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ORDINANCE NO. 2019 -727

FILED
APR 24 2019

Jan Kaczmarek
DuPage County Clerk

**ORDINANCE PROHIBITING SMOKING AND MATCH USE ON PARK DISTRICT
PROPERTY FOR
THE OAKBROOK TERRACE COMMUNITY PARK DISTRICT,
DUPAGE COUNTY, ILLINOIS,
EFFECTIVE BEGINNING APRIL 23, 2019**

WHEREAS, the Board of Commissioners of the Oakbrook Terrace Community Park District, DuPage County, Illinois, in conjunction with the "Smoke Free Illinois Act" 410 ILCS 82/1 et. seq. will prohibit smoking and match use on Park District property. Amendments to the ordinance will follow any future updates or modifications of the Act.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Oakbrook Terrace Community Park District, DuPage County, Illinois, as follows:

Section 1: Smoking, Use of E-Cigarettes, Use of Tobacco, and Use of Matches in Any Form in Buildings are Prohibited.

No person shall smoke any cigarettes, cigar, or pipe on or within any building located on Park District Property in violation of the "Smoke Free Illinois Act" 410 ILCS 82/1 et. Seq. No person shall smoke or otherwise use any e-cigarette on or within any building located on Park District Property. For purposes of this Ordinance, "e-cigarette" is defined as any battery-operated device that contains cartridges filled with a combination of nicotine, flavor and chemicals that are turned into vapor which is inhaled by the user.

No person shall use tobacco in any of its forms, including but not limited to any smokeless, spit or spitless, dissolvable or inhaled tobacco products, dip, chew, or snuff on or within any building located on Park District Property.

No person shall light matches, lighters, or other devices capable of starting a fire within any building located on Park District Property unless otherwise allowed by permission of the District.

Section 2: Smoking, Use of E-Cigarettes, Use of Any Tobacco Products, and Use of Matches in All Outdoor Areas Prohibited.

No person shall smoke any cigarettes, cigar, or pipe in or on any Park District park, facility, parking lot, or trail. It is unlawful to smoke in unenclosed public places, including all parks, playgrounds, school grounds, public sidewalks within 15 feet of a public entrance, and the public right-of-way (sidewalk to sidewalk) along the routes of special events. No person shall smoke or otherwise use any e-cigarette on or within any Park District park, facility, parking lot, or trail. No person shall use tobacco in any of its forms, including but not limited to smokeless, spit or spitless, dissolvable or inhaled tobacco products, dip, chew, or snuff in or on any Park District park, facility, parking lot or trail.

No person shall light matches, lighters, or other devices capable of starting a fire in or on any Park District park, facility, parking lot, or trail except for the purpose of lighting a grill at locations designated for that purpose, or as otherwise allowed by express written permission of the District.

Section 3: Illegal Substance Use in All Indoor and Outdoor Areas Prohibited.

No person shall smoke any marijuana, hashish, or opium or any other illegal substance in any place in the park system, nor shall any person discard any lighted or unlighted match, cigar or cigarette in any place in the park system.

Section 4: Penalties.

According to the "Smoke Free Illinois Act," any person found guilty of violating Section 1 - 3 of this Ordinance may be fined not less than \$100 or more than \$250 for each subsequent offense.

Section 5: Severability.

If any portion of the Ordinance is found to be invalid by a court of competent jurisdiction, that portion shall be severed from the Ordinance and the rest of the Ordinance shall be considered to be in full force and effect.

Section 6: Effective Date.

This Ordinance shall be effective from and after its approval and publication as provided by law.

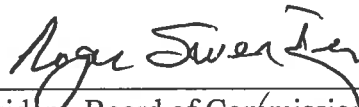
ADOPTED this 23rd day of April, 2019, pursuant to a roll call vote as follows:

AYES: Roger Swertzer, Susan Lugo, Bill Cizek, Maryann Noffke, Dan Flanagan

NAYS: n/a

ABSENT: n/a

APPROVED by me this 23rd day of April, 2019.



President, Board of Commissioners
Oakbrook Terrace Community Park District

ATTEST:



Secretary, Board of Commissioners
Oakbrook Terrace Community Park District

(SEAL)



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SECRETARY'S CERTIFICATE

I, Maryann Neffke, Secretary of the Board of Commissioners of the Oakbrook Terrace Community Park District, in the County of DuPage and State of Illinois, do hereby certify that attached hereto is a true and correct copy of that certain Ordinance now on file in my office entitled:

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which Ordinance was duly adopted and approved by the Board of Commissioners of the Oakbrook Terrace Community Park District at a meeting held on the 23rd day of April, 2019.

I do further certify that a quorum of said Board of Commissioners was present at said meeting, and that the Board complied with all requirements of the Illinois Open Meetings Act.

I do further certify that the Ordinance of which the foregoing is a true and correct copy,
is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said
Oakbrook Terrace Community Park District this 23rd day of April, 2019.

(SEAL)


Secretary, Board of Commissioners
Oakbrook Terrace Community Park District