

AN ORDINANCE

NO. 1200

AN ORDINANCE To Amend The Code Of The Township Of Upper Dublin, Chapter 158, Nuisances, Section 158-15, Smoking, To Prohibit Smoking Within, On, Or Throughout All Property Managed, Maintained, And Regulated By The Township Except Where Specifically Designated For Smoking; And To Amend The Code Of The Township Of Upper Dublin, Chapter 168, Parks And Recreation, Section 168-2, Rules And Regulations, To Prohibit Smoking Within, On, Or Throughout All Parks, Playgrounds, Playing Courts, Athletic Fields And Open Space Managed, Maintained, And Regulated By The Township.

The Board of Commissioners of the Township of Upper Dublin hereby ordains:

Section 1. The Code of the Township of Upper Dublin, Chapter 158, Nuisances, Section 158-15, Smoking, shall be amended to provide as follows:

§158-15. Smoking

All properties, managed, maintained and regulated by the Township are declared smoke free environments. No person shall be permitted to smoke or carry a lighted cigar, cigarette, pipe, or other lighted smoking device within, on, or throughout all properties managed, maintained and regulated by the Township, with the exception of specifically designated smoking areas marked with signs stating "Smoking Permitted."

Section 2. The Code of the Township of Upper Dublin, Chapter 168, Parks and Recreation, Section 168-2, Rules and Regulations, shall be amended by the addition of a new Subsection X, Smoking, to provide as follows:

§ 168-2. Rules and regulations.

The following rules and regulations are set forth for the use of the parklands in the Township of Upper Dublin:

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- X. Smoking. Smoking is defined as the carrying by a person of a lighted cigar, cigarette, pipe or other lighted smoking device. In accordance with Section 158-15, smoking is prohibited within, on, or throughout all properties managed, maintained and regulated by the Township, including, but not limited to, parks, playgrounds,

playing courts, athletic fields and open space, and all buildings and structures within parks and playgrounds.

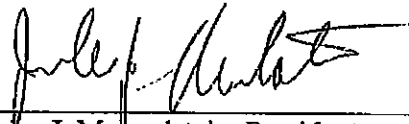
Section 3. Nothing in this Ordinance or in Chapter 158 or Chapter 168 of the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 158 or Chapter 168 prior to the adoption of this amendment.

Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 5. This Ordinance shall take affect and be in force from and after its approval as required by law.

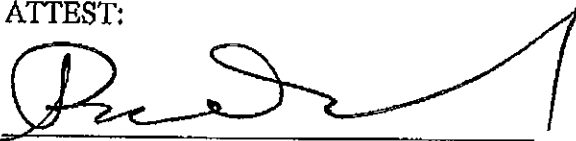
Enacted by the Board of Commissioners of Upper Dublin Township this *8th* day of *April*, 2008.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF UPPER DUBLIN



Jules J. Meimelstein, President

ATTEST:



Paul A. Leonard, Secretary/Township Manager