

TOWN OF SUPERIOR  
ORDINANCE NO. O-2  
SERIES 2018

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR AMENDING SECTION 7-3-20 OF THE SUPERIOR MUNICIPAL CODE TO PROHIBIT SMOKING AT PLAYGROUNDS AND OUTDOOR PAVILIONS, ATHLETIC FIELDS AND COURTS

WHEREAS, in 2006, the Colorado legislature passed the Colorado Clean Indoor Air Act, C.R.S. § 25-14-201, et seq. (the "CCIAA"), which provides that a municipality may enact, adopt and enforce smoking regulations that are no less stringent than state law; and

WHEREAS, the Board of Trustees desires to amend the Superior Town Code to be more stringent than the CCIAA by prohibiting smoking at playgrounds and outdoor pavilions, athletic fields and courts.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SUPERIOR, COLORADO, THAT:

Section 1. Section 7-3-20 is hereby amended by the addition of a new subsection (d), to read as follows:

**Sec. 7-3-20. General smoking restrictions.**

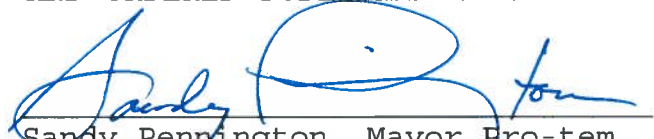
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(d) Smoking is prohibited at playgrounds and outdoor pavilions, athletic fields and courts.

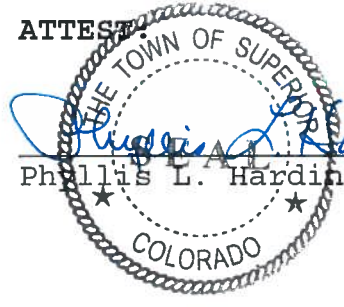
Section 2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 3. Safety. This Ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 12<sup>th</sup> day of March, 2018.

  
Sandy Pennington, Mayor Pro-tem

ATTEST

  
  
Phyllis L. Hardin, Town Clerk-Treasurer