

TITLE

AN ORDINANCE TO AMEND TITLE 11, TITLED "MUNICIPAL OFFENSES," CHAPTER 1, TITLED "MISCELLANEOUS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY AMENDING SECTION 11-111, CURRENTLY A DELETED SECTION, AND SUBSTITUTING THEREFOR A NEW SECTION 11-111, TITLED "SMOKING AT PLAYGROUNDS PROHIBITED," TO PROHIBIT SMOKING AT PLAYGROUNDS.

WHEREAS, by Resolution 3-24-2017, City Council urged the General Assembly to repeal the preemption of local control to regulate smoking citing the Centers for Disease Control and Prevention's (CDC) Fact Sheet on the Health Effects of Secondhand Smoke and the U.S. Surgeon General's report, "*The Health Consequences of Involuntary Exposure to Tobacco Smoke*;" and

WHEREAS, on March 10, 2020, Governor Bill Lee signed Public Chapter 529 which amends Tennessee Code Annotated §39-17-1551 to allow local governments to prohibit smoking on the grounds of a playground by adopting a resolution or ordinance approved by a two-thirds vote of the legislative body of the local government; and

WHEREAS, in light of the CDC's and U.S. Surgeon General's publications on secondhand smoke, City Council desires to establish an ordinance prohibiting smoking on the grounds of City-owned playgrounds.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

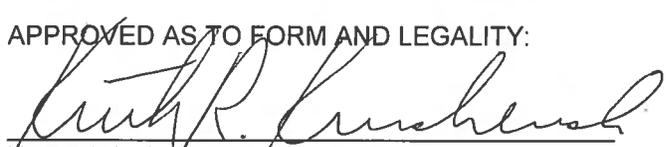
Section 1. Title 11, titled, "Municipal Offenses," Chapter 1, titled "Miscellaneous," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended dedicating Section 11-111 to the prohibition of smoking on the grounds of playgrounds, said section to read as follows:

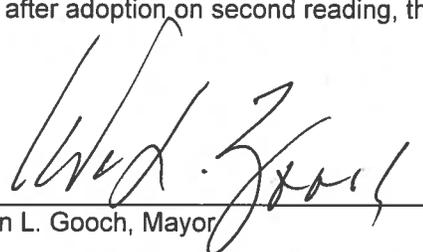
Section 11-111. Smoking at Playgrounds Prohibited.

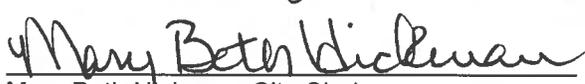
- (1) It is a violation for any person to smoke on the grounds of any City-owned playground.
- (2) As used in this section:
 - A. "Playground" is any indoor or outdoor facility that is intended for recreation of children.
 - B. "Smoking" means the burning of a tobacco product, hemp product, or any other drug or substance, but does not include the use of a vapor product.
 - C. "Grounds" means the entire real property upon which a playground is located, as determined by the property lot lines, including the parking areas and any permanent or temporary restroom facilities.

Section 2. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:


Kenneth R. Krushenski, City Attorney


Warren L. Gooch, Mayor


Mary Beth Wickman, City Clerk

First Reading: 07/13/2020
Publication Date: 07/16/2020
Second Reading: 08/10/2020
Publication Date: 08/13/2020
Effective Date: 08/20/2020