

ORDINANCE 2013-11

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEARCY, ARKANSAS; ADDING A SECTION TO BE CALLED 19-28; PROHIBITING THE USE OF TOBACCO PRODUCTS ON REAL PROPERTY OWNED BY THE CITY OF SEARCY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

The City Council of the City of Searcy, Arkansas, meeting in regular session, makes the following findings of fact and enacts the following provisions:

WHEREAS, the Searcy City Council recognizes the need to maintain a healthy environment for work, play and all activities undertaken by the Citizens of the City of Searcy and visitors to this community; and

WHEREAS, the Searcy City Council recognizes that the use of tobacco products presents a deleterious effect upon the health of persons using facilities owned or operated by the City of Searcy; and

WHEREAS, the Searcy City Council finds that, in light of the need to provide for the health and welfare of its citizens that an emergency exists requiring the immediate enforcement of this Ordinance.

NOW, THEREFORE, the Searcy City Council adopts the following amendment to the Code of Ordinances:

Section 1. The Code of Ordinances of the City of Searcy, Arkansas, is hereby amended by adding a section to be numbered 19-28, which said section reads as follows:

“Sec. 19-28. Use of Tobacco Products Prohibited; Exception for Designated Areas.

19-28-1. Tobacco Product Use Prohibited. The use of tobacco products of any kind, including without limitation, cigarettes, cigars, pipes, chewing tobacco and snuff, upon the premises of any property of owned or operated by the City of Searcy is expressly prohibited.

19-28-2 Exceptions for Designated Areas. The Mayor of the City of Searcy may designate one or more areas at any facility owned or operated by the City of Searcy as a designated area for the use of tobacco products otherwise prohibited herein.

19-28-3 Penalties. Any person violating the provisions of this Section 19-28 shall be, if having been found guilty of violating the provisions of this section, fined not less than \$25.00 nor more than \$250.00 for each offense.”

Section 2. The provisions of this ordinance are separable and, upon any finding that any provision of this ordinance is unenforceable, the remaining provision shall be enforceable according to their terms.

Section 3. All ordinances, resolutions or other acts of the City in conflict with the terms hereof are repealed to the extent of any such conflict.

Emergency Clause. The Searcy City Council has determined that an emergency exists and that the immediate adoption and enforcement of this ordinance being necessary for the public peace, health, safety and welfare, the provision hereof shall be in full force and effect from and after its passage.

Adopted this 12th day of March, 2013.

The City of Searcy, Arkansas

By: /s/ David Morris
Mayor

Attest:

/s/ Jerry Morris
Searcy City Clerk-Treasurer