

ORDINANCE BILL NO. 12-18

AN ORDINANCE RELATING TO PENALTIES FOR SMOKING AND FOR OFFENSES IN PARKS; AMENDING SRC 45.990 AND 94.990.

The City of Salem ordains as follows:

Section 1. SRC 45.990 is amended to read:

Sec. 45.990. - Violations and penalties.

- (a) Any person who smokes on a city-owned sidewalk or landscape strip included within a smoke-free area properly registered under this chapter shall be guilty of an infraction punishable pursuant to SRC 1.070. The penalty for the first such infraction shall be no more than \$50.00. The penalty for the second such infraction shall be no more than \$150.00. The penalty for the third or subsequent such infraction shall be no more than \$250.00. ~~Any person who smokes on a city-owned sidewalk or landscape strip included within a smoke-free area properly registered with the City under this chapter, or on city-owned property where smoking has been prohibited under this chapter shall be guilty of an infraction, punishable pursuant to SRC 1.070.~~
- (b) Any person who smokes on city-owned property where smoking has been prohibited under this chapter shall be guilty of an infraction punishable pursuant to SRC 1.070. The penalty for the first such infraction shall be no more than \$50.00. The penalty for the second such infraction shall be no more than \$150.00. The penalty for the third or subsequent such infraction shall be no more than \$250.00. ~~The penalty for the first infraction under of this chapter shall be no more than \$50.00. The penalty for the second infraction under this chapter shall be no more than \$150.00. The penalty for the third or subsequent infractions under this chapter shall be no more than \$250.00.~~

Section 2. SRC 94.990 is amended to read:

Sec. 94.990. - Violations.

- (a) Violation of SRC 94.120, or 94.195 is a misdemeanor.
- (b) Violation of any other provision of this chapter is an infraction.
- (c) The penalties for a violation of SRC 94.020 (Animals prohibited; exceptions); 94.030 (Picking flowers, injuring trees, buildings, fences, etc.); 94.050 (Discharge of fireworks); 94.100 (Sales and solicitations); 94.130 (Excavating, blasting, etc.); 94.140 (Deposit of rubbish and broken glass); 94.150 (Deposit of junk); Or, 94.180 (Parking regulations in

Section 3. Codification. In preparing this ordinance for publication and distribution, the City Recorder shall not alter the sense, meaning, effect or substance of this ordinance, but within such limitations, may:

- Section 4. Severability.** Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

ATTEST:

Approved by City Attorney: _____

Checked by: B. Rogers