

**Section 2**  
**Ordinance Proposal:**

**SMOKE-FREE PARKS**

1) Purpose.

The purpose of this section is to protect the public's health, safety, and welfare by addressing and prohibiting smoking/vaping and second-hand smoke/vape within designated park limits.

2) Definitions.

(a) "Tobacco and/or cannabis/marijuana products, substitutes and/or alternatives" shall mean cigarettes, electronic cigarettes, vapor cigarettes, cigars, cheroots, stogies, blunts, splifs, dabs, rollies, refuse scraps, clippings, cuttings and sweepings of tobacco and/or cannabis/marijuana, and other kinds and forms of tobacco and/or cannabis/marijuana prepared in a manner suitable for smoking in a pipe and/or vape device or otherwise for smoking.

(b) "Smoking" shall mean possession of lighted tobacco and/or cannabis/marijuana products or use of tobacco substitutes and/or alternatives including vaping.

(c) "Smoke-Free Park" shall mean within the boundaries and limits of designated Parks provided by the town of Lyndon and Village of Lyndonville and any event open for the general public. Exhibitions, sports expositions, festivals, entertainment, cause-related, fundraising, leisure, and any event that is a one-time or periodic, free or ticketed, cultural, charitable or cause-related, and conducted for the purpose of attracting revenue, support, awareness, and/or for entertainment purposes, and created by and/or for the general public.

(d) "Parks" shall mean Bandstand Park, Norrie Park, Memorial Park, and any other park the Village sees fit to ban smoking.

3) Exceptions

The prohibition of smoking/vaping within park limits shall not apply to:

(a) Any person(s) and/or company/organization who applies and is granted (for good reason) a special license to allow smoking/vaping from the Village of Lyndonville to hold a public event, provided that there be signage clearly and conspicuously warning patrons and passersby that

smoking/vaping is permitted within this leased space.

4) Enforcement.

Any law enforcement officer may enforce the provisions of this section. Prior to the issuance of a Vermont Municipal Complaint, a law enforcement officer shall warn the person to be issued of the prohibition and ask the person to cease smoking. The failure to immediately stop smoking at the prohibited smoking event after such warning shall be a civil ordinance violation punishable by a penalty of fifty dollars (\$50.00), the waiver penalty for which shall be fifty dollars (\$50.00). Law enforcement officers do not need to issue additional warnings to any person who has been previously warned of the prohibitions in this section and a person so previously warned who engages in the activity prohibited by this section.