

ORDINANCE # 497
ELK RAPIDS GENERAL CODE OF ORDINANCES
CHAPTER 6 – PUBLIC SAFETY
ARTICLE III, OFFENSES

An ordinance to amend Chapter 6, Article III, Offenses, of the Village of Elk Rapids General Code of Ordinances, for the purpose of expanding the definition of smoking and to expand areas within the village where smoking is prohibited.

Division 2. Nuisances

F. SMOKING, ELECTRONIC CIGARETTES, VAPORIZERS AND OTHER SIMILAR ACTIVITY.

Sec. 6-240 Definitions.

For purposes of this section, “smoking” is defined as the smoking of any tobacco product or other plants, including but not limited to marijuana, shisha and hookah, or alternative nicotine products using smoking devices, including but not limited to, cigarettes, cigars, pipes, hookah pipes, bongs, vaporizers or vape products, or any electronic or fire-lighted product for a similar activity.

Sec. 6-241. Prohibited in specific areas.

- a. In accordance with state statute, smoking in public places, that being MCL 333.12601 et seq., it shall be unlawful to smoke in any portion of a village-owned building open to the public or used by village employees.
- b. Within 25 feet of the main entrance of any government building within the village boundaries.
- c. All parks, beaches, public access sites, trails and pathways within the village boundaries, or village-owned parking lots when used for community events.
- d. All village harbor property, except where as otherwise designated.
- e. All village fishing piers.
- f. All public sidewalks on River Street between Dexter Street and Cedar Street.

Sec. 6-242 Posting of signs not required.

The prohibitions in this article are enforceable whether or not signs declaring the prohibitions are posted.

Sec. 6-243 Penalty.

Any violation of a section in this article is a municipal civil infraction.

(Ord. #497, passed 05-06-19)