

**ORDINANCE NO. 2019-1151-O**

**AN ORDINANCE FOR GENERAL HEALTH AND EXPANDING THE RESTRICTIONS ON SMOKING IN PUBLIC AREAS**

WHEREAS, Washington County desires to preserve the general health, safety and welfare of the residents of Washington County; and

WHEREAS, Washington County recognizes the detrimental effects of smoking on the general health of the community; and

WHEREAS, Washington County desires to limit the exposure to secondhand smoke; and

WHEREAS, by Ordinance 2017-1089-O, Washington County prohibited smoking at the Legacy Park, AKA county fairgrounds, except in private vehicles or in designated smoking areas; and

WHEREAS, the County Commission desires to extend the smoking prohibition to all county-owned property; and

WHEREAS, the expansion of the smoking in public areas chapter of the County Code furthers the preservation of the general health, safety and welfare of the residents of Washington County; and

NOW THEREFORE, the County Legislative Body of Washington County ordains as follows.

**Amendment to Washington County Code Title 4, adding Chapter 6, General Health**

**Chapter 6  
General Health**

4-6-1 STATUTORY AUTHORITY: The statutory authority for enacting this chapter is Utah Code Annotated section 17-53-223, as amended.

4-6-2: PURPOSE OF PROVISIONS: The purpose of this chapter is to:

- A. Protect public health, safety and general welfare by prohibiting smoking in outdoor public places to lessen the exposure to secondhand smoke by third parties.
- B. Protect the public and the environment from tobacco related litter and pollution.
- C. Recognize the right of residents and visitors to the County to be free from unwelcome secondhand smoke and affirm a family-friendly atmosphere in the County's public places.

4-6-3: DEFINITIONS:

“County Legacy Park Fairgrounds” means and includes the entire area commonly referred to as the Washington County ~~Regional Park~~ fairgrounds, including parking areas and building spaces.

“Smoke” or “Smoking” means and includes: carrying or holding a lighted pipe, cigar, or cigarette of any kind, or any other lighted smoking equipment, or the lighting or emitting or exhaling of smoke of a pipe, cigar, or cigarette of any kind, use of electronic smoking equipment (vaping), or of any other lighted smoking equipment.

4-6-4: SMOKING PROHIBITED ON WASHINGTON COUNTY PROPERTY NEAR MASS GATHERINGS IN THE FAIRGROUNDS:

- A. Prohibitions: Smoking is hereby prohibited on all Washington County property including the County Legacy Park the fairgrounds.
- B. Exceptions:
  - a. The County may designate a “smoking” area wherein smoking is allowed. This area, if any, may change in location depending on the needs of the County.
  - b. Smoking is allowed in private vehicles with the windows rolled up.
  - c. Smoking is allowed in private trailers when patrons are staying overnight at the County Legacy Park.
- C. Posting of Signs: “No Smoking” signs or the international “No Smoking” symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly and conspicuously posted on the fairgrounds at the County Legacy Park and may be placed in other areas as necessary to prevent smoking in public places.

4-6-5: PENALTIES:

The violation of this section shall result in an infraction with fines limited to a one hundred dollars (\$100) fine for the first offense and a two hundred dollars (\$200) fine for each subsequent offense within a two (2) year period from the first offense.

**Effective Date**

This ordinance shall take effect fifteen (15) days after its passage. Following its passage, but prior to the effective date, a copy of the ordinance shall be deposited with the County Clerk and a short summary of the ordinance shall be published in a newspaper of general circulation within the County.

(Signature block on following page.)

APPROVED AND ADOPTED this 17th day of December, 2019.

WASHINGTON COUNTY

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VICTOR IVERSON, Chair  
Washington County Commission

ATTEST:

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Kim M. Hafen  
Washington County Clerk-Auditor

Commissioner Iverson voted \_\_\_\_\_  
Commissioner Almquist voted \_\_\_\_\_  
Commissioner Cox voted \_\_\_\_\_

Approved as to Form:

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Deputy County Attorney