

ORDINANCE NO. 2016 - 15

**AN ORDINANCE AMENDING THE SEARCY CODE OF ORDINANCES;
AMENDING CHAPTER 19 OF THE CODE OF ORDINANCES;
PROHIBITING TOBACCO AND RELATED USES ON AND IN CITY
PROPERTY; DECLARING AN EMERGENCY; AND FOR OTHER
PURPOSES**

WHEREAS, the Searcy City Council wishes to amend Section 19-28 of the Searcy Code of Ordinances to address smokeless tobacco, vapor pens, electronic smoking devices and other similar product's use on and in City property.

NOW, THEREFORE, be it ordained by the Searcy City Council of the City of Searcy, Arkansas, to wit:

Section 1. Section 19-28 of the Searcy Code of Ordinances is amended and restated to read as follows:

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

19-28-1. Use Prohibited. The use of tobacco products, smokeless tobacco, vapor pens, electronic smoking devices or other similar products (collectively, whether containing tobacco or not, (“Tobacco Products”) upon property, structures, facilities, vehicles or equipment 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. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. The provisions of this ordinance are separable and, upon any finding that any provision of this ordinance is unenforceable, the remaining provisions shall be enforceable according to their terms

Emergency Clause. The need to provide for the protection of real property values within the City of Searcy, and to provide for the public peace, health, safety and welfare, is deemed by

the Searcy City Council to be an emergency and the adoption of this Ordinance, being necessary to address both preservation of real property values and the public health, an emergency is hereby declared and this ordinance shall be in full force and effect from and after its passage.

Adopted this 10th day of May, 2016.

The City of Searcy, Arkansas:

/s/ David Morris
Mayor

Attest:

/s/ Jerry Morris
City Clerk-Treasurer