

**ORDINANCE NO. 42-2018**

**TITLE: BARBERTON CODIFIED ORDINANCES  
PARKS AND RECREATION AREAS**

**AN ORDINANCE AMENDING SECTION 1068.06 OF THE BARBERTON  
CODIFIED ORDINANCES ENTITLED “PARKS AND RECREATION AREAS –  
BEHAVIOR” BY ADDING A SMOKE FREE SECTION.**

**WHEREAS**, a policy was passed on January 24, 2018 by the Barberton Board of Health and on February 15, 2018 by the Barberton Parks Commission, and

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Barberton, State of Ohio:

**SECTION 1.** That Council hereby amends Section 1068.06, “Parks and Recreation Areas – Behavior,” by showing said amendment in **bold** to read as follows:

1068.06        **BEHAVIOR.**

No person in a park shall:

(a) Alcoholic Beverages. Bring into or ingest in any way any alcoholic beverage or drug of abuse or any combination of the same at any time in a park or enter a park while under the influence of alcohol or any drug of abuse or any combination of the same;

(b) Fireworks and Explosives. Bring into a park, have in his possession, or set off or otherwise cause to explode, discharge or burn any firecracker, torpedo, rocket or other fireworks, explosives or flammable material or discharge or throw the same into any such area from any land or highway adjacent thereto; this prohibition includes any substance, compound, mixture or article that in conjunction with any other substance or compound would be dangerous from any of the foregoing standpoints;

(c) Reservation of Facilities. Occupy any seat or bench or enter into or remain in any pavilion or other park structure or section thereof which may be reserved and designated by the Parks and Recreation Commission for the use of the opposite sex, except for children under four years of age;

(d) Dress. Appear at any place in other than proper clothing, except in the restricted bathing areas;

(e) Alms. Solicit alms or contributions for any purpose, public or private;

(f) Fires. Build or attempt to build a fire, except in such areas and under such regulations as may be designated by the Director, or drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other flammable material within any park area or on any public way abutting or contiguous thereto;

(g) Closed Areas. Enter an area posted as “Closed to the Public” or use or abet the use of any area in violation of posted notices;

(h) Games of Chance. Gamble or participate in or abet any game of chance;

(i) Going onto Ice. Go onto the ice on any of the waters except such areas as are designated by the Director as skating fields on or near which a safety signal is displayed; or

(j) Loitering and Boisterousness. Use loud, boisterous, threatening, abusive, insulting or indecent language or engage in any disorderly conduct or behavior tending to a breach of the public peace.

(k) **Smoking. Smoking shall be prohibited within any park area or on any public way abutting or contiguous thereto.**

**SECTION 2.** That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

**SECTION 3.** That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Passed \_\_\_\_\_ 2018

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved \_\_\_\_\_ 2018

\_\_\_\_\_  
Mayor