

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING CHAPTER 99 OF THE CODE OF ORDINANCES ENTITLED "MUNICIPAL BEACH" TO PROHIBIT THE USE OF CIGARETTES, UNFILTERED CIGARS, PIPES OR TOBACCO PRODUCTS ON THE MUNICIPAL BEACH.

WHEREAS, the Florida Clean Air Act aims to protect the public from the health hazards of secondhand tobacco smoke; and

WHEREAS, recent legislation allows counties and municipalities to further restrict smoking within the boundaries of any public beaches and public parks that they own to improve the beauty of the City's beaches and ensure an even healthier and cleaner experience for all beachgoers free of secondhand smoke; and

WHEREAS, the exposure to secondhand smoke can cause numerous health problems and has been causally linked to cancer and other fatal diseases; and

WHEREAS, the City Commission determines a public health and safety need to prohibit the use of cigarettes, cigars, pipes or other tobacco products on City beaches.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Ordinance.

Section 2: That Chapter 99 of the Code of Ordinances entitled "Municipal Beach" is hereby amended as follows:

**TITLE IX: GENERAL REGULATIONS**

\* \* \*

**CHAPTER 99: MUNICIPAL BEACH**

\* \* \*

Words that are underlined are additions to existing text; ~~struck-through~~ words are deletions from existing text; shaded text are additions for second reading.

**§ 99.03 PROHIBITED ACTIVITIES**

It shall be unlawful for any person to do any acts hereinafter set forth below upon Hollywood Beach as described in § 99.01:

\* \* \*

(S) Smoke cigarettes, unfiltered cigars, pipes, or use any other lighted tobacco product.

\* \* \*

Section 3: That it is the intention of the City Commission and it is ordained that the provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Hollywood, Florida, and the sections of this Code may be renumbered to accomplish such intention.

Section 4: That if any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid, such invalidity shall not affect the validity of any remaining portions of this Ordinance.

Section 5: That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict are repealed to the extent of such conflict.

Section 6: That this Ordinance shall be in full force and effect immediately upon its passage and adoption.

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING CHAPTER 99 OF THE CODE OF ORDINANCES ENTITLED "MUNICIPAL BEACH" TO PROHIBIT THE USE OF CIGARETTES, CIGARS, PIPES OR TOBACCO PRODUCTS ON THE MUNICIPAL BEACH.

Advertised \_\_\_\_\_, 2022.

PASSED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

PASSED AND ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
JOSH LEVY, MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY for the use and reliance of the City of Hollywood, Florida, only.

\_\_\_\_\_  
DOUGLAS R. GONZALES  
CITY ATTORNEY