

ORDINANCE No. 2014:06

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING SECTION 290-7, DEFINITIONS, AND CREATING SECTION 290-18, SMOKING, OF THE CODE OF TOWNSHIP OF PARSIPPANY-TROY HILLS

WHEREAS, the Township of Parsippany-Troy Hills recognizes that smoking and second hand smoke have been repeatedly identified as health hazards; and

WHEREAS, the Township of Parsippany-Troy Hills finds that it is in the public interest to enact an ordinance that will help to protect children from second hand smoke and to discourage children from the temptations of experimenting with tobacco products; and

WHEREAS, the Township of Parsippany-Troy Hills believes that it is in the public interest and more specifically the health and welfare interests of children and adolescents to prohibit the smoking of cigarettes, cigars, and pipes, including electronic devices, within certain public places where children are likely to congregate, gather, play and/or engage in athletic competitions; and

WHEREAS, it is the intention of the Township of Parsippany-Troy Hills to work in collaboration with parents and youth in our community in reinforcing the message of the ill of smoking, and in providing additional means by which parents may discourage and youth may reject tobacco use.

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Parsippany-Troy Hills, Morris County, New Jersey, as follows:

SECTION 1. Section 290-7 of the Township Code, Definitions, is hereby amended and supplemented to include the following definition:

SMOKING

The burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe, or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

SECTION 2. Section 290-18 of the Township Code, Smoking, is hereby created as follows:

- A. In all Township parks, smoking is prohibited in and around children's play areas as designated by no smoking signs.
- B. During any sporting event(s), smoking is prohibited at the athletic fields, sports courts, and play areas where the sporting event(s) are taking place, and is only permitted in associated parking areas.

- C. In all Township parks, the Township will post “No Smoking” signs around all children’s play areas, which shall read “No Smoking Beyond This Point Pursuant to Township Code § 290-18”.
- D. This Ordinance shall be enforced by the Police Department of the Township of Parsippany-Troy Hills and any person may initiate enforcement by registering a complaint with the Police Department.
- E. Any person violating any provisions of this Ordinance shall, upon conviction thereof, be subject to the penalties set forth in § 1-17 of the Township Code

SECTION 3. All actions of the Township taken prior to the date of adoption hereof contemplated by this Ordinance are hereby ratified and approved.

SECTION 4. If any section, paragraph, subsection, clause or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof.

SECTION 5. All ordinances or parts of ordinances of the Township of Parsippany-Troy Hills heretofore adopted that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. This ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

I HEREBY CERTIFY the above to be a true copy of an Ordinance introduced by the Township Council of the Township of Parsippany Troy Hills at a duly convened meeting held on _____ and adopted on _____.

Yancy Wazirmas
Township Clerk