

ORDINANCE No. 6346 (General)

AN ORDINANCE AMENDING THE SPRINGFIELD MUNICIPAL CODE SECTION 7.450 and 7.452 REGARDING TOBACCO AND INHALANT DELIVERY SYSTEM VENDING

The City Council of the City of Springfield finds that:

WHEREAS, the 2015 Oregon Legislature enacted House Bill 2546 (2015), which amends the existing Indoor Clean Air Act to include regulation of inhalant delivery systems such as e-cigarettes in addition to tobacco products and cigarettes; and

WHEREAS, the Oregon Health Authority is in the process of developing administrative rules meant to reduce tobacco and e-cigarette sales to minors; and

WHEREAS, e-cigarettes are a new product and the City seeks to develop regulations that protect public health and safety; and

WHEREAS, the City of Springfield wishes to develop reasonable regulations for this product to prevent and prohibit the sale of e-cigarettes and other inhalant delivery systems to minors; and

WHEREAS, the City of Springfield believes it is in the best interest of the health, safety and welfare of the citizens of the city to adopt and include such regulations in the Municipal Code; and

WHEREAS, the City of Springfield has determined that the enforcement on the state level is consistent with City policy and other enforcement actions by the City.

NOW, THEREFORE, based on the foregoing recitals, the Common Council of the City of Springfield ordains as follows:

Section 1. Subsection 7.450 of the Springfield Municipal Code is hereby amended to read as follows:

"TOBACCO AND INHALANT DELIVERY SYSTEM VENDING.

7.450 Definition. Tobacco or inhalant delivery systems vending machine means any coin-operated machine or device used to dispense cigarettes, other tobacco products, or inhalant delivery systems as defined in SMC 5.300."

Section 2. Subsection 7.452 of the Springfield Municipal Code is hereby amended to read as follows:

"7.452 Licensed Required. No person shall establish, maintain, or operate a tobacco or inhalant delivery systems vending machine within the city unless a license for that use is obtained from the city. Every place or building where a tobacco or inhalant delivery systems vending machine is offered, whether for

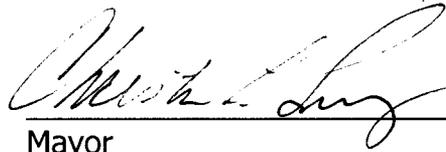
hire or not, shall be deemed a tobacco or inhalant delivery systems vending machine subject to the provisions of sections 7.450 to 7.454. Each licensee shall meet the standards as described in sections 7.000 to 7.006."

Section 3. Except as specifically amended herein, Chapter 7 shall continue in full force and effect.

Section 4. Effective Date of Ordinance. It is hereby found and determined that the matters relating to the adoption of this Ordinance are matters affecting the public health, safety and welfare and that an emergency therefore exists, and this Ordinance shall therefore take effect immediately upon its passage by the Council and approval by the Mayor.

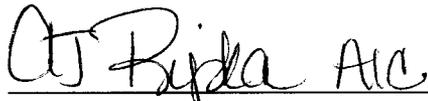
ADOPTED by the Common Council of the City of Springfield this 21 day of MARCH, 2016, by a vote of 5 for and 0 against.
(1 ABS - Wylie)

APPROVED by the Mayor of the City of Springfield this 21 day of MARCH, 2016.



Mayor

ATTEST:



City Recorder

REVIEWED & APPROVED
AS TO FORM


DATE: 5/1/16
OFFICE OF CITY ATTORNEY