

ORDINANCE NO. 227

AN ORDINANCE ESTABLISHING SMOKEFREE PLACES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS,
JOHNSON COUNTY, IOWA:

PART I. TITLE-DEFIITIONS-ENACTMENT.

- A. **TITLE.** This Ordinance shall be known as the "University Heights Smokefree Places Act."
- B. **DEFINITIONS.** For the purposes of this chapter, following definitions shall apply:
1. All definitions set out in Iowa Code § 142D.2, as presently existing or hereafter amended or modified, are incorporated herein.
 2. "Vapor product" means any noncombustible product, which may or may not contain nicotine, that employs a heating element, power source, electronic circuit, or other electrical, chemical or mechanical means, regardless of shape or size, that can be used to produce vapor from a solution of other substance. "Vapor Product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device, and any cartridge or other container of a solution or other substance, which may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or similar product or device. "Vapor Product" does not include any product regulated as a drug or device by the United States Food and Drug Administration, under Chapter V of the federal Food, Drug and Cosmetic Act.
- C. **PROHIBITION.** It shall be unlawful for any person to use any vapor product in any place where cigarettes are prohibited to be used pursuant to Iowa Code §142D.2, Iowa's Smokefree Air Act.
- D. **ENTRANCES PROTECTED.** It shall be unlawful for any person

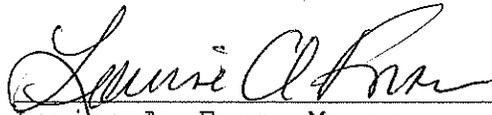
to smoke or use any vapor product within 25 feet of the entrance to any public places where smoking is not allowed under this ordinance.

PART II. REPEALER. All Ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

PART III. SEVERABILITY. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

PART IV. EFFECTIVE DATE. This Ordinance shall become effective upon its passage and publication as provided by law.

Adopted by the University Heights City Council on this 10th day of July, 2018, and approved this 10th day of July, 2018.



Louise A. From, Mayor

(SEAL)

ATTEST:



Christine M. Anderson, City Clerk

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

On the 10th day of July, 2018, before me, a notary public in and for the state of Iowa, personally appeared Louise A. From, Mayor, and Christine M. Anderson, Clerk of the City of University Heights, Iowa, to me personally known, and who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of University Heights, Iowa; that the seal affixed to this instrument is the corporate seal of the City; and that this instrument was acknowledged and sealed on behalf of the City, and that Louise A. From and Christine M. Anderson acknowledged the execution of this instrument to be their voluntary act and deed and the voluntary act and deed of the City, by it and by them voluntarily executed.



Abigail Brown
Notary Public in and for the
State of Iowa

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

I, Christine M. Anderson, being first duly sworn, certify that the above ordinance was published in the Iowa City Press-Citizen the 19th day of July, 2018.

Christine M. Anderson
Christine M. Anderson

Signed and sworn to before me on the 21st day of August, 2018, by Christine M. Anderson, Clerk of the City of University Heights, Iowa.

[Signature]
Notary Public in and for the
State of Iowa

