

Sec. 10-5-220. Smoking and use of electronic smoking devices in public parks and recreation areas.

- (a) It shall be unlawful for a person to smoke or use electronic smoking devices on public property.
- (b) In this Section, the following definitions shall apply:

Electronic smoking device means any portable electronically actuated device which in operation causes the user to exhale any smoke, vapor, or other substance resulting in chemically altered human exhalation. Electronic smoking device includes any device manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, electronic pipe, and electronic hookah, or under any similar product name or descriptor. The term electronic smoking device does not include any asthma inhaler or other device that has been specifically approved by the United States Food and Drug Administration.

Public property means any real property owned or controlled by the Town of Elizabeth, including, without limitation, public buildings and adjacent public property, parks, trails, open space, playgrounds, and recreation facilities, but excluding streets, sidewalks, and alleys.

Smoke or smoking means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other device containing tobacco.

(Ord. No. 19-01, § 1, 1-8-2019)