

**TAYLORSVILLE CITY COUNCIL
AGENDA ITEM SUMMARY**

MEETING DATE: July 13, 2011

AGENDA ITEM: Discussion Regarding Ordinance 11-09

PRESENTER: John Brems

ISSUE SUMMARY:

Discussion regarding Ordinance 11-09 prohibiting smoking on or in city-owned parks, trails, and recreation facilities

ATTACHMENTS: Ordinance 11-09

TAYLORSVILLE, UTAH
ORDINANCE NO. 11-09

**AN ORDINANCE OF TAYLORSVILLE PROHIBITING SMOKING ON OR
IN CITY-OWNED PARKS, TRAILS, AND RECREATION FACILITIES**

WHEREAS, the Taylorsville City Council (the “Council”) met in regular session on June 15, 2011, to consider, among other things, prohibiting smoking on or in City-owned parks, trails, and recreation facilities; and

WHEREAS, smoking is a form of air pollution and is a danger to the health and safety and welfare of the public; and

WHEREAS, smoking interferes with residents’ use and enjoyment of City-owned parks, trails, and recreation facilities; and

WHEREAS, Utah Code Ann. § 26-38-6 allows the City to restrict smoking in outdoor places of public access which are owned or operated by the City; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the health, safety, and welfare of the citizens to ban smoking in City-owned parks, trails, and recreation facilities.

NOW, THEREFORE, BE IT ORDAINED that Chapter 9.65 of the Taylorsville City Code of Ordinances relating to prohibiting smoking in City parks, trails, and recreation facilities shall read as follows:

9.65.010: PURPOSE: The purpose of this ordinance is to protect the health, safety, and welfare of the public by prohibiting smoking in City parks, recreation areas and facilities, and trails.

9.65.020: DEFINITIONS:

Smoking: Smoking means the possession of any lighted tobacco product in any form, including possession of lighted tobacco products in a vehicle.

City-owned Parks, Trails, and Recreation Facilities: City-owned Parks, Trails, and Recreation Facilities means all City-owned parks, trails, trailheads, streets, sidewalks, and parking lot areas.

9.65.030: SMOKING IS PROHIBITED ON CITY-OWNED PROPERTY:

Smoking is prohibited on City-owned parks, trails, and recreation facilities.

9.65.040: SMOKING IN DESIGNATED AREAS: The mayor may designate a specific area within City-owned parks as designated smoking areas.

9.65.050: PENALTIES: A violation of this Ordinance is an infraction for the first offense and a Class C misdemeanor for each subsequent offense.

This Ordinance, assigned Ordinance No. 11-09, shall take effect as soon as it shall be published or posted as required by law, deposited and recorded in the office of the City Recorder, and accepted as required herein.

PASSED AND APPROVED this _____ day of _____, 2011.

TAYLORSVILLE CITY COUNCIL

By: _____
Jerry Rechtenbach, Chairman

VOTING:

Bud Catlin	Yea ___	Nay ___
Larry Johnson	Yea ___	Nay ___
Dama Barbour	Yea ___	Nay ___
Morris Pratt	Yea ___	Nay ___
Jerry Rechtenbach	Yea ___	Nay ___

PRESENTED to Mayor of Taylorsville for his approval this _____ day of _____, 2011.

APPROVED this _____ day of _____, 2011.

Russ Wall, Mayor

ATTEST:

Cheryl Peacock Cottle, Recorder