

BILL NO. 3596

ORDINANCE NO. 3596

AN ORDINANCE ADDING PROVISIONS PROHIBITING SMOKING ON CITY PROPERTIES AND SPECIFICALLY IN PUBLIC PARKS TO THE CODES OF THE CITY OF SALEM, MISSOURI.

WHEREAS, IN ORDER TO MAINTAIN A HEALTHY ENVIRONMENT FOR INDIVIDUALS PARTICIPATING IN ACTIVITIES IN CITY OWNED FACILITIES; THEREFORE,

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SALEM, MISSOURI AS FOLLOWS:

Section 1.

Chapter 240 Clean Air Ordinance of the Salem City Code shall be amended as follows:

Section 240.080 Violations and Penalties

- A. A person who refuses to comply with a request to stop smoking in an area where smoking is prohibited by the provisions of this Article shall be civilly liable, subject to an administrative citation not exceeding fifty dollars (\$50). No person shall be liable under this section unless said person shall have been previously given a warning by a person authorized to enforce this ordinance or who exercises legal or actual control over the premises where smoking is prohibited.
- B. Any violation of this article may be remedied by a civil action brought by the city attorney, including, but not limited to, administrative or judicial nuisance abatement proceedings, civil code enforcement proceedings, and suits for injunctive relief.
- C. Violation of this Article is hereby declared to be a public nuisance, which may be abated by the City Administrator, Code Enforcement Officer, or Salem Police Department by restraining order, preliminary and permanent injunction, or other means provided for by law, and the City may take action to recover the costs of the nuisance abatement.
- D. The remedies provided in this article are cumulative and in addition to any other remedies available at law or in equity.

Section 2.

These changes become effective immediately and are subject to modification at any time by the Board of Aldermen.

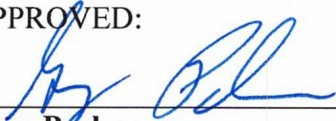
All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, repealed.

Section 3.

This Ordinance shall be in full force and effect from the date of its passage and approval.


PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF SALEM, MISSOURI, AND
APPROVED BY THE MAYOR, THIS 27th DAY OF FEBRUARY 2024.

APPROVED:




Greg Parker
Mayor

ATTEST:



Tammy Koller
City Clerk

APPROVAL AS TO FORM:



James Weber
City Attorney