

ORDINANCE NO. 01-02-2016

AN ORDINANCE APPROVING RESTRICTIONS ON E-CIGARETTE USE IN CITY PARKS, CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Santaquin ("the City"), as a fifth-class municipality of the State of Utah, has authority to operate parks and recreational facility for the benefit of its residents; and

WHEREAS, the City of Santaquin prohibits smoking of cigarettes within its city parks and recreational facilities so that all citizens might use these facilities free of pollutants; and

WHEREAS, the proliferation of alternative forms of smoking and tobacco use has increased with the advent of e-cigarettes and other products of a similar nature;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SANTAQUIN CITY, UTAH, AS FOLLOWS:

SECTION I. AMENDMENTS TO TITLE 7-4-4, GENERAL RESTRICTIONS.

7-4-4: GENERAL RESTRICTIONS:

Certain restrictions apply to all publicly owned parks regardless of designation. Unless specifically authorized in writing, the following park restrictions shall be enforced:

- A. No unauthorized motorized vehicles shall be allowed within parks except for vehicles performing trail maintenance, emergency vehicles, and motorized wheelchairs which are ADA (American disability act) accessible.
- B. Public entry may be prohibited in designated areas, at specific times, and/or seasons. This may be further restricted to specific types of use as established by the mayor in accordance with section 7-4-3 of this chapter.
 1. General Curfew: Parks are to be closed between ten o'clock (10:00) P.M. and six o'clock (6:00) A.M. except as permitted by the city for special events or recreational programs and activities.
 2. Seasonal Use: Parks will be open to the public for year round use, excepting the Pole Canyon Park which will be closed between November 1 and April 1 of each year.
- C. Open fires are not allowed, except in city installed fire pits within the boundaries of parks.
- D. Overnight camping is not allowed, except in designated areas with a permit unless otherwise posted.

- E. All dogs are to be leashed and under the owner's direct control at all times. All animal excrement is to be cleaned up by the owner of the animal.
- F. Dumping or storage of private property will not be allowed.
- G. Nothing may be placed by individuals to restrict or obstruct the public right of way.
- H. It is unlawful for any person or persons to create any nuisance or commit any offense that is in violation of state law or city ordinance; to scratch, cut, injure or deface any of the buildings, fences, structures, landscaping, or other property or improvements within a park, trail, or public owned open space area.
- I. No alcohol.
- J. No smoking of any kind, including e-cigarettes or any variation thereof,
- K. No swimming, wading or diving.
- L. No glass containers.
- M. No skateboarding, rollerblading, use of scooters or bicycles except in designated areas.
- N. No firearms.
- O. No rock throwing.
- P. Unauthorized concessions or selling of wares, goods, materials, or services.
- Q. No golfing.

SECTION II. Codification, Inclusion in the Code, and Scrivener's Errors

It is the intent of the City Council that the provisions of this ordinance be made part of the City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, that the word *ordinance* may be changed to *section*, *chapter*, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished, sections of the ordinance may be re-numbered or re-lettered. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

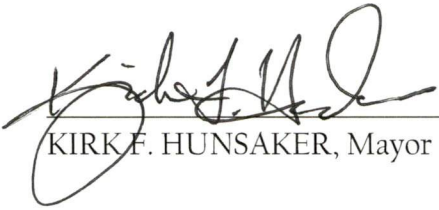
SECTION III. Severability

If any section, phrase, sentence, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

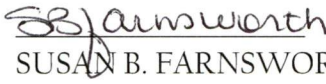
SECTION IV. Effective Date

The City Recorder shall deposit a copy of this ordinance in the official records of the City on January 7th, 2016, and before 5:00 p.m. on that same day, shall place a copy of this ordinance in three places within the City. This ordinance shall become effective at 5:00 p.m. on

Passed and duly adopted this 6th day of January, 2016.


KIRK F. HUNSAKER, Mayor

ATTEST:


SUSAN B. FARNSWORTH, City Recorder



Council Member Keith Broadhead
Council Member David Hathaway
Council Member Nick Miller
Council Member Amanda Jeffs
Council Member Marianne Stevenson

