

AN ORDINANCE

AMENDING, the Municipal Code of the City of Marietta.

NOW, THEREFORE BE IT HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MARIETTA, GEORGIA, THAT:

**Section 1:** Chapter 10-4-210 - Smoking prohibited, is hereby amended as follows:

**10-4-210 - 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, 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.
- C. The prohibition set forth in Subsection A. shall apply to all public right of way in the area identified on the attached map entitled "City of Marietta No Smoking District", including but not limited to the streets, alleys, and sidewalks.

**Section 5:** 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**Section 6:** All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

**Section 7:** This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

Final Ordinance submitted by:

  
\_\_\_\_\_  
Rusty Roth, Director  
Department of Development Services

Approved as to form:

  
\_\_\_\_\_  
Douglas R. Haynie, City Attorney

Approved by City Council:

APPROVED:

DATE: March 11, 2020

  
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Steve Tumlin, Mayor

ATTEST:

  
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Stephanie Guy, City Clerk