Use Prohibited.

The use of all tobacco products, smoking, and e-cigarettes/vaping is prohibited in all public parks, as well as on the sidewalks and right-of-ways abutting such parks.

8.35.040 Violations.

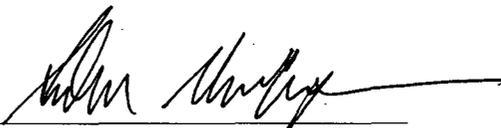
Any violation of this chapter shall constitute a class 3 civil infraction pursuant to Chapter 1.24 FMC.

Section 2. Each and every provision of this Ordinance shall be deemed severable. In the event that any portion of this Ordinance is determined by final order of a court of competent jurisdiction to be void or unenforceable, such determination shall not affect the validity of the remaining provisions thereof provided the intent of this Ordinance can still be furthered without the invalid provision.

Section 3. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

Introduced the 20th day of July, 2016.

Passed by the City Council on the 9th day of August 2016.

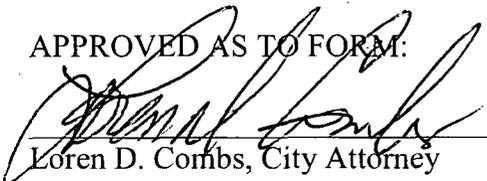

Subir Mukerjee, City Manager

ATTEST:



Carol Etgen, City Clerk

APPROVED AS TO FORM:



Loren D. Combs, City Attorney

Published: August 11, 2016
Effective Date: August 16, 2016