

ORDINANCE NO. ⁸⁻⁰³ of 2011

AN ORDINANCE OF THE TOWNSHIP OF PITTSTON PROHIBITING THE POSSESSION AND USE OF TOBACCO PRODUCTS BY MINORS AND PROHIBITING THE USE OF TOBACCO PRODUCTS IN AND/OR ON ANY TOWNSHIP-OWNED PARKS, PLAYGROUNDS, SPORTS FIELDS AND SIMILAR RECREATION AREAS.

WHEREAS, the Township Board of Supervisors is concerned for the health, welfare and safety of all minors in the Township.

WHEREAS, the Township Board of Supervisors is concerned for the health, welfare and safety of all individuals occupying Township-owned parks, playgrounds, sports fields and similar recreation areas.

NOW THEREFORE BE IT ORDAINED by the Board of Supervisors of Pittston Township that:

SECTION 1. DEFINITIONS.

Minor - Any individual under 18 years of age.

Tobacco Product - A cigarette, cigar, pipe tobacco or other smoking tobacco product or smokeless tobacco in any form.

Smokeless Tobacco - Any product containing finely cut, ground, powder, blended or leaf tobacco made primarily for individual consumption that is intended to be placed in the oral or nasal cavity and not intended to be smoked. The term includes, but is not limited to, chewing tobacco, dipping tobacco and snuff.

SECTION 2. PROHIBITION OF POSSESSION AND/OR USE OF TOBACCO PRODUCTS BY MINORS.

It shall be unlawful for any minor to possess and/or use any tobacco product anywhere within the Township of Pittston. Any violation of this provision shall constitute a summary criminal offense

SECTION 3. PROHIBITION OF THE USE OF TOBACCO PRODUCTS IN AND/OR ON ANY TOWNSHIP-OWNED PARKS, PLAYGROUNDS, SPORTS FIELDS AND SIMILAR RECREATION AREAS.

It shall be unlawful for any person regardless of age to use any tobacco product in and/or on any Township-owned parks, playgrounds, sports fields and

similar recreation areas other than in areas specifically designated as smoking and/or tobacco areas. Any violation of this provision shall constitute a summary criminal offense.

The Township shall post appropriate signage on and/or in all Township-owned parks, playgrounds, sports fields and similar recreation areas advising the public of the prohibition of the use of tobacco products and if applicable, designating areas where the use of tobacco products is permitted.

SECTION 4. ENFORCEMENT/PENALTY.

Enforcement of the provisions of this Ordinance shall be the responsibility of the Pittston Township Police Department. Enforcement shall be by action brought before a district justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. Upon conviction, any person determined to have violated this Ordinance shall be sentenced to pay a fine of not more than \$250.00 for each offense.

SECTION 5. EFFECTIVE DATE/SEVERABILITY.

This Ordinance shall become effective ten (10) days after final approval by the Pittston Township Board of Supervisors. If any provision of this Ordinance is deemed invalid for any reason, such determination shall not affect the continuing validity of the remaining provisions of this Ordinance.

SECTION 6 PRIOR ORDINANCES.

This Ordinance repeals Ordinance # 8 of 2005 and any other Ordinance and/or Resolution to the extent that such Ordinance conflicts with any specific provisions of this Ordinance.

RESOLVED AND ENACTED, this 20 day of JUNE, 2011.


ATTEST:



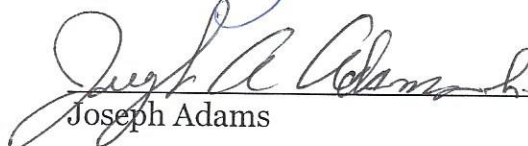
John Bonita



Ron Marcellini



Steve Rinaldi



Joseph Adams

SECTION 5. CONFLICT

All other Ordinances and/or parts of other Ordinances that are inconsistent with and/or in conflict with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

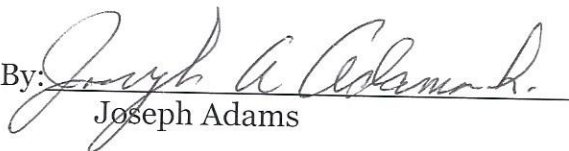
SECTION 6. EFFECTIVE DATE

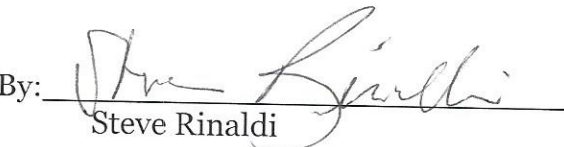
This Ordinance shall become effective immediately upon approval by the Board of Supervisors of Pittston Township.

ENACTED AND ADOPTED by the Pittston Township Board of Supervisors this 5 day of May, 2011.

ATTEST:



By: 
Joseph Adams

By: 
Steve Rinaldi

By: 
Ronald Marcellini