

**CITY OF NEWPORT
ORDINANCE
OF THE
COUNCIL
NO.2025-48**

AN ORDINANCE IN AMENDMENT OF TITLE 12 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWPORT, RHODE ISLAND, REVISION OF 1994, AS AMENDED, ENTITLED, "STREETS, SIDEWALKS AND PUBLIC PLACES.

BE IT ORDAINED by the City of Newport:

SECTION 1. Chapter 12.32 of the Codified Ordinances of the City of Newport, RI, Revision of 1994, as amended, entitled, "**Park and Recreation Areas,**" is hereby further amended, as follows:

12.32.125. Prohibition of smoking on public beaches, in public parks and cliff walk-findings and intent.

- A. The use of tobacco for smoking purposes is being found to be increasingly dangerous, not only to the person smoking but also to the nonsmoking person who is required to breathe the contaminated air. A pervasive intrusion of the nonsmoker's right to unpolluted air space is the uncontrolled smoking on beaches and in public parks.
- B. The city of Newport is committed to keeping its beaches and public parks clean, safe, healthy, and pleasant for everyone.
- c. Smoking is hazardous to health and numerous studies have shown that secondhand smoke is a significant public health hazard.
- D. Smoking in public places, including beaches and public parks, endangers children by exposing them to secondhand smoke.
- E. The United States Environmental Protection Agency has classified secondhand smoke as a group A carcinogen, the most dangerous class of carcinogen.
- F. The United States Centers for Disease Control and Prevention (CDC) has found that secondhand smoke causes children to suffer from lower respiratory tract illnesses, such as bronchitis and pneumonia, exacerbates childhood asthma, and increases the risk of chronic middle ear infection in children.
- G. Discarding cigarettes butts, cigar butts, and tobacco waste on beach sand and in public parks is unsightly, unclean, and particularly hazardous to small children who handle and sometimes ingest them.

- H. Cigarette butts are the top pollutant on beaches and, if uncollected, may wash directly into ocean waters to the detriment of marine life and all ocean users. Cigarette butts do not biodegrade and they contain two hundred (200) known poisons, sixty-three (63) of which are shown to cause cancer.
- I. Prohibiting smoking and the improper disposal of tobacco products on beaches and in public parks under the jurisdiction of the city of Newport and the department of public services is necessary to protect the public health, safety, and welfare of all residents and visitors. The city intends, by the enactment of this section, to protect the health and atmospheric environment of the nonsmoker by regulating smoking on public beaches and parks.

Definitions as used in this chapter:

- (1) "Smoking" or "to smoke" or "smoke" means and includes the inhaling, exhaling, burning; or

DELETE I. (2) IN ITS ENTIRETY

~~(2) Carrying of any lighted smoking equipment or paraphernalia.~~

ADD IN LIEU THEREOF THE FOLLOWING

(2) Carrying of any lighted smoking equipment or paraphernalia for tobacco or any other weed or plant, pipe or vaping apparatus.

SECTION 2. This ordinance shall take effect upon its passage and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.

IN COUNCIL
READ AND PASSED
MAY 28, 2025



Laura C. Swistak, CMC
City Clerk