

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING CHAPTER 103 OF THE CODE OF ORDINANCES ENTITLED "PARKS AND RECREATION" TO PROHIBIT THE USE OF CIGARETTES, **UNFILTERED** CIGARS, PIPES OR TOBACCO PRODUCTS IN MUNICIPAL PARKS AND ON PLAYGROUNDS.

WHEREAS, the youth of our community and communities throughout Florida currently play on athletic fields, skate parks, aquatic facilities and other recreation facilities with those who choose to smoke around the children subjecting them to unhealthy 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 within City parks and playgrounds.

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 103 of the Code of Ordinances entitled "Parks and Recreation" is amended as follows:

TITLE IX: GENERAL REGULATIONS

* * *

CHAPTER 103: PARKS AND RECREATION

* * *

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

§ 103.03 PROHIBITED ACTIVITIES.

(C) Its shall be unlawful for any person to smoke cigarettes, unfiltered cigars, pipes, or use any other lighted tobacco product upon the public parks, playgrounds or fields of the City.

* * *

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Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict are repealed to the extent of such conflict.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 103 OF THE CODE OF ORDINANCES ENTITLED "PARKS AND RECREATION" TO PROHIBIT THE USE OF CIGARETTES, CIGARS, PIPES OR TOBACCO PRODUCTS IN MUNICIPAL PARKS AND ON PLAYGROUNDS.

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