

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 240.020 Definitions

The following words and phrases, whenever used in this Article, shall be construed as defined in this Section:

- **“Electronic Smoking Device”** means any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person in any manner for the purpose of inhaling vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, dab rig or vape pen, or under any other product name or descriptor.
- **“Enclosed Area”** means all space between a floor and a ceiling that is bounded on at least two sides by walls, doorways, or windows, whether open or closed. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent and whether or not containing openings of any kind.
- **“Hookah”** means a water pipe and any associated products and devices which are used to produce fumes, smoke, and/or vapor from the burning of material including, but not limited to, tobacco, shisha, or other plant matter.
- **“Playground”** means any park or recreational area designed in part to be used by children that has play or sports equipment installed or that has been designated or landscaped for play or sports activities, or any similar facility located on public or private school grounds or on City grounds.
- **“Public Event”** means an event which is open to and may be attended by the general public, including but not limited to, such events as concerts, fairs, farmers’ markets, festivals, parades, performances, and other exhibitions, regardless of any fee or age requirement.
- **“Recreational Area”** means any public or private area open to the public for recreational purposes, regardless of any fee or age requirement, including but not limited to,

amusement parks, playgrounds, athletic fields, beaches, fairgrounds, bike paths, walking paths, gardens, golf courses, parks, plazas, skate parks, swimming pools, trails, and zoos.

- “**Service Line**” means an indoor or outdoor line in which one (1) or more persons are waiting for or receiving service of any kind, whether or not the service involves the exchange of money, including but not limited to, ATM lines, concert lines, food vendor lines, movie ticket lines, and sporting event lines.
- “**Smoking**” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, hookah, or any other lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic, including marijuana/cannabis, in any manner or in any form. “Smoking” includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this Article.

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 and after February 27, 2024.

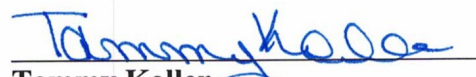
PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF SALEM, MISSOURI, AND APPROVED BY THE MAYOR, THIS 27th DAY OF FEBRUARY 2024.

APPROVED:




Greg Parker
Mayor

ATTEST:



Tammy Koller
City Clerk

APPROVAL AS TO FORM:



James Weber
City Attorney