

ORDINANCE NO. 503

AN ORDINANCE AMENDING ORDINANCE 274 AND SECTION 42-8 OF THE CITY OF PORT ST. JOE CODE OF ORDINANCES RELATING TO OFFENSES AND MISCELLANEOUS PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Joe finds that the health dangers posed by tobacco, nicotine, and other consumables which are traditionally consumed by smokers are not limited to cigarettes or other traditional forms of smoking, and

WHEREAS, new unregulated high-tech smoking devices often containing a combination of pure nicotine, or other substances which are commonly referred to as electronic cigarettes or e-cigarettes, have recently been made available to consumers, and

WHEREAS, the U.S. Food and Drug Administration and many public health advocates have publicly expressed concerns regarding the safety of e-cigarettes, warn they are often marketed in such a way as to attract young people, and may serve as a gateway to traditional cigarette use, and

WHEREAS, when consumed in public places where traditional tobacco products are currently banned under Florida law, the use of e-cigarettes may cause concern and confusion among City residents, visitors and employees alike, and

WHEREAS, protecting City of Port St. Joe residents, visitors and employees against the dangers associated with e-cigarettes constitutes sound public policy; now, therefore,

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF PORT ST. JOE, FLORIDA;


Section 1. (a) The use of tobacco products and e-cigarettes as defined in Section 42-9 is prohibited during all times in all areas, at city owned or operated property or parks when used for youth organization or league activities. A youth organization or league is defined as an organization which contracts or enters into a user-agreement with the City to conduct activities related to youth activities, including athletic practices and games, meetings, clinics, and demonstrations, on a regularly scheduled basis at city owned or operated property or parks.

(b) The use of tobacco products and e-cigarettes as defined in Section 42-9 is prohibited at all times in all areas of those city owned parks located on 10th Street, used for youth sports.

- Section 2. REPEAL: All ordinances or parts of ordinances in conflict herewith are hereby repealed.
- Section 3. SEVERABILITY: If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.
- Section 4. EFFECTIVE DATE: This ordinance shall become effective upon adoption as provided by law.

DULY PASSED AND ADOPTED by the Board of City Commissioners of Port St. Joe, Florida this 15th day of April, 2014.

THE CITY OF PORT ST. JOE

By: 
MEL C. MAGIDSON, JR.
MAYOR-COMMISSIONER

ATTEST:


CHARLOTTE M. PIERCE
CITY CLERK

The following commissioners voted yea: Magidson, Buzzett, McCrown, Patterson, Shurbay
The following commissioners voted nay: 0