



## Text File

**Introduced:** 2/5/2016

**Bill No:** 2016-0092, **Version:** 1

**Committee:** Committee on Urban Recreation

**Status:** Passed Finally

Ordinance amending and supplementing the City of Pittsburgh Code, Title Four (“Public Places and Property”), Article XI (“Parks and Playgrounds”) by amending Chapter 473 with respect to enforcement of the City’s prohibition of smoking and use of tobacco products in City parks as set forth in Chapter 473 of the City of Pittsburgh Code.

WHEREAS, the City’s Department of Parks and Recreation recently amended the City of Pittsburgh Code at §473.05 to prohibit all consumption and usage of tobacco products, including e-cigarettes or any other tobacco substitutes, within all City parks, playgrounds and pools; and

WHEREAS, the City’s Department of Parks and Recreation seeks to further amend §473.05 in order to provide the Director of Parks and Recreation, park rangers and/or other authorized designees the ability to issue citations to individuals for violations of Article XI or any other provision of the City of Pittsburgh Code pertaining to conduct in City parks.

**Be it resolved by the Council of the City of Pittsburgh as follows:**

### Section 1.

City of Pittsburgh Code, Title Four (“Public Places and Property”), Article XI (“Parks and Playgrounds”), Chapter 473 is hereby amended and supplemented as follows:

#### § 473.05 - BEHAVIOR.

(a) *Intoxicating beverages.* No person in a park shall have brought in, possess or consume any beer or alcoholic beverages at any time except where designated by the Director of Parks and Recreation.

(b) *Dogs and domestic animals.* Dogs or any domestic animals are not permitted on playgrounds and courts at any time. Dogs are not permitted in parks, except when held on leash and under the control of the owner or other person having the dog in charge. The Director may prohibit dogs entirely in designated areas of parks. No dog or other domestic animal shall be permitted to be at large, except in areas specifically designated by the Director as Off Leash Exercise Areas (See City Code at 633.22), and any owner or person in charge of the animal shall be responsible for the control thereof. The Director may ban dogs and other pets, or a specific dog or other pet, from areas of any park or greenway where the Director determines the same may be a nuisance.

(c) *Fires.* No person in a park shall build or attempt to build a fire except in such areas and under the regulations as may be designated by the Director. No person shall drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other flammable material, within any park area or on

any highway, road or street abutting or contiguous thereto.

(d) *Closed area.* No person in a park shall enter an area posted as "Closed to the Public," nor shall any person use, or abet the use of any area in violation of posted notices.

(e) *Going onto ice.* No person in a park shall go onto the ice on any of the waters except the areas as are designated, and provided a safety signal is displayed.

(f) *Exhibit permits.* No person in a park shall fail to produce and exhibit any permit from the Director he or she claims to have upon request of any authorized person who desires to inspect the same for the purpose of enforcing compliance with any ordinance or rule.

(g) *Interference with permittees.* No person in a park shall disturb or interfere unreasonably with any person or party occupying any area, or participating in any activity, under authority of a valid permit.

(h) *Smoking and Tobacco Usage.* All park facilities, as that term is defined in §477.01(b)(2), and including but not limited to parks, playgrounds and pools in the City of Pittsburgh, are hereby designated as tobacco-free. This prohibition shall apply to the consumption of all tobacco products including smokeless tobacco products, electronic cigarettes, and/or any other tobacco substitute product that creates smoke or other vapors and regardless of whether it produces an odor of any kind.

(i) The Director of the Department of Parks and Recreation shall post appropriate signage designating smoke-free and tobacco-free areas that parks and playgrounds are tobacco-free areas and promulgate provisions for enforcement.

(j) The residents shall be notified, in writing, of this Ordinance.

**(k) The Director of the Department of Parks and Recreation and his/her designated representatives, including but not limited to park rangers, are hereby authorized to enforce the provisions of this Article or any other provisions in the City of Pittsburgh Code pertaining to conduct in City parks, any regulations and policies issued thereunder and to issue citations for any violations thereof in accordance with City Code Ch. §101.09.**