

Chapter 4. Prohibition on the Use of Tobacco Products, Tobacco Substitutes, and Cannabis Products in Village Parks

Be it ordained by the Board of Village Trustees that the Woodstock Village Ordinances are amended by revisions to Chapter 4. Prohibitions on the Use of Tobacco Products, Tobacco Substitutes, and Cannabis Products in Village Parks to Title 5 HEALTH AND SAFETY as follows:

§5401. Purpose

The purpose of this ordinance is to protect the public health, safety and welfare of the community, pursuant to authority granted to the Board of Village Trustees by V.S.A. 24 2291, by prohibiting the use and disposal of all tobacco, tobacco substitute, cannabis products, and related equipment in all public parks under the care and control of the Village of Woodstock. This applies to all persons who use or visit parks in the village.

§5402. Definitions

(a) “Tobacco Products” include cigarettes, little cigars, roll-your-own tobacco, snuff, cigars, new smokeless tobacco, and other tobacco products as defined in 32 V.S.A. § 7702.

(b) “Tobacco Substitute Products” are products, including electronic cigarettes or other electronic or battery-powered devices, that contain or are designed to deliver nicotine or other substances into the body through the inhalation of vapor and that have not been approved by the U.S. Food and Drug Administration for tobacco cessation or other medical purposes as defined by 7 V.S.A. § 1001(8). Products that have been approved by the U.S. Food and Drug Administration for tobacco cessation or other medical purposes shall not be considered to be tobacco substitutes.

(c) “Equipment” includes any product or device that is intended to deliver or facilitate delivery of tobacco, cannabis, or nicotine products to one or more persons. Such equipment includes but is not limited to pipes, chimneys, e-cigarettes, vapes, rolling papers or other assistive devices.

(d) “Cannabis products” include any product made fully or in part from the cannabis plant (*Cannabis sativa* L.) or natural or synthetic material with the intent to simulate cannabis with >.3% THC content, including but not limited to cannabis leaf, oil, extract, edible or elixir.

(e) “Parks” shall mean recreational areas managed by the Village of Woodstock, including but are not limited to:

- The Village Green
- Tribou Parks
- Teagle Landing
- Vail Field (including the parking area)
- East End Park (including the parking area)
- Mount Peg Park (public section)

§5403. Activity Prohibited

The use and disposal of all tobacco, tobacco substitute, and cannabis products and related equipment is prohibited at all referenced Village parks.

§5404. Posting of Signage

Signs shall be placed at all applicable town park and recreation areas and facilities, notifying the public of the prohibition against the use of all tobacco and cannabis products and use of tobacco substitutes (including vaping devices).

§5405. Enforcement

- (a) Use of cannabis products in a park shall result in the penalties specified in 18 V.S.A. §4230a.
- (b) Use of tobacco or tobacco substitute products in parks by individuals who are underage (under 21 years old) will result in the penalties specified in 7 VSA §1005.
- (b) Use of tobacco or tobacco substitute products in a park by persons 21 years of age or older shall incur the following penalties:
 - (1) First offenses shall be a verbal warning and a request to either cease using the product or leave the park.
 - (2) The second offense shall be a written warning and a request to cease using the product and leave the park or be issued a Notice of Trespass Order.
 - (3) The third and subsequent violations of this ordinance shall result in a ticket being issued for using tobacco or tobacco substitute products in a park. Any person convicted of a violation of this chapter shall be subject to a civil penalty, the fine of which shall be no less than fifty dollars (\$50.00) and no more than two hundred dollars (\$200.00).
- (c) All law enforcement officials duly authorized to issue Vermont Municipal Complaints are authorized to issue complaints for violations of this chapter.

Passed and adopted by the Woodstock Village Trustees of the Village of Woodstock, State of Vermont on this 10th day of January 2023.