

**AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA
RELATING TO OFFENSES AND MISCELLANEOUS
PROVISIONS; PROVIDING FINDINGS OF FACT; PROVIDING
FOR THE REGULATION OF TOBACCO USE AT CERTAIN CITY
OWNED PROPERTY DURING YOUTH ORIENTED EVENTS;
PROVIDING FOR DEFINITIONS; PROVIDING FOR
PENALTIES; PROVIDING FOR SEVERABILITY AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, The Board of City Commissioners of Port St. Joe, Florida (the "Board") believes that smoking in the proximity of children and adults engaging in or watching youth activities at city owned or operated parks is detrimental to the health and comfort of those using such facilities; and

WHEREAS, our youth organizations have a unique opportunity to create and sustain an environment that supports a non-tobacco norm through non-smoking and non-tobacco use policies, rule enforcement, and positive adult and peer role modeling on youth athletic park grounds; and

WHEREAS, parents and children should be able to reasonably expect that consistent rules will exist among all youth activities at any park facility in the City of Port St. Joe where children participate in organized programs, especially with respect to the health and well-being of those children and their families; and

WHEREAS, the incidence of asthma among youth aged 5 to 14 has increased by 72% from 1980 to 1994 (4.3% to 7.4%), and secondhand smoke has been identified as a primary trigger in the onset of asthma attacks.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF PORT ST. JOE, FLORIDA;

Section 1. (a) The use of tobacco products is prohibited during all times in all areas, at City owned or operated property or parks when used for youth organization or league activities. A youth organization or league is defined as an organization which contracts or enters into a user-agreement with the City to conduct activities related to youth activities, including athletic practices and games, meetings, clinics, and demonstrations, on a regularly scheduled basis at City owned or operated property or parks.

(b) The use of tobacco products is prohibited at all times in all areas of those City owned parks located on 10th Street, used for youth sports.

Section 2. Penalties.

A first violation of this ordinance shall result in the removal of the offender from City property for the event in question. Subsequent violations may be punished as provided in the City of Port St. Joe Code of Ordinances Section 1-15.

Section 2. Severability.

If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

Section 3. Effective Date.

The effective date is April 3, 2001.

DULY PASSED AND ADOPTED by the Board of City Commissioners of Port St. Joe, Florida this 3rd day of April, 2001.

THE CITY OF PORT ST. JOE


FRANK PATE, JR., MAYOR-COMMISSIONER

ATTEST:


City Clerk