

CALN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA
ORDINANCE NO. 2019-10

**AN ORDINANCE OF CALN TOWNSHIP, CHESTER COUNTY,
PENNSYLVANIA, AMENDING CHAPTER 107 OF THE CALN
TOWNSHIP CODE, TITLED, "PARKS AND PLAYGROUNDS"
SECTION 107-5 AND 107-15 TO PROHIBIT THE USE OF
TOBACCO PRODUCTS IN TOWNSHIP PARKS.**

BE IT ENACTED AND ORDAINED by the Board of Commissioners of Caln Township that Chapter 107 of the Caln Township Code, titled, "Parks and Playgrounds" shall be amended as follows:

SECTION 1. Section 107-5, titled, "Personal conduct; drugs and alcohol; gambling; solicitation" shall be amended to provide as follows:

"§107-5. Personal conduct; drugs and alcohol; tobacco use; gambling; solicitation.

No person shall conduct himself within the parks so as to annoy any other person using the parks for recreational purposes. No person shall use or allow to be used within the park any drugs, tobacco products, electronic nicotine delivery devices or alcohol. No person shall utter profanity or engage in any indecent activities or gambling. Further, no person shall engage in any solicitation or sale of any product or services within the park. Any Township police officer or other law enforcement official may forthwith remove any person from any Township park for such conduct."

SECTION 2. Section 107-15, titled, "Alcoholic beverages" shall be amended to provide as follows:

"§107-15. Alcoholic beverages and tobacco products prohibited.

No person shall bring any intoxicating beverages into the parks either for his own use or the use of any other person, except for events and activities where the use of alcohol has been approved by the Commissioners. No person shall use any tobacco products or electronic nicotine delivery devices in Township parks, athletic fields or playgrounds. This prohibition includes cigarettes, cigars, chew, e-cigarettes, e-cigars, e-pipes, hookah, juul, pipes, snuff, snus and vape devices."

SECTION 3. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of

Commissioners that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 4. Repealer. All ordinances or parts of ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 5. Effective Date. This Ordinance shall become effective in five days from the date of adoption.

ENACTED AND ORDAINED this 19 day of December, 2019.

ATTEST:

**CALN TOWNSHIP
BOARD OF COMMISSIONERS**

Kristen Denne, Secretary

Jennifer M. Breton, President

George M. Chambers, Vice-President

Joshua B. Young, Member

Lorraine Tindaro, Member

Charles W. Kramer, Member