

LEGAL ADVERTISEMENT

Notice is hereby given that the City of Aliquippa will consider enactment of ordinance 5 of 2022 prohibiting the use of tobacco in recreational areas, parks and playgrounds and providing penalties for violation thereof at the public meeting on December 21, 2022 at 7:00 P.M. at the City Building, 581 Franklin Avenue, Aliquippa, PA 15001.

A full text of the proposed ordinances may be examined by any interested person prior to adoption at the Aliquippa City Building, 581 Franklin Avenue, Aliquippa, PA 15001 during regular business hours.

CITY OF ALIQUIPPA

Samuel L. Gill
City Administrator

Please publish one (1) time only on December 4, 2022

Ordinance No. 5 of 2022

AN ORDINANCE OF THE CITY OF ALIQUIPPA,
COUNTY OF BEAVER AND COMMONWEALTH OF
PENNSYLVANIA, PROHIBITING THE USE OF TOBACCO IN
RECREATIONAL AREAS, PARKS AND PLAYGROUNDS
AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

WHEREAS, the City of Aliquippa is a Municipal Corporation organized and existing under the laws of the Commonwealth of Pennsylvania, including but not limited to the Third-Class City Code; and

WHEREAS, the Legislature of the Commonwealth of Pennsylvania vests the City of Aliquippa with the power and authority to make and adopt all such Ordinances, bylaws, rules and regulations which are not inconsistent with or restrained by the Federal or Pennsylvania State Constitutions, as well as the laws of the Commonwealth of Pennsylvania; and

WHEREAS, the Legislature of the Commonwealth of Pennsylvania vests the City of Aliquippa with the power and authority to make laws as to be expedient or necessary for the proper management, care and control inter alia, of the City finances, and the maintenance of peace, good government, safety and welfare of the City, its trade, commerce and manufacturers; and

WHEREAS, the Municipal Council of Aliquippa acknowledges that second hand tobacco smoke poses a threat to the health, safety and welfare of adults and minor children; and

WHEREAS, the U.S. Surgeon General has determined that there is no safe level of exposure to tobacco smoke pollution; and

WHEREAS, secondhand tobacco smoke is responsible for over 50,000 deaths among nonsmokers each year; and

WHEREAS, tobacco kills more Americans each year than alcohol, cocaine, heroin, homicide, and suicide, accidents, fire and AIDS combined; and

WHEREAS, 80% of smokers started smoking before the age of 18, and the average initiation age is 12 years old; and

WHEREAS, the Town Council of the City of Aliquippa desires to discourage tobacco use and promote the public health by making City owned parks, playgrounds and recreational fields “tobacco and nicotine-free zones.”

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Town Council of the City of Aliquippa and it is hereby ordained and enacted by the authority of the same as follows:

Article I: **Designated Tobacco-Free Areas:** That the areas of parks and playgrounds where children are present including Lefty Cepul Fields, Paul Corsi Jr. Park, Logstown Playground, Jessie Walker Park, Plan 6 Playground, Mrs. Redd’s Third Ave Community Playground and any and all other parks in the City of Aliquippa are from this time forward, are hereby designated tobacco and nicotine-free and the use of any tobacco product in any form shall be prohibited hereafter.

“**TOBACCO**” is defined to include any lighted or unlighted cigarette, cigar, pipe, and any other smoking product: and spit tobacco, also known as smokeless, dip, chew, spit less, snus and snuff, in any form: including, but not limited to, non-FDA approved cessation nicotine products, digital/electronic nicotine delivery systems e.g. “e-cigarette,” vapor products or anything that simulates or can be construed as being a smoking or smokeless tobacco product (I.e., herbal smoking products).

Article II: **Young Lungs at Play Signs** or other appropriate signage will be posted delineating the tobacco and nicotine free areas.

Article III: **Enforcement:** Any person, corporation, or entity violating any provision of this Ordinance shall be subject to a fine of not less than \$50.00 nor more than \$300.00.

Article IV: The community shall be placed on notice of the enactment of this Ordinance pursuant to the advertising requirements of the Third-Class City Code.

This Ordinance shall be effective immediately upon enactment by the Town Council of the City of Aliquippa, and shall remain in effect until revised, amended or revoked.

RESOLVED AND ADOPTED this _____ day of _____ 20____, by the Town Council of the City of Aliquippa, a quorum being present and voting this same date.

Honorable Dwan Walker, Mayor