

## Ordinance Number 515

AN ORDINANCE OF THE CITY OF MORGANFIELD, KENTUCKY DECLARING ANY CITY OWNED OUTDOOR RECREATIONAL FACILITY AREAS POSTED WITH NON-SMOKING SIGNS AS NO SMOKING ALLOWED AREAS.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL, OF THE CITY OF MORGANFIELD, KENTUCKY AS FOLLOWS:

WHEREAS, the City Council of the City of Morganfield, determine that The City of Morganfield Mayor , or an authorized designee, in control of an City owned establishment, facility, or outdoor area may declare a facility, or outdoor area as a nonsmoking place. Smoking shall be prohibited in any place in which a sign conforming to the requirements of Section (A) Posting of Signs is posted.

### Definitions

"**City Owned Outdoor Recreational Area**" means any City owned area open to the public for recreational purposes, whether or not any fee for admission is charged, including but not limited to, athletic fields, parks, skate parks, swimming pools, and trails.

"**Smoking**" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form. "Smoking" also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this Article.

### **Prohibition of Smoking in Outdoor Public Places**

Smoking shall be prohibited in the following outdoor places:

- A. Within a reasonable distance of 25 feet from entrances where smoking is prohibited, so as to prevent tobacco smoke from entering those areas.
- B. In all outdoor recreational areas. Smoking shall also be prohibited in, and within 25 feet of, bleachers and grandstands for use by spectators at sporting and other public events.
- C. In, and within 25 feet of, all outdoor playgrounds.

### Posting of Signs

- A. Clearly and conspicuously post "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) in that place.

B. Clearly and conspicuously post at every entrance to that place a sign stating that smoking is prohibited or, in the case of outdoor places, clearly and conspicuously post "No Smoking" signs in appropriate locations as determined by the Mayor or an authorized designee.

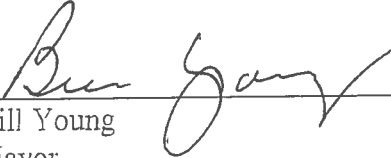
Enforcement

A. This Article shall be enforced by the Mayor or an authorized designee

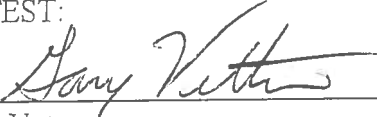
B. The City of Morganfield Mayor or an authorized designee of an area regulated by this Ordinance shall direct a person who is smoking in violation of this Ordinance to extinguish or turn off the product being smoked. If the person does not stop smoking, the City of Morganfield Mayor, manager, or an authorized designee shall refuse service and shall immediately ask the person to leave the premises. If the person in violation refuses to leave the premises, the City of Morganfield Mayor, manager, or an authorized designee, shall contact a law enforcement agency.

Violations and Penalties

A. A person who smokes in an area where smoking is prohibited by the provisions of this Article shall be guilty of an infraction, punishable by a fine not exceeding fifty dollars (\$50).

  
\_\_\_\_\_  
Bill Young  
Mayor

ATTEST:

  
\_\_\_\_\_  
Gary Vetter  
City Administrator

First Reading: September 25, 2014

Second Reading: October 23, 2014

Publish: October 29, 2014