

**CITY OF CROOKS
ORDINANCE #308**

AN ORDINANCE OF THE CITY OF CROOKS, SOUTH DAKOTA, ADOPTING A
TOBACCO-FREE POLICY FOR THE MUNICIPALITY.

WHEREAS, the City of Crooks (“City”) finds tobacco product use is unhealthy and when consumed in the proximity of children, youth, and adults is detrimental to the health of others;

WHEREAS, tobacco products, smokeless and combusting, are associated with many health problems;

WHEREAS, the City’s personnel finds tobacco products are often consumed in public areas and discarded on the grounds, posing a danger of ingestion by children and wildlife, and causing a litter problem and environmental harm;

WHEREAS, the City of Crooks finds that it is in the best interest of the public health, safety, and welfare to adopt a Tobacco-Free Policy;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CROOKS, SOUTH DAKOTA, THAT:

Section 1. – Definitions. The following definitions shall apply unless the context clearly indicates or requires a different meaning:

Tobacco Product. Any product made or derived from tobacco that is intended for human use, including any component part, or accessory of a tobacco product. A tobacco product includes, but is not limited to, cigarettes, cigars, pipes, electronic smoking devices, cigarette tobacco, roll-your-own tobacco, smokeless tobacco, and dissolvable tobacco.

Electronic Smoking Device. Any device that can be used to deliver an aerosolized solution that may or may not contain nicotine to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, e-hookah, or other simulated smoking device. Nicotine products approved by the United States Food and Drug Administration for tobacco cessation shall be allowed.

Youth Activities. Activities in which the intended participants are those under 18 years of age.

Section 2. – Prohibited conduct. No person shall smoke or carry lighted tobacco in any form in any building or upon any premises or portion thereof where the owner or persons in charge thereof have posted signs declaring the building or premises or portion thereof to be smoke free or otherwise stating that smoking is prohibited.

Section 3. – Locations declared to be tobacco free. The use of tobacco products and electronic smoking devices is hereby prohibited in all vehicles owned, leased, or operated by the City; all City parks; all City buildings and facilities; and all City land.

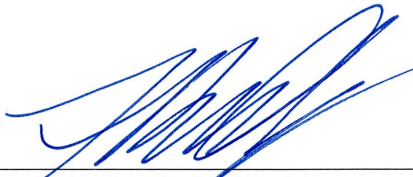
Section 4. – Fines for violation. A violation of this Ordinance shall be punishable by a fine of not more than \$100. Any person in violation of this Ordinance may be ejected from any facility, building and/or park at which youth activities take place.

Section 5. – Public notice. City staff shall post signs in conspicuous places to notify the public of the areas declared to be tobacco free.

Ayes: Harstad, Beyer, Richardson Nays:


Abstain:

Adopted this 12th day of September, 2022.



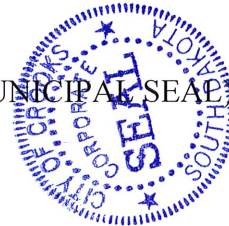
F. Butch Oseby, Mayor

ATTEST:



Tobias Schantz,
Municipal Finance Officer

(MUNICIPAL SEAL)



Legislative History

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