

*For: Monday, March 26, 2012, City Council Meeting*

## **Advance Packet Information**

Dated: March 19, 2012

Included in this packet is documentation to support the following Agenda items:

### **PUBLIC HEARINGS/ORDINANCES**

- Ordinance adding Section 12.25.017, Smoking Prohibited in Designated Park Areas, to Brookings Municipal Code Chapter 12.25, Public Parks and Recreational Areas. [Public Works, pg. 2]
  - a. Ordinance 12-O-690 [pg. 3]
- Ordinance amending Brookings Municipal Code Section 2.50.010, Creation of Parks and Recreation Commission. [City Manager, pg. 4]
  - a. Ordinance 12-O-695 [pg. 5]

\*Obtain Public Comment Forms and view the agenda and packet information on-line at [www.brookings.or.us](http://www.brookings.or.us), or at City Hall. Return completed Public Comment Forms to the City Recorder before the start of meeting or during regular business hours.

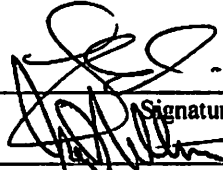
All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with advance notification. Please contact 541-469-1102 if you have any questions regarding this notice.

# CITY OF BROOKINGS

## COUNCIL AGENDA REPORT

Meeting Date: March 26, 2012

Originating Dept: Public Works

  
\_\_\_\_\_  
Signature (submitted by)  
\_\_\_\_\_  
City Manager Approval

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Subject: Smoking Ban in Public Parks

Recommended Motion:

Motion to adopt Ordinance 12-O-690, adding Section 12.25.017, Smoking prohibited in designated park areas, to Brookings Municipal Code Chapter 12.25, Public Parks and Recreational Areas.

Financial Impact:

There is minimal signage costs totaling \$400 for up to ten signs to be paid for from Parks and Recreation operating expenses. Public Works staff will install the signs.

Background/Discussion:

Council has considered this smoking ban proposal at a recent workshop and a City Council meeting on February 27, 2012. Council expressed concerns over the previous proposal's definition of restricted smoking areas, and the amount of the fine (\$750) being excessive. Staff has addressed the concerns of Council by reducing the amount of the fine to \$75 per citation and clarifying the language of where smoking is restricted to "within the fenced area of Kidtown at Azalea Park..." Ordinance 12-O-690 continues to place smoking restrictions in all children's playgrounds, athletic fields, bleachers, and within 20 feet of all restrooms and concessions facilities.

The Parks and Recreation Commission unanimously voted in favor of a smoking ban in select areas of all City Parks at its November 17, 2011 meeting.

Attachment(s):

- a. Ordinance 12-O-690

**IN AND FOR THE CITY OF BROOKINGS**  
**STATE OF OREGON**  
**ORDINANCE 12-O-690**

**IN THE MATTER OF ORDINANCE 12-O-690, AN ORDINANCE ADDING SECTION 12.25.017, SMOKING PROHIBITED IN DESIGNATED PARK AREAS, TO BROOKINGS MUNICIPAL CODE CHAPTER 12.25, PUBLIC PARKS AND RECREATIONAL AREAS.**

Sections:

- Section 1. Ordinance identified
- Section 2. Adds Section 12.25.017

The City of Brookings Ordains as follows:

Section 1. Ordinance identified. This ordinance adds Section 12.25.017, Smoking prohibited in designated park areas, to Brookings Municipal Code Chapter 12.25, Public parks and recreational areas.

Section 2. Adds Section 12.25.017: Section 12.25.017, Smoking prohibited in designated park areas, is added as follows:

**12.25.017 Smoking prohibited in designated park areas**

- A. Persons are prohibited from smoking in City parks at all times in the following areas: within the fenced area of Kidtown at Azalea Park and all children's playgrounds, athletic fields, bleachers and benches, and within 20 feet of all restroom and concession facilities.
- B. Penalties under this section shall be \$75.00 for each separate offense.

First Reading: \_\_\_\_\_ Passage: \_\_\_\_\_  
Second Reading: \_\_\_\_\_ Effective Date: \_\_\_\_\_

Signed by me in authentication of its passage this \_\_\_\_\_, day of \_\_\_\_\_, 2012

ATTEST:

\_\_\_\_\_  
Mayor Larry Anderson

\_\_\_\_\_  
City Recorder Joyce Heffington

# CITY OF BROOKINGS

## COUNCIL AGENDA REPORT

Meeting Date: March 26, 2012

Originating Dept: City Manager

  
Signature (submitted by)  
  
City Manager Approval

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**Subject:** Amendments to Brookings Municipal Code Chapter 2.50, Parks and Recreation Commission

**Recommended Motion:**

Adopt Ordinance 12-O-695, amending Brookings Municipal Code Section 2.50.010, Creation of parks and recreation commission.

**Financial Impact:**

Minimal cost of updating the Brookings Municipal Code

**Background/Discussion:**

At the February 27, 2012 City Council meeting, it was noted that City officials and employees are restricted, by ordinance, from being appointed to the Planning Commission and Urban Renewal Advisory Commission, but not the Parks and Recreation Commission. Adoption of the attached ordinance would provide consistency by incorporating this restriction into Brookings Municipal Code Chapter 2.50, Parks and Recreation Commission (amended language shown below, in bold):

2.50.010 Creation of parks and recreation commission.

There is hereby created a parks and recreation commission for the city of Brookings, Oregon, consisting of five members, as hereinafter provided. The five members of the commission shall be appointed by the mayor with the approval of the council. **These members shall not be officials or employees of the city.** Four of the five members shall be residents of Brookings, and one member may be a resident within the Brookings urban growth area. The city council may appoint one of its own members to act as liaison between the commission and the council. Membership shall be restricted pursuant to Chapter 2.01 BMC.

**Attachment(s):**

- a. Ordinance 12-O-695

**IN AND FOR THE CITY OF BROOKINGS**  
**STATE OF OREGON**  
**ORDINANCE 12-O-695**

**IN THE MATTER OF ORDINANCE 12-O-695, AN ORDINANCE AMENDING BROOKINGS MUNICIPAL CODE SECTION 2.50.010, CREATION OF PARKS AND RECREATION COMMISSION.**

Sections:

- Section 1. Ordinance identified.
- Section 2. Amends Section 2.50.010.

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends Brookings Municipal Code Section 2.50.010, Creation of Parks and Recreation Commission.

Section 2. Amends Section 2.50.010: Section 2.50.010 is amended to read as follows:

The City of Brookings Ordains as follows:

2.50.010 Creation of parks and recreation commission.

There is hereby created a parks and recreation commission for the city of Brookings, Oregon, consisting of five members, as hereinafter provided. The five members of the commission shall be appointed by the mayor with the approval of the council. These members shall not be officials or employees of the city. Four of the five members shall be residents of Brookings, and one member may be a resident within the Brookings urban growth area. The city council may appoint one of its own members to act as liaison between the commission and the council. Membership shall be restricted pursuant to Chapter 2.01 BMC.

First Reading: _____	Passage: _____
Second Reading: _____	Effective Date: _____

Signed by me in authentication of its passage this \_\_\_\_\_, day of \_\_\_\_\_, 2012

ATTEST:

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Mayor Larry Anderson

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City Recorder Joyce Heffington