

CHAPTER 15. OUTDOOR SMOKING

8-15-1. Smoking prohibited in outdoor places of public access.

8-15-2. Definitions.

8-15-3. Violation.

8-15-1. Smoking prohibited in outdoor places of public access.

Within the Tooele City corporate boundaries, smoking is prohibited within 25 feet of outdoor places of public access, including, but not limited to, public playgrounds, play pits, sporting areas, children and animal venues, gathering places, concession stands, and pathways; provided, however, that smoking is permissible at the Oquirrh Hills golf course, in public parking areas, and at other designated areas at such venues.

(Ord. 2013-14, 09-04-2013) (Ord. 2007-16, 04-18-2007)

8-15-2. Definitions.

As used in this Chapter:

(1) "Concession Stand" means any place intended for the distribution of goods and services in a public area.

(2) "Gathering Place" means any public area where people congregate or assemble, including, but not limited to, boweries, pavilions, amphitheaters, picnic tables, and booths.

(3) "Pathway" means any pathway located in a public area intended for walking, jogging, or biking.

(4) "Play Pit" means any designated play area within a public park for use by children, where the area is not contained by a fence. The boundary of a play pit shall be defined by the edge of the resilient surface of safety material, such as concrete, wood, or other material surrounding the play pit.

(5) "Playground" means any park or recreational area, specifically designed to be used by children, that may have play equipment installed, or any similar facility owned or operated by Tooele City.

(6) "Public Park" means any park owned or operated by Tooele City.

(7) "Smoking" means

(a) possessing any lighted or heated tobacco product in any form,

(b) inhaling, exhaling, burning, or heating a substance containing tobacco or nicotine intended for inhalation through a cigar, cigarette, e-cigarette, pipe, or hookah,

(c) using an electronic cigarette (or e-cigarette), and,

(d) using an oral smoking device intended to circumvent the prohibition of smoking in this Chapter.

(8) "Sporting Area" means any public area used for sporting events, including, but not limited to, bleachers, backstops, sports fields, ball diamonds, basketball courts, tennis or volleyball courts, skateboard areas, and swimming pools.

(9) "Tobacco" and "tobacco product" means cigarettes, electronic cigarettes (or e-cigarettes), and tobacco products as defined in Utah Code §59-14-102, as amended.

(Ord. 2013-14, 09-04-2013) (Ord. 2007-16, 04-18-2007)

8-15-3. Violation.

Any person, association, or corporation, or any officer of an association or corporation, who violates any provision of this Chapter shall be:

(1) on the first violation, guilty of an infraction; and

(2) on the subsequent similar violation within two years, guilty of a class C misdemeanor.

(Ord. 2007-16, 04-18-2007)