



**CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA
ORDINANCE NO. 2438-22**

“Young Lungs Ordinance”

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA AMENDING THE CODE OF THE TOWNSHIP OF CHELTENHAM, PART II: GENERAL LEGISLATION, CHAPTER 201: PARKS AND PLAYGROUNDS, SECTION 201-4: UNLAWFUL ACTS, IN ORDER TO DESIGNATE TOWNSHIP-OWNED PROPERTY, INCLUDING PARKS, PLAYGROUNDS, RECREATION AREAS, COMMUNITY CENTERS, AND LIBRARY CAMPUSES AS TOBACCO-FREE AND SMOKED SUBSTANCES-FREE AREAS AND TO ADOPT THE “YOUNG LUNGS AT PLAY” PROGRAM

WHEREAS, the Cheltenham Township (“Township”) Board of Commissioners recognizes that secondhand tobacco smoke poses a threat to the health, safety and welfare of adults and children; and

WHEREAS, the United States Surgeon General has determined that there is no safe level of exposure to tobacco smoke pollution; and

WHEREAS, tobacco is responsible for the deaths of more Americans each year than alcohol, narcotics, traffic accidents and AIDS combined; and

WHEREAS, 80% of smokers began smoking before the age of eighteen (18), with the average age of initiation being twelve (12) years old; and

WHEREAS, the Board of Commissioners of Cheltenham Township believes it to be in the best interest of the Township to prohibit the use of tobacco and smoked substances and promote public health by declaring that all Township-owned property, including, but not limited to, parks, playgrounds, recreation areas, community centers, and library campuses, be designated as “Tobacco-Free Zones.”

NOW THEREFORE, it is hereby **ENACTED** and **ORDAINED** by the Board of Commissioners of Cheltenham Township as follows:

SECTION I. Adoption of Policy.

- (1) All areas of the Township-owned property, including, but not limited to, parks, playgrounds, recreation areas, community centers, and library campuses, shall be designated as tobacco-free and smoked substance-free zones and the use of any tobacco or smoked substance products in any form shall be prohibited therein, including, but not limited to, cigarettes, cigars, pipe tobacco, smokeless tobacco, vaped tobacco, vaped oils or other products, and e-cigarettes.
- (2) “Young Lungs at Play” signs or other appropriate signage shall be posted to provide notice to the public that the Township-owned property, including but not limited to parks, playgrounds, recreation areas, community centers, and library campuses, are designated as tobacco-free and smoked substance-free zones.
- (3) Any violations of this tobacco-free and smoked substance-free policy in the Township-owned property, including but not limited to parks, playgrounds, recreation areas, community centers and library campuses, may result in the revocation of permits for park and recreation use.
- (4) The Township shall publicize and notify the community of the Township’s tobacco-free and smoked substance-free policy and sanctions as permitted by law.

SECTION II. Amendment to Code.

The Code of Cheltenham Township, Part II (General Legislation), Chapter 201 (Parks and Playgrounds), Section 201-4 (Unlawful Acts) is hereby amended to add a new Subsection “G” as follows:

- G. The use of any and all tobacco products and smoked substances, including, but not limited to, cigarettes, cigars, pipe tobacco, smokeless tobacco, vaped tobacco, vaped oils or other products, and e-cigarettes, shall be prohibited in all areas of Township-owned property, including but not limited to parks, playgrounds, recreation areas, community centers, and library campuses.

SECTION III. Severability.

The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision hereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

SECTION IV. Failure to Enforce Not a Waiver.

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION V. Effective Date.

This Ordinance shall take effect and be in force from and after its approval as required by the law.

SECTION VI. Repealer.

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

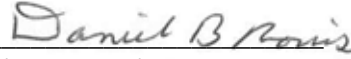
ORDAINED and **ENACTED** by the Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania, this **20TH** day of **April, 2022**.

ATTEST:



Robert Zienkowski
Township Manager and Secretary

**TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS**

By: 
Daniel B. Norris, President