

**ORDINANCE NO. 856**

**AN ORDINANCE OF THE CITY OF SCAPPOOSE REGULATING THE USE OF  
SMOKING IN CITY PARKS**

**WHEREAS**, the City of Scappoose City Council can regulate activities in parks;  
and

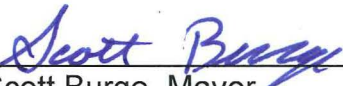
**WHEREAS**, for the health and safety of the community, City Council wishes to  
prohibit smoking in City parks.

**NOW, THEREFORE, THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:**

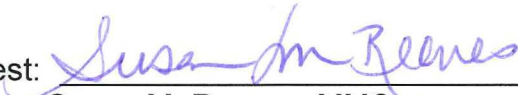
**Section 1.** Chapter 12.16.015 of the Scappoose Municipal Code shall be added and  
Chapter 12.16.060 shall be added to read as shown on the attached Exhibit A (additional  
language underlined and deleted language ~~stricken~~).

**Section 2.** Severability. If any provision of this ordinance or the application thereof to  
any person or circumstances is held invalid, such invalidity shall not affect other  
provisions or applications of the ordinance which can be given effect without the invalid  
provision or application, and to this end the provisions of this ordinance are severable.  
This City Council hereby declares that it would have adopted this ordinance irrespective  
of the invalidity of any particular portion thereof and intends that the invalid portions should  
be severed and the balance of the ordinance be enforced.

**CITY OF SCAPPOOSE, OREGON**

  
\_\_\_\_\_  
Scott Burge, Mayor

First reading: July 5, 2016  
Second reading: July 18, 2016

Attest:   
\_\_\_\_\_  
Susan M. Reeves, MMC  
City Recorder

## Exhibit A

### Chapter 12.16

#### MUNICIPAL PARKS

12.16.015 Definitions. A. As used in this chapter, the following definitions apply:

1. "Municipal park" means any public park owned or operated for public use by the City of Scappoose and so designated, and includes all sidewalks, streets, and public rights-of-way immediately adjacent thereto.

2. "Smoke" means to inhale, exhale, or possess any lighted or burning cigar, cigarette, pipe, weed, plant, or other substance grown, manufactured, or processed which is intended to be used for smoking in any form. "Smoke" also means to inhale, exhale, or possess an electronic cigarette or a similar device intended to emulate smoking.

3. "Smoking instrument" means any cigar, cigarette, pipe, electronic cigarette, or other smoking equipment.

4. "Tobacco product" means any product that contains tobacco or is derived from tobacco and is intended to be inhaled, ingested into the human body, or absorbed into the human bloodstream.

5. "Use a tobacco product" means to smoke, chew, ingest, inhale, sniff, dip, exhale, vape, and any other means of ingestion, absorption, or consumption of a tobacco product.

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12.16.060 Smoking in Parks. A. No person shall smoke or carry any lighted smoking instrument in any municipal park.

B. No person shall use any tobacco product in any municipal park.

C. Enforcement. A violation of section 12.16.060 shall be punishable by a fine in the amount of \$50. Each violation of this section shall constitute a separate offense.