

ORDINANCE NO. 527-H

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE TO BAN SMOKING AND VAPING IN CITY PARKS AND BEACHES BY ADDING A NEW SECTION 7-68, SMOKING AND VAPING PROHIBITED; ADDING A NEW SECTION 21-57 SMOKING AND VAPING; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

SECTION 1. The St. Petersburg City Code is hereby amended to add a new Section 7-68 to read as follows:

Sec. 7-68. – Smoking and vaping prohibited.

- (1) No person shall use, consume, inhale, exhale, or burn any (i) electronic cigarette, as defined in Chapter 20 of this Code, or (ii) lighted tobacco product, including cigarettes, pipe tobacco, and any other lighted tobacco product with the exception of unfiltered cigars, in or on public beaches owned or controlled by the City.
- (2) The consumption, inhalation, exhalation, or burning of any electronic cigarette or lighted tobacco product that is done in connection with a City sponsored or co-sponsored event approved by a resolution of City Council that permits such activity is exempt from this section.
- (3) Any person who violates this section shall be guilty of a municipal ordinance violation, punishable as provided in Section 1-7.

SECTION 2. The St. Petersburg City Code is hereby amended to add a new Section 21-57 to read as follows:

Sec. 21-57. – Smoking and vaping.

- (1) No person shall use, consume, inhale, exhale, or burn any (i) electronic cigarette, as defined in Chapter 20 of this Code, or (ii) lighted tobacco product, including cigarettes, pipe tobacco, and any other lighted tobacco product with the exception of unfiltered cigars, in or on parks.
- (2) The consumption, inhalation, exhalation, or burning of any electronic cigarette or lighted tobacco product that is done in connection with a City sponsored or co-sponsored event approved by a resolution of City Council that permits such activity is exempt from this section.

(3) Any person who violates this section shall be guilty of a municipal ordinance violation, punishable as provided in Section 1-7.

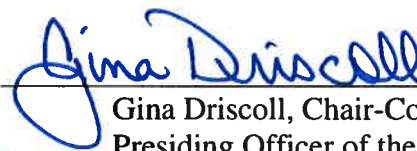
SECTION 3. Coding: As used in this ordinance, language appearing in struck-through type is language to be deleted from the City Code, and underlined language is language to be added to the City Code, in the section, subsection, or other location where indicated. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise. Sections of this ordinance that amend the City Code to add new sections or subsections are generally not underlined.

SECTION 4. The provisions of this ordinance shall be deemed to be severable. If any provision of this ordinance is determined unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provisions of this ordinance.

SECTION 5. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto this Ordinance, in which case this Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

First reading conducted on 15<sup>th</sup> day of September 2022.

Adopted by St. Petersburg City Council on second and final reading on the 6<sup>th</sup> day of October 2022.



Gina Driscoll, Chair-Councilmember  
Presiding Officer of the City Council

ATTEST:



Chan Srinivasa, City Clerk

Title Published: Times 1-t 09/21/22

Not vetoed. Effective date October 13, 2022 at 5:00 p.m.

