

ORDINANCE No.

187020

Expand Portland Parks & Recreation smoke and tobacco-free policy to all City parks, natural areas, recreation areas and any other places where Portland Parks & Recreation park rules apply (Ordinance; amend Code Section 20.12.110)

The City of Portland ordains:

Section 1. The Council finds:

1. The City of Portland's Bureau of Parks & Recreation ("Parks") currently prohibits smoking at Director Park, Pioneer Courthouse Square, and the portion of the South Park Blocks that is located on Portland State University's campus. Smoking is also currently prohibited within 25 feet of any play structure, picnic table or designated children's play area.
2. The smoke and tobacco-free parks policy creates healthy and safe environments for Portland residents and visitors, especially children and youth.
3. The smoke and tobacco-free parks policy protects parks and natural areas from potential risk of fires.
4. The smoke and tobacco-free parks policy protects parks and natural areas from environmental degradation caused by the littering of cigarette butts and other tobacco-related waste.
5. The smoke and tobacco-free parks policy supports individuals who are trying to quit smoking or tobacco use or have already quit.
6. The smoke and tobacco-free parks policy reduces the exposure of children and youth to smoking and tobacco use and therefore protects their health and discourages them from starting a harmful habit that is difficult to ultimately quit.
7. The smoke and tobacco-free parks policy contributes to cost savings: tobacco-related disease is still the leading cause of preventable death in Oregon and costs Multnomah County \$223.5 million each year in medical care and \$195.7 million in lost productivity.
8. Prohibiting smoking and tobacco use in all City parks, natural areas, recreation areas, and in any other areas where the City of Portland's Bureau of Parks & Recreation park rules apply, aligns with Portland Parks & Recreation's focus "Healthy Parks, Healthy Portland".

NOW, THEREFORE, The Council Directs:

- a. PCC 20.12.110 C is amended as follows:

~~No person shall light or smoke any tobacco products within twenty five (25) feet of any play structure, picnic table or designated children's play area, or in an area under permit where prohibited by the permit holder, or in any other place in any Park where smoking is prohibited by the Director. No person shall smoke or use tobacco in any form in any place in any Park. For purposes of this Section, smoking and tobacco are defined to include, but are not limited to: bidis, cigarettes, cigarillos, cigars, clove cigarettes, e-cigarettes, nicotine vaporizers, nicotine liquids, hookahs, kreteks, pipes, chew, snuff, smokeless tobacco, and marijuana.~~

- b. PCC 20.12.110 is amended as follows, by the addition of Subsection D:

Notwithstanding the prohibitions contained in this Section, golf tournaments may apply for a permit to allow smoking and tobacco use in designated areas at City golf courses.

- c. PCC 20.12.110 is amended as follows, by the addition of Subsection E:

The Director, in consultation with the Commissioner in Charge, in a manner consistent with the City's Human Resource Administrative Rules, may establish designated smoking and tobacco use areas for Parks employees for whom there is no reasonably available non-parks property where smoking and tobacco use is allowed.

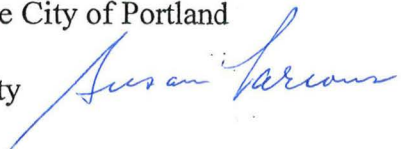
- d. PCC 20.12.110 is amended as follows, by the addition of Subsection F:

Smoking of noncommercial tobacco products for ceremonial purposes in spaces designated for traditional ceremonies in accordance with the American Indian Religious Freedom Act, 42 U.S.C. 1996, as well as for similar religious ceremonial uses for other cultural groups shall be permitted. "Noncommercial tobacco products" means unprocessed tobacco plants or tobacco by-products used for ceremonial or spiritual purposes by Native Americans.

- e. PCC 20.12.110 is amended as follows, by the addition of Subsection G:

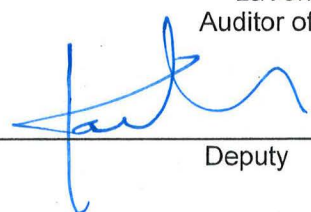
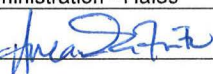


Following Portland City Council approval, there will be a five-month grace period to educate the public about the policy. Starting July 1, 2015, while any violation of a City Code is a misdemeanor which could lead to citation, the primary method of enforcement will be education. Patrons who refuse to comply with the policy may also be subject to a parks exclusion. Enforcement will be administered by PP&R staff and other Park Officers who have the authority to enforce park rules.

Passed by the Council: FEB 18 2015  
 Commissioner Fritz  
 Prepared by: Frank D. James

Mary Hull Caballero  
 Auditor of the City of Portland  
 By  
 Deputy 

Agenda No. **ORDINANCE NO. 187020**  
Title

Expand Portland Parks & Recreation smoke and tobacco-free policy to all City parks, natural areas, recreation areas and any other places where Portland Parks & Recreation park rules apply (Ordinance; amend Code Section 20.12.110)

INTRODUCED BY Commissioner/Auditor: <b>Fritz</b>	CLERK USE: DATE FILED <u>FEB 06 2015</u>
COMMISSIONER APPROVAL	Mary Hull Caballero LaVonne Griffin-Valade Auditor of the City of Portland
Mayor—Finance and Administration - Hales	By:  Deputy
Position 1/Utilities - Fritz 	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Novick	
BUREAU APPROVAL	ACTION TAKEN:
Bureau: Parks & Recreation Bureau Head: Mike Abbate 	FEB 11 2015 PASSED TO SECOND READING FEB 18 2015 9:30 A.M.
Prepared by: Frank D. James Date Prepared: December 31, 2014	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date <b>February 11, 2015</b>	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter 	

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input checked="" type="checkbox"/> Start time: <del>2:45 pm</del> 3:15 pm Total amount of time needed: <b>60 minutes</b> (for presentation, testimony and discussion)
<b>CONSENT</b> <input type="checkbox"/>
<b>REGULAR</b> <input type="checkbox"/> Total amount of time needed: <u>    </u> (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz <input checked="" type="checkbox"/>	
2. Fish	2. Fish <input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>
4. Novick	4. Novick <input checked="" type="checkbox"/>	
Hales	Hales <input checked="" type="checkbox"/>	