

Council Member Sano introduced the following:

Ordinance Number 58.102.11

AN ORDINANCE AMENDING CHAPTER 251 (PARKS AND RECREATION) OF THE CODE OF THE CITY OF ALBANY TO CREATE TOBACCO-FREE ZONES IN CITY RECREATIONAL AREAS

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. Section 251-9 of Chapter 251 of the Code of the City of Albany is hereby amended to read as follows:

Section 251-9. Repealer- Smoking in City recreational areas.

~~All ordinances or parts of ordinances inconsistent with the provisions of this article are hereby repealed.~~

A. Smoking is responsible for premature deaths of over 440,000 Americans each year from lung cancer, heart disease, and other smoking related diseases. It kills more Americans each year than alcohol, cocaine, heroin, crack, homicide, suicide, accidents, fires and AIDS combined. Eighty percent of smokers started smoking before the age of 18, and the average initiation age is 12 years old.

B. No person shall smoke within the City's sport fields, swimming pools, or playgrounds. For purposes of this section, to "smoke" means to burn a lighted cigar, cigarette, or pipe, or to use any other substance which contains tobacco.

C. Violation of this Section shall be an offense punishable by a fine of \$50.00. Appropriate signage shall be posted designating tobacco-free zones, however, the presence or absence of signs shall not be a defense to a violation of this Section.

Section 2. This ordinance shall take effect immediately.

APPROVED AS TO FORM

October 6, 2011

Corporation Counsel

Matter in ~~strike through~~ to be deleted. Matter underlined is new material.