

Borough of Lilly

Resolution No.: August 2016-1

A Resolution of the Lilly Borough Council Prohibiting the Use of Tobacco in Recreational Areas, Parks and Playgrounds

WHEREAS, the Lilly Borough Council 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, second hand 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, suicide, accidents, fire and AIDS combined; and

WHEREAS, eighty percent of smokers started smoking before the age of eighteen, and the average initiation age is twelve years old; and

WHEREAS, the Lilly Borough Council desires to discourage tobacco use and promote the public health by making Borough owned parks, playgrounds and recreational fields "tobacco free zones".

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Lilly Borough Council as follows:

Section 1: DESIGNATED TOBACCO-FREE AREAS: That the areas of parks, playgrounds and recreational fields where children are present in the Borough of Lilly be designated tobacco-free and the use of any tobacco product or electronic cigarette, in any form, shall be prohibited hereinafter.

Section 2: "TOBACCO PRODUCT" INCLUDES:

- (a) Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed or ingested by any other means, including but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff.
- (b) Any electronic device that delivers nicotine or other substances to the person inhaling from the device, including, but not limited to an electronic cigarette, cigar, pipe or hookah.
- (c) Notwithstanding and provision of subsections (a) and (b) to the contrary, "tobacco product" includes any component, part or accessory of a tobacco product, whether or not sold separately.
- (d) "Tobacco product" does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where such product is marketed and sold for such an approved purpose.

Section 3: APPROPRIATE SIGNAGE will be posted delineating the tobacco-free areas.

Section 4: Council hereby authorizes its elected and appointed officials to take whatever steps are necessary for full participation in and compliance with the Young Lungs at Play Program and/or other such programs of the Commonwealth.

Section 5: ENFORCEMENT: Any person who violates any provision of this Resolution shall be subject to removal from the tobacco-free area.

RESOLVED, this third day of August, 2016

BOROUGH OF LILLY

By:


John T. Barlick, Jr. - Mayor

Attest:

 (Seal)
Claudine M. Falger - Secretary