

**MILLVILLE CITY CODE
TITLE 8 - HEALTH AND SAFETY
CHAPTER 8.40 - SMOKING PROHIBITED IN CITY PARKS,
RECREATIONAL AREAS, AND NEAR MASS GATHERINGS**

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8.40.010: DEFINITIONS

CITY PARK: Means and includes city owned parks and recreational areas, including, city owned spectator and concession areas, playgrounds, public squares, city office, city museum, athletic fields, and walking and biking trails.

MASS GATHERING: An outdoor assembly of fifty (50) or more people on city owned property that reasonably can be expected to continue for at least one hour.

SMOKE OR SMOKING: Means and includes: possession, carrying, or holding a lighted pipe, cigar, or cigarette of any kind, or any other lighted smoking equipment, or the lighting, emitting, or exhaling of smoke of a pipe, cigar, or cigarette of any kind, or of any other lighted smoking equipment. (Ord. 2008-6, 2008)

8.40.020: PROHIBITIONS

Smoking is hereby prohibited:

- A. In city parks.
- B. Within twenty five feet (25') of bus stops.

C. Within fifty feet (50') of mass gatherings.

A violation of this chapter is an infraction punishable as a class "C" misdemeanor but not by imprisonment. Peace officers shall have the discretion to issue a "warning" if they deem it is in the best interests of the city for the first offense. (Ord. 2008-6, 2008)

8.40.030: EXCEPTIONS

The restrictions of this section are subject to any applicable state or federal exemptions. (Ord. 2008-6, 2008)

8.40.040: POSTING OF SIGNS

"No Smoking" signs or the international "no smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly and conspicuously posted in every city park. (Ord. 2008-6, 2008)