

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 17-100

INTRODUCED BY: Mayor Stefanik  
Co-Sponsor: Langshaw

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 6 GENERAL OFFENSES CODE, CHAPTER 626 SMOKING ON CITY-OWNED PROPERTY, SECTION 626.02 DEFINITIONS, AND DECLARING AN EMERGENCY

- WHEREAS: The City of North Royalton wishes to include Electronic Smoking Devices (ESD), such as e-cigarettes and vape pens, to the definition of “smoking”; and
- WHEREAS: It is therefore necessary to amend the Codified Ordinances of the City of North Royalton, Part 6 General Offenses Code, Chapter 626 Smoking on City-Owned Property, Section 626.02 Definitions; and
- WHEREAS: Council desires to provide for this amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Chapter 626 Smoking on City-Owned Property, Section 626.02 Definitions of the Codified Ordinances of the City of North Royalton is hereby amended to hereinafter read as follows:

#### 626.02 DEFINITIONS.

(b) “Smoking” means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other lighted smoking device for burning tobacco or any other plant *and Electronic Smoking Devices (ESD), such as e-cigarettes and vape pens*. “Smoking” does not include the burning of incense in a religious ceremony.

Section 2. Chapter 626 Smoking on City-Owned Property, Section 626.02 Definitions of the Codified Ordinances of the City of North Royalton is hereby amended as provided for herein and all other provisions of Chapter 626 shall remain in full force and effect.

Section 3. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to amend the Codified Ordinances of the City of North Royalton, Part 6 General Offenses Code, Chapter 626 Smoking on City-Owned Property, Section 626.02 Definitions to include Electronic Smoking Devices (ESD), such as e-cigarettes and vape pens, to the definition of “smoking”.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Larry Antoskiewicz  
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik  
MAYOR

DATE PASSED: September 5, 2017

DATE APPROVED: September 6, 2017

ATTEST: /s/ Laura J. Haller  
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended  
Second reading suspended  
Third reading September 5, 2017

YEAS: Antoskiewicz, Nickell, Petrusky, Langshaw,  
Marnecheck, Hannan, Kasaris

NAYS: none