

(First published in The Sabetha Herald on the 14th day of February, 2018)

ORDINANCE #1526

AN ORDINANCE AMENDING IN PART PORTIONS OF THE CURRENT CODE OF THE CITY OF SABETHA, KANSAS PROHIBITING THE USE OF TOBACCO IN ALL RECREATIONAL AREAS, PARKS AND PLAYGROUNDS IN THE CITY OF SABETHA, KANSAS; AND, REPEALING ANY CONFLICTING ORDINANCES OR RESOLUTIONS AND SETTING AN EFFECTIVE DATE.

BE IT ORDAINED by the Governing Body of the City of Sabetha, Kansas:

SECTION 1. That **Article 2. Local Offenses, of Chapter XI PUBLIC OFFENSES** is hereby amended by the adoption of the following.

§ 11-212 DESIGNATED TOBACCO-FREE AREAS

(a) That all municipal owned parks, playgrounds, and recreational areas in the City of Sabetha, Kansas are hereby designated tobacco-free and the use of any tobacco product or electronic cigarette, in any form, shall be prohibited therein. This designation of tobacco-free areas shall not prohibit the otherwise lawful use of tobacco at the Sabetha City Lake and Pony Creek Lake.

(b) That appropriate signage will be posted delineating the tobacco-free areas.

(c) Penalties for Violations.

i. Any law enforcement officer may issue a citation for a violation of this act; and, upon a first offense, impose a fine of \$25.00. If the violator pays the fine prior to the next court date, no court costs shall be assessed.

ii. As an alternative, any law enforcement officer may issue a notice to appear for a violation of this act; even if a first-time offense. If the violator fails to appear for court, then a warrant for that person's arrest may be issued.

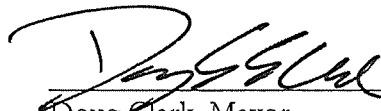
iii. A second offense of this act shall carry a minimum fine of \$50.00, plus court costs, and a third or subsequent offense of this act shall carry a maximum fine of \$500.00 and, in addition to or instead of such fine, confinement in the Nemaha County jail for a definite term not to exceed 30 days.

(d) That all Ordinances or parts thereof or parts of the Code the City of Sabetha, Kansas which are in conflict with or are inconsistent with provisions of this Ordinance, are hereby repealed.

SECTION 2. That this Ordinance shall take effect and be in force from and after its publication once in the official city newspaper.

Passed and Approved by the Governing Body this 12th day of February, 2018.

CITY OF SABETHA, KANSAS



Doug Clark, Mayor

Attest:



Steve Compo, City Clerk