

IMPACT STATEMENT

Legislation title: Amend Portland Parks & Recreation smoke and tobacco-free parks policy enforcement strategy (Ordinance; amend Code Section 20.12.110)

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Purpose of proposed legislation and background information:

To amend the recently expanded Portland Parks & Recreation (PP&R) smoke and tobacco-free parks policy. With this amendment, a person who violates the smoke and tobacco-free parks policy would not be subject to exclusion, or to criminal enforcement. Rather, any person violating the smoke and tobacco-free parks policy could be asked to leave the Park in which the offense occurred for the remainder of the day. Additionally, enforcement will only be administered by PP&R staff who have the authority to enforce park rules.

The purpose of the expanded smoke and tobacco-free parks policy is to promote public health and protect Portland's parks and natural areas, not criminalize those who smoke or use tobacco.

Financial and budgetary impacts:

None.

Community impacts and community involvement:

Amending the smoke and tobacco-free parks policy enforcement strategy will ensure those in violation of the policy are not criminalized.

Budgetary Impact Worksheet**Does this action change appropriations?**

☐ **YES:** Please complete the information below.

☐ **NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

Portland Parks & Recreation Finance Manager

6/17/2015

Commissioner Fritz Substitute language for directive 'a' Council Agenda Item 643

G. Notwithstanding any other provision of this Code, a person who violates Section 20.12.110.C shall not be subject to exclusion under Section 20.12.265, or to criminal enforcement under Section 1.01.140 of this Code. Rather, any person violating Subsection 20.12.110.C shall be required to leave the Park in which the offense occurred, for the remainder of the day. ~~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,~~ **except that any person providing security services at Pioneer Courthouse Square, Director Park, or that portion of the South Park Blocks adjacent to Portland State University may enforce the prohibitions on tobacco and smoking in that Park, but only in the manner provided by this Section.**