

May 3, 2016

Item No. 1

Ordinance No. 3002/16

The following Ordinance was moved by Mr. Eramo
and seconded by Pres. Torres :

**ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF LONG BEACH RE: SMOKE-FREE PARKS
AND RECREATION.**

Sec.1. Chapter 18, Article II, Division 2, Section 18-44.1 of the Code of Ordinances of the City of Long Beach, as heretofore amended, shall be and the same is hereby amended and added to read as follows:

ARTICLE II. OCEAN BEACH PARK

“Sec. 18-44.1. Sale or use of cigarettes, cigars, pipe or electronic cigarette/smoking and/or inhalation devices.

(a) No person shall sell or offer for sale any cigarette, cigar, pipe or electronic cigarette/smoking and/or inhalation device which creates an aerosol or vapor, in or upon any portion of the beach or boardwalk within Ocean Beach Park.

(b) No person shall use, light and/or smoke any cigarette, cigar, pipe or electronic cigarette/smoking and/or inhalation device which creates an aerosol or vapor, into or upon any portion of the beach or boardwalk within Ocean Beach Park.

(c) Any city police officer or special officer observing a person in violation of this Section is authorized to issue a summons, pursuant to Section 18-104 of this Chapter.

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Sec.2. Chapter 18, Article V, Division 1, Section 18-84 of the Code of Ordinances of the City of Long Beach, as heretofore amended, shall be and the same is hereby amended and added to read as follows:

ARTICLE V. JAMES J. McCABE JR., MEMORIAL PARK

“Sec. 18-84. Sale or use of cigarettes, cigars, pipes or electronic cigarette/smoking and/or inhalation devices.

No person shall use, light and/or smoke, sell or offer for sale any cigarette, cigar, pipe or electronic cigarette/smoking device which creates an aerosol or vapor, in or upon any portion of the James J. McCabe Jr., Memorial Park.”

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Sec.3. Chapter 18, Article VI, Section 18-96 of the Code of Ordinances of the City of Long Beach, as heretofore amended, shall be and the same is hereby amended to read as follows:

ARTICLE VI. RULES AND REGULATIONS FOR PARK AND RECREATIONAL AREAS

“Sec. 18-96. Alcoholic beverages, controlled dangerous substances, alms, gambling, cigarettes, cigars, pipes or electronic cigarette/smoking and/or inhalation devices.

While in a public park or recreation area, all persons shall conduct themselves in a proper and orderly manner, and in particular, no person shall:

- (1) Bring alcoholic beverages, or controlled dangerous substances, drink or use the same at any time, nor shall any person be under the influence of intoxicating liquor or a controlled dangerous substance in a park or recreation area.
- (2) Solicit alms or contributions for any purpose, whether public or private.
- (3) Play any game of chance or have possession of any instrument or device for gambling.
- (4) Play, engage or take part in any game or competitive sport for money, or other valuable thing, without a written permit.
- (5) Use, light and/or smoke, sell or offer for sale any cigarette, cigar, pipe or electronic cigarette/smoking and/or inhalation device which creates an aerosol or vapor, in any park or recreation area.”**

Sec. 4. This Ordinance shall take effect immediately.