ORDINANCE NUMBER 611

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTONWOOD, YAVAPAI COUNTY, ARIZONA, AMENDING TITLE 8, HEALTH AND SAFETY, OF THE MUNICIPAL CODE BY ADDING A NEW CHAPTER 8.68, DESIGNATED AREAS FOR USE OF TOBACCO PRODUCTS AT CITY PARKS.

WHEREAS, the Yavapai County Community Health Services Health Educator and members of the Yavapai Anti-Tobacco Coalition of Youth requested the City Council consider establishing designated areas at city parks for tobacco use due to the issues related to the health dangers of tobacco; and

WHEREAS, after discussion and consideration of this request the Council determined that it was in the best interest of the public's health and safety to ban the use of tobacco products at city parks, except in designated areas determined by staff.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, THAT TITLE 8, HEALTH AND SAFETY, OF THE MUNICIPAL CODE OF THE CITY OF COTTONWOOD, IS HEREBY AMENDED BY ADDING A NEW CHAPTER 8.68, AS FOLLOWS:

Section 1: That a new Chapter 8.68.010, Designated Areas for Use of Tobacco Products at City Parks, is hereby added to Title 8, Health and Safety, as follows:

8.64.010 Designated Areas for Use of Tobacco Products at City Parks

It shall be unlawful for any person or entity to use tobacco products at city parks other than in areas specifically designated for use of such products. Areas in city parks where the use of tobacco products is allowed shall be determined by staff and such areas will be indicated by the placement of signs where the use of tobacco products shall be allowed.

8.64.020 Penalty A person found violating this section may be charged a civil offense fine not to exceed $250.

Section 2: That if any section, subsection, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions hereof.

PASSED AND ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA. THIS 17TH DAY OF MARCH 2015.

Diane Joens, Mayor

ATTEST:

Marianne Jiménez, City Clerk

APPROVED AS TO FORM:

Steve Horton, Esq.
City Attorney