

Chapter 199 TOBACCO-FREE ZONES

ARTICLE I

Tobacco-Free Zones in Saco Public Parks, Recreational Areas and Sporting Venues

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[**HISTORY: Adopted by the City Council of the City of Saco on: _____.**]

GENERAL REFERENCES

ARTICLE I

§199-1. Purpose.

The City of Saco strives to be a community that fosters healthy standards of living for all its citizens. Substantial evidence has shown that the use and exposure to tobacco products, whether through direct or secondhand consumption, leads to over 400,000 deaths each year, making it the foremost preventable cause of premature death in the United States. Tobacco-Free Zones in Saco are hereby implemented for the purpose of reducing tobacco use among the citizenry in public, recreational locations with high volumes of youth and families.

§ 199-2. Definitions.

For the purpose of this Chapter, the following terms shall have the following meaning and definition:

PARK, RECREATIONAL AREA OR SPORTING VENUE: Any outdoor area accommodating or having facilities for rest or recreation (including passive activities) or playground designed at

least in part to be used by children that has play or sports equipment installed or that has been designed or landscaped for play, sports, or leisure activities on grounds owned, occupied or operated by the City or a department thereof, or any similar facility located on public school grounds. All areas included in this article will be distinguished using clear and conspicuous signage consisting of a pictorial representation of a burning cigarette enclosed in a circle with a bar across it.

SECONDHAND SMOKE: Smoke emitted from a lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco product intended for inhalation, in any manner or in any form, when the smoker is not inhaling, smoke emitted at the mouthpiece during puff drawing, and smoke exhaled by the smoker. Secondhand smoke also includes aerosol or vapor from the use of an electronic smoking device emitted, in any manner or in any form, when the smoker is not inhaling, at the mouthpiece during puff drawing, and when the smoker is exhaling.

TOBACCO PRODUCTS: (1) A product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, or snuff; or (2) An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic smoking device.

§199-3. Policies.

The City Council shall enact policies to effectuate the goals and purposes of this Ordinance. It authorizes and directs the Parks and Recreation Department, through the City Administrator, to draft proposed policies for its review, and to implement and enforce those policies once adopted.

§199-4. Communication.

The City of Saco Parks and Recreation department shall be responsible for the distribution and posting of Tobacco-Free Zone signage in all designated locations. The City of Saco Parks and Recreation department shall be responsible monitoring compliance.

§199-5. Enforcement.

It shall be unlawful for any person to smoke, vape, or use tobacco products in any form in all areas outlined in this article. For any person who violates the tobacco/smoke-free rule, Parks and Recreation staff, or other person designated by the Parks and Recreation Director, shall request that the person cease the use of tobacco and give a verbal warning. If the person refuses to cease, others authorized by the Director may request that the person leave the Tobacco/Smoke-Free Zone. Refusal of any person to leave the Tobacco/Smoke-Free Zone as requested is considered a trespass, for which the police may enforce in accordance with State of Maine law.