

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
ORDINANCE NO. 243**

AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON, RELATING TO CITY PARKS PROHIBITING TOBACCO AND ELECTRONIC CIGARETTE USE IN ALL CITY PARKS; ESTABLISHING A CIVIL PENALTY; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, City of Liberty Lake parks are intended for the healthy enjoyment of all citizens, including children and youth; and

WHEREAS, the Environmental Protection Agency has classified secondhand smoke as a Group A human carcinogen and therefore concludes that secondhand smoke is a risk to nonsmokers; and there is no safe level of exposure to secondhand smoke and even brief exposure can cause immediate harm; and

WHEREAS, smoking and tobacco use in parks results in litter of cigarette butts, cigar butts, and other tobacco-related waste, which studies have shown can cause environmental degradation and pose a health risk to children and animals; and

WHEREAS, many parks in the City of Liberty Lake contain brush and trees, which can be combustible, particularly in the dry summer months, and the parks do not contain facilities for disposing of tobacco products, and tobacco products that are not completely extinguished pose an increased risk of fire; and

WHEREAS, the City Council has determined it is in the interest of the public health, safety and enjoyment of City parks to prohibit the use of tobacco products and electronic cigarettes in the City of Liberty Lake parks and to establish a civil penalty for violations of the prohibition.

WHEREAS, City of Liberty Lake parks are identified as all City-owned outdoor park and recreation facilities, which includes Pavillion Park, Rocky Hill Park, Town Square Park, Orchard Park, Diamonds Field, and all future City-owned and maintained parks and recreation areas. The parking areas associated with each of the City-owned parks and recreation facilities are also included in the prohibition.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LIBERTY LAKE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Tobacco Products and Electronic Cigarettes Prohibited

It is unlawful for any person to light or use cigars, cigarettes, tobacco, electronic cigarettes, and/or otherwise use any tobacco products, including chewing tobacco in a City park

or City parks and recreation area. Violation of this section shall be a civil infraction subject to a penalty of \$136.00 for each infraction.

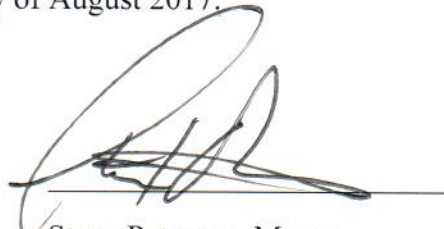
Section 2. Effective date

This Ordinance shall be effective five (5) days after publication of an approved summary of this Ordinance.

Section 3. Severability

If any section, sentence, clause or phase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

PASSED by the City Council this 1st day of August 2017.



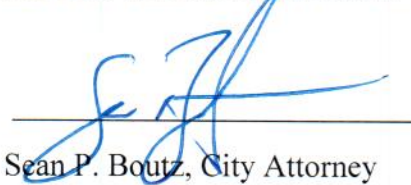
Steve Peterson, Mayor

ATTEST:



Ann Swenson, City Clerk

APPROVED AS TO FORM:



Sean P. Boutz, City Attorney

* * * * *

CERTIFICATION

I, Ann Swenson, the undersigned City Clerk of the City of Liberty Lake, of Spokane County, Washington, HEREBY CERTIFY that the foregoing Ordinance is a full, true, and correct copy of Ordinance No. 243 duly adopted at a regular meeting of the City Council of said City, duly and regularly held at a the regular meeting place thereof on August 1, 2017 of which meeting all members of said City Council had due notice and at which a majority thereof were present; and that at said meeting said Ordinance was adopted by the following vote: unanimous.

AYES, and in favor thereof: Mayor Pro Tem Brickner, Council Members Moore, Kaminskas, Dunne, Severs, Kopelson, and Langford.

NAYS: None.

ABSENT: None.

ABSTAINED: None.

CITY OF LIBERTY LAKE



CITY CLERK