



TO: John McDonough, City Manager

FROM: Eden Freeman, Assistant City Manager

DATE: May 27, 2014 for submission on the Agenda of the June 3, 2014 City Council Work Session

ITEM: Smoking in City Parks

Background

After a recent inquiry from a Sandy Springs resident, staff was asked to review the City's current ordinances and determine if smoking is prohibited in the City's parks.

Discussion

The City's current ordinances do not prohibit smoking in City parks. During the May 20, 2014 Council Work Session, staff was directed to prepare a proposed ordinance prohibiting the use of tobacco products in City parks.

Attachment

1. Resolution with Draft Ordinance

*City
Manager*

AN ORDINANCE AMENDING CHAPTER 42, ARTICLE II, SECTION 42-43 OF THE CITY OF SANDY SPRINGS CODE OF ORDINANCES REGARDING USE OF TOBACCO PRODUCTS IN PUBLIC PARKS

WHEREAS, the City of Sandy Springs (“City”) has heretofore adopted an ordinance for Parks and Recreation (“Ordinance”), codified as Chapter 42 of the City of Sandy Springs Code of Ordinances (“Code”); and

WHEREAS, Section 42-43 of the Ordinance currently provides it is unlawful for minors to smoke in City “parks,” as defined in the Ordinance; and

WHEREAS, since the adoption of the Ordinance, City Council has determined to make it unlawful for any person to use tobacco products of any kind in City parks; and

WHEREAS, the Mayor and City Council have determined that it is appropriate to amend the Ordinance to so provide;

NOW, THEREFORE, the Mayor and City Council of the City of Sandy Springs hereby ordain that the Ordinance is hereby amended as follows:

Section 42-43 is deleted in its entirety and the following is substituted in lieu thereof as Chapter 42, Article II, Section 42-43, which shall henceforth read as follows:

“Sec. 42-43. Smoking and tobacco products prohibited.

It is unlawful for any person to smoke any substance in a city park. It shall further be unlawful for any person to use any form of tobacco product in a city park. As used in this section, the term "tobacco product" means any product made or derived from tobacco that is intended for human use, including any component, part, or accessory of a tobacco product. This includes, among other products, cigarettes, cigarette tobacco, e-cigarettes, cigars, roll-your-own tobacco, and smokeless tobacco.”

This _____ day of _____, 2014.

Approved:

Russell K. Paul, Mayor

ATTEST:

Approved as to Form and Content:

Michael Casey, City Clerk
(Seal)

Wendell Willard, City Attorney