

1 **BEFORE THE BOARD OF COMMISSIONERS**
2 **FOR LINCOLN COUNTY, OREGON**

3 ORDINANCE # 496

4 _____
5
6 **Relating to tobacco, smoke, and nicotine free county property; and amending LCC 7.550,**
7 **7.570 and 7.580.**
8 _____

9
10 The Lincoln County Board of Commissioners ordains as follows:

11 **SECTION 1.**

12 Sections 2 through 5 of this Ordinance are added to and made a part of LCC Chapter
13 7, as indicated.

14 **SECTION 2.**

15 *[SMOKING AT COUNTY FACILITIES]*

16 **TOBACCO, SMOKE, AND NICOTINE FREE COUNTY PROPERTY**

17 7.550 Definitions for LCC 7.550 to 7.580

18 As used in LCC 7.550 to 7.580:

19 (1) “County *[building]* **property**” means any *[enclosed]* **property, building, or**
20 **land** owned or leased by Lincoln County.

21 *[(2) “Smoking instrument” means any cigar, cigarette, pipe, electronic cigarette or*
22 *other smoking equipment.]*

23 (2) “**Tobacco, smoke, and nicotine free**” includes, but is not limited to,
24 **cigarettes, cigars, pipes, marijuana, and any other smoking and/or nicotine containing**
25 **product; dip, chew snuff, snus, and any other smokeless tobacco and/or nicotine**

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1 containing product; and nicotine delivery devices, such as electronic cigarettes or
2 vaping instruments, excluding FDA-Approved nicotine replacement therapy products
3 for the purpose of tobacco cessation.

4 **SECTION 3.**

5 LCC 7.570 is amended to read:

6 *[7.570 Smoking Prohibited Except in Designated Areas*

7 *No person shall smoke or carry any lighted smoking instrument on any county*
8 *property, except in areas designated as smoking areas pursuant to LCC 7.580.]*

9 **7.750 Tobacco, Smoke, and Nicotine Free Environment for County Properties**

10 **(1) Use of tobacco, smoke, and/or nicotine products is prohibited on County**
11 **properties. No Lincoln County employee, volunteer, intern, client, visitor, or vendor,**
12 **shall carry any lighted smoking or vaping instrument or use a tobacco, smoke, or**
13 **nicotine product on any leased or owned Lincoln County property. There are no**
14 **designated areas for the use of tobacco, smoke, and/or nicotine product use or**
15 **exceptions to this policy outside of the cultural exemption related to the American**
16 **Indian Religious Freedom Act and the areas identified in LCC 7.7580.**

17 **(2) This Section shall be further defined and enforced by Board policy**
18 **contained in an adopted Board Order, which may be amended from time to time at the**
19 **discretion of the Board.**

1 7.580 Designating Areas Where Smoking Permitted; *[Changing Areas;]* Posting
2 Signs.

3 **(1) Use of tobacco, smoke and/or nicotine products is permitted in personal**
4 **vehicles within County Parks and waysides.**

5 **(2) Use of tobacco, smoke and/or nicotine products is also permitted in areas as**
6 **noted below in subparagraphs (a) through (c) in the County Parks identified in**
7 **subparagraph (d) below:**

8 **(a) Individual camp or RV sites with a fire ring or pit (not to include any**
9 **county structures such as yurts or cabins or similar sleeping areas);**

10 **(b) Group tent camp areas; and**

11 **(c) Camp host sites.**

12 **(d) County Parks:**

- 13 • **Moonshine Park**
- 14 • **Elk City Park**
- 15 • **Jack Morgan Park**
- 16 • **Don Lindly Park**
- 17 • **Brown Memorial Park**

18
19 *[(1) The Lincoln County Board of Commissioners may designate areas in which*
20 *smoking is permitted. In the following county parks, no person shall smoke within 25 feet of*
21 *any building:*

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- 1 • *Cannon Quarry Park*
- 2 • *Five Rivers Launch*
- 3 • *Knight Park*
- 4 • *Moonshine Park*
- 5 • *Elk City Park*
- 6 • *Jack Morgan Park*
- 7 • *Ichwhit (Bear) Park*
- 8 • *Strome Park*
- 9 • *Twin Bridges Park*
- 10 • *Mike Miller Park*
- 11 • *Drift Creek Park*
- 12 • *Logan Road Wayside*
- 13 • *Seal Rock Wayside*
- 14 • *Don Lindly Park*
- 15 • *Brown Memorial*
- 16 • *Any other property designated a county park from the adoption of this*
- 17 *ordinance forward.]*

18

19 ([2/3] The Lincoln County Public Works Department shall post appropriate

20 signs **to implement this Section.** *[indicating areas in which smoking has been permitted or*

21 *prohibited by the Board of Commissioners].*

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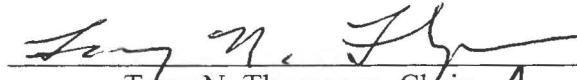
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1 **SECTION 5.**

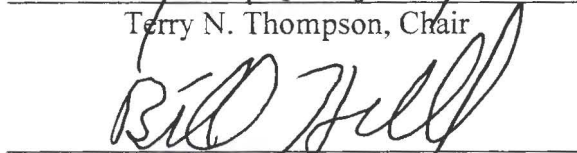
2 This Ordinance shall take effect ninety (90) days from the date of its adoption.

Adopted this 6th day of Sept, 2017.

LINCOLN COUNTY BOARD OF COMMISSIONERS



Terry N. Thompson, Chair




Bill Hall, Commissioner



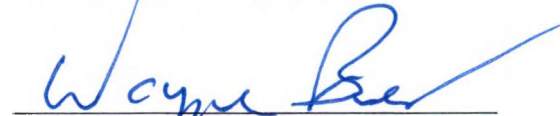
Doug Hunt, Commissioner

ATTESTED TO:



Tanya Graham, Recorder

APPROVED AS TO FORM:



Wayne Belmont, County Counsel

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