

ORDINANCE 2024-01

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF LOWER ALLEN TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF LOWER ALLEN, CHAPTER 151, PARKS AND PLAYGROUNDS, BY AMENDING SECTION 151-1, DEFINITIONS; ADDING NEW SECTION 151-9, TOBACCO-FREE POLICY; AND BY RENUMBERING CURRENT SECTION 151-9 TO 151-10 AND CURRENT SECTION 151-10 TO 151-11.

WHEREAS the Commissioners of Lower Allen Township acknowledge that second-hand tobacco smoke poses a threat to the health, safety and welfare of adults and children; and

WHEREAS the U.S. Surgeon General has determined that there is no safe level of exposure to tobacco smoke pollution; and

WHEREAS secondhand tobacco smoke is responsible for over 50,000 deaths among nonsmokers each year; and

WHEREAS tobacco kills more Americans each year than alcohol, cocaine, heroin, homicide, and suicide, accidents, fire and AIDS combined; and

WHEREAS 80% of smokers started smoking before the age of 18, and the average initiation age is 12 years old; and

WHEREAS the Commissioners of Lower Allen Township desire to discourage tobacco use and promote public health by making Township-owned parks, playgrounds and recreational areas “tobacco-free” zones.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that Section 151, Parks and Playgrounds be amended as follows:

SECTION I

SECTION 151-1, Definitions, by adding the following definitions:

Recreational Area – See “Park” definition.

Tobacco Products - Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to cigarettes, e-cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff. This definition shall include any component, part, or accessory of a smoking product, whether sold separately.

SECTION II

Adding new SECTION 151-9 as follows:

151-9. Tobacco-Free Policy. All areas of Parks, Playgrounds and Recreational Areas in Lower Allen Township be designated tobacco-free and the use of any Tobacco Product in any form, shall be prohibited.

SECTION III

- A. Current Section 151-9, Effect of violation, shall be renumbered to 151-10.
- B. Current Section 151-10, Violations and penalties shall be renumbered to 151-11.

SECTION IV

The provisions of this Ordinance, as far as they are the same as those of ordinances in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such ordinances and not as new enactments. The provisions of this Ordinance shall not affect any such suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any ordinance repealed by this Ordinance.

SECTION V

The provisions of this Ordinance are severable, and if any of its provisions shall be held to be unconstitutional, illegal, or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision not been included herein.

SECTION VI

This Ordinance shall take effect immediately.

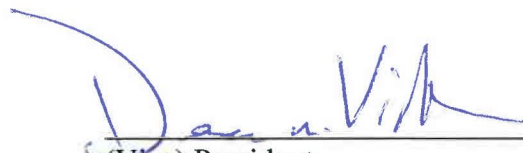
ENACTED AND ORDAINED this 22nd day of July 2024.

Attest:
(Corporate Seal)

BOARD OF COMMISSIONERS
LOWER ALLEN TOWNSHIP



(Assistant) Secretary



(Vice) President