

AN ORDINANCE

Amending the Municipal Code of Marietta, Section 10-4-210, to clarify the policy by adding electronic cigarettes where smoking is prohibited.

WHEREAS, the Mayor and City Council have met and previously established regulations for smoking in public parks and recreational facilities; and

WHEREAS, the Mayor and City Council wish to clarify and amend the existing ordinance to include electronic cigarettes as a prohibited use;

NOW THEREFORE, THE COUNCIL OF THE CITY OF MARIETTA HEREBY ORDAINS:

Section 1:

Smoking Prohibited

A. It shall be unlawful for any person to use or inhale, exhale, burn, or carry any lighted cigar, cigarette, pipe, electronic cigarettes, weed, plant or other combustible substance in any manner or form in indoor and outdoor parks and recreational facilities located within the City of Marietta, including but not limited to the restrooms, athletic fields, aquatic areas, parks, hiking/walking/biking trails, playgrounds, off-leash areas, and spectator and concession areas, unless there is a designated smoking area as established by the Parks, Recreation and Facilities Director. A designated smoking area must be the minimum of 50 feet from a playing field, playground and or program site.

B. The prohibition set forth in Subsection A. shall not apply to the public golf course known as the City Club or the Marietta Golf Center.

Section 2: It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses and phrases are severable, and if any section, paragraph, sentence, clause or phrase of this Ordinance is declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this Ordinance.

Section 3: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 4: This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

DATE: May 8, 2019

APPROVED: 
R. Steve Tumlin, Jr., Mayor

ATTEST: 
Stephanie Guy, City Clerk

Approved as to Form: 
Douglas R. Haynie, City Attorney