



interest, possesses distinctive physical, aesthetic, intellectual, creative or social values and are used for athletics, recreation, relaxation, entertainment, cultural development, and other recreational activities.

**Section 2: Prohibition of Smoking or Use of Tobacco Products in All City Parks and Recreational Facilities, and within 50 Feet of City Parks and Recreational Facilities.**

- (a) Smoking and use of tobacco products shall be prohibited in any and all present and future city Parks and recreational facilities.
- (b) Smoking and use of tobacco products shall be prohibited at all times in all City Park or Recreational facility.
- (c) Disposal shall be prohibited at all times of any cigarette, cigar or tobacco product, or any part of a Cigarette, cigar, or tobacco product in any city park or recreational facility.

**Section 3: Violations; penalties.**

- (a) Any person who violates any provision of this ordinance shall be guilty of a misdemeanor and Subject to the following penalties:
  - (1) A fine of twenty five dollars (\$25) plus court costs for the first offense.
  - (2) A fine of fifty dollars (\$50) plus court costs for the second offense.
  - (3) A fine of one hundred dollars (\$100) plus court costs for the third and subsequent offense.
- (b) Any person who smokes or uses tobacco products in an area where smoking or use of tobacco Products is prohibited and who refuses to cease smoking or the use of such products when asked May be required to leave the premises, and shall be subject to prosecution for criminal trespass if He does not leave when asked.

**Section 4:** That any ordinance which conflicts with this ordinance is hereby repealed to the extent Of the conflict.

**Section 5:** That this ordinance is necessary for the protection of the peace, health and safety of the Citizens of Conway, and therefore, an emergency is declared to exist, and this ordinance shall go into effect from and after its passage and approval.

Passed this 23<sup>rd</sup> day of March, 2010.

**Approved:**



**Mayor Tab Townsell**

**Attest:**



**Michael O. Garrett**  
**City Clerk/Treasurer**