

ORDINANCE No. 187 23 1

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

The City of Portland ordains:

Section 1. The Council finds:

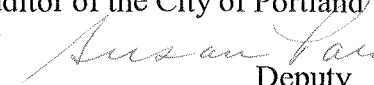
1. On February 18th, 2015, Portland City Council approved expanding the City of Portland's Bureau of Parks & Recreation ("Parks") smoke and tobacco-free parks policy to all City parks, natural areas, recreation areas and any other areas where Parks' park rules apply. The expanded policy goes into effect July 1, 2015.
2. The intent of the 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.
3. Amending the smoke and tobacco-free parks policy enforcement strategy will ensure those in violation of the policy are not criminalized.

NOW, THEREFORE, The Council Directs:

- a. PCC 20.12.110 Subsection G is amended as follows:

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.

Passed by the Council: JUN 25 2015
Commissioner Amanda Fritz
Prepared by: Cynthia Castro

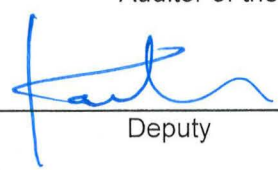

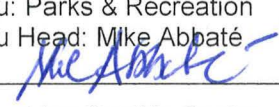


Mary Hull Caballero
Auditor of the City of Portland
By 
Deputy

648-700

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Agenda No. **ORDINANCE NO. 187 23 1** As Amended
Title

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

INTRODUCED BY Commissioner/Auditor: Fritz	CLERK USE: DATE FILED <u>JUN 12 2015</u>
COMMISSIONER APPROVAL	Mary Hull Caballero 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 	JUN 17 2015 PASSED TO SECOND READING As Amended JUN 24 2015 9:30 A.M.
Prepared by: Cynthia Castro Date Prepared: June 3, 2015	JUN 24 2015 CONTINUED TO JUN 25 2015 2 P.M.
Impact 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"/>	
<input checked="" type="checkbox"/> City Auditor Office Approval:  required for Code Ordinances	
<input checked="" type="checkbox"/> City Attorney Approval:  required for contract, code, easement, franchise, comp plan, charter	
Council Meeting Date June 17, 2015	

AGENDA
<u>TIME CERTAIN</u> <input type="checkbox"/> Start time: Total amount of time needed: (for presentation, testimony and discussion)
<u>CONSENT</u> <input type="checkbox"/>
<u>REGULAR</u> <input checked="" type="checkbox"/> Total amount of time needed: <u>20 min</u> (for presentation, testimony and discussion)

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