

RESOLUTION #79-23
PL #80-23

By Alderman Forney, Seconded by Alderman Crawford

**TO AMEND THE CITY OF OLEAN CODE OF ORDINANCES SECTION 14-4 TO INCLUDE
CANNABINOIDS AS PROHIBITED IN CITY OF OLEAN PARKS AND RECREATIONAL FACILITIES**

RESOLVED, that the City of Olean Chapter 14, Section 14-4 is hereby amended as follows:

Chapter 14. Miscellaneous Offenses and Provisions

Sec. 14-4 No tobacco, nicotine, or cannabinoid use, or use of vapor devices in City-owned recreational facilities

- (a) No person shall smoke and/or utilize tobacco, nicotine or cannabinoid products or vapor devices within the City of Olean Park System or recreational facilities. This prohibition against the use of tobacco, nicotine, and cannabinoid products includes but is not limited to sporting fields, playgrounds, pools, courts, parks, pavilions and walking trails.
- (b) For purposes of this section, utilization of tobacco, nicotine or cannabinoid products shall mean to burn a lighted cigar, cigarette or pipe, and/or to use any other substance which contains tobacco, nicotine, or any form of a cannabinoid and also includes electronic cigarettes, vapor devices and chewing tobacco.
- (c) The use of tobacco and cannabinoids is allowed within a vehicle in the parking lot of the recreational facility.
- (d) Appropriate signage shall be posted designating tobacco-, nicotine-, and cannabinoid- free zones; however, the presence or absence of signs shall not be a defense to a violation of this Section.
- (e) The community, especially facility users and staff, will be notified about this policy. Staff will make periodic observation of recreational facilities to monitor for compliance.
- (f) Violations of the provisions of this Section shall be punishable of a fine of \$200, which shall not be suspended, waived, or otherwise reduced below this amount. In addition, any person found violating this policy may be subject to immediate ejection from the recreation facility for the remainder of the event.

Approved: September 26, 2023