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CITY OF BROOK PARK, OHIO

ordinance no: <u>11092-2019</u>

INTRODUCED BY: COUNCILMAN MENCINI, COUNCIL AS A WHOLE,

& MAYOR GAMMELLA

AN ORDINANCE

AMENDING SECTION 525.16

OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED
'SMOKING PROHIBITED IN MUNICIPALLY OWNED AND OPERATED BUILDINGS
AND SMOKE-FREE AREAS OF PARKS AND PLAYGROUNDS'
AND DECLARING AN EMERGENCY

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: Section 525.16 of the Brook Park Codified Ordinances, as enacted by Ordinance No.8006-1994, passed January 17, 1995 and reading as follows:

525.16 SMOKING PROHIBITED IN MUNICIPALLY OWNED AND OPERATED BUILDINGS.

- (a) The possession of lighted smoking material in any form is prohibited in any and all municipally owned or operated buildings within the City.
- (b) Signs indicating that smoking is prohibited shall be adequately posted and displayed in every establishment, where smoking is regulated by this section, so as to ensure proper notice to members of the general public.
 - (c) This section shall become effective June 1, 1995.
- (d) Whoever violates subsection (a) hereof is guilty of a minor misdemeanor.

is hereby amended to read:

525.16 SMOKING PROHIBITED IN MUNICIPALLY OWNED AND OPERATED BUILDINGS, PLAYGROUNDS AND PARKS.

- (a) The possession of lighted smoking material in any form is prohibited in any and all municipally owned or operated buildings and within 25 feet of No Smoking signs posted in parks and playgrounds within the City.
- (b) Signs indicating that smoking is prohibited shall be adequately posted and displayed in every establishment, park and playground where smoking is regulated by this section, so as to ensure proper notice to members of the general public.

- (c) Signs indicating that "Smoking is Prohibited within 25 feet of this sign" shall be adequately posted near ballfields, dugouts, bleachers, pavilions, playground equipment, or any other area where smoking can disrupt recreational activities.
 - (d) This section shall become effective June 1, 2019.
- (e) Whoever violates subsection (a) hereof is guilty of a minor misdemeanor.
- SECTION 2: Former Section 525.16 of the Brook Park Codified Ordinances as enacted by Ordinance No.8006-1994, passed January 17, 1995 is hereby expressly repealed.
- SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.
- **SECTION:** 4 This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason of amending Section 525.16; therefore provided this Ordinance receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: My H, Dorg Amended PRESIDENT OF COUNCIL ATTEST: Clerk of Council APPROVED: MAYOR I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS LURECTOR OF LAW DIRECTOR OF LAW CERTIFICATE CERTIFICATE AND CERTIFICATE AND CERTIFICATE AND CERTIFICATE AND CERTIFICATE AND CERTIFICATE AND AND CERTIFICATE AND AND CERTIFICATE AND AND CERTIFICATE AND AND AND CERTIFICATE AND AND AND CERTIFICATE AND AND AND AND AND AND AND AN
Clerk of Council I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM MAYOR S/30/7 DATE
INSTRUMENT AS TO LEGAL FORM DATE
I, Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/ in the municipality and that publication of the most public
CIRECTOR OF LAW resolutions was made by posting true collects at the collect at
Michelle Blezak, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/Resolution Holland Road, #1 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Station 22530 Rupl

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