



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 02/11/25

**REQUESTER:** Jason Olsen, Director of Parks and Recreation

**PRESENTER:** AshLynn Wilkerson, Assistant City Attorney

**ITEM TITLE:** CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OR ORDINANCE O-2425-12 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE TITLE OF SECTION 24-311 OF CHAPTER 24; AMENDING DEFINITIONS FOR THE PURPOSES THEREOF; PROHIBITING THE FURNISHING OF TOBACCO, NICOTINE AND VAPOR PRODUCTS TO ANYONE UNDER THE AGE OF TWENTY-ONE, PROHIBITING THE POSSESSION OF TOBACCO, NICOTINE AND VAPOR PRODUCTS BY ANYONE UNDER THE AGE OF TWENTY-ONE, PROHIBITING THE DISPLAY OR SALE OF TOBACCO, NICOTINE OR VAPOR PRODUCTS WHERE SELF-ACCESSIBLE BY ANYONE UNDER THE AGE OF TWENTY-ONE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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### **BACKGROUND:**

The City of Norman Parks and Recreation Department is actively seeking grant funding opportunities through TSET (Tobacco Settlement Endowment Trust). The grant funding would go to support the construction of the Miracle Field—a custom, adaptive, ADA compliant baseball field to remove barriers and provide opportunities for youth with disabilities to participate in outdoor sports and recreation activities.

In order to achieve these objectives, the City needs to: 1) update two existing ordinances, 16-V Tobacco and 24-311 Prevention of Youth Access to Tobacco And Vapor Products to include updates to State law as well as regulate and prohibit smoking and use of tobacco and vapor products and the smoking or vaping of marijuana on all municipal property; and 2) pass a zoning ordinance imposing certain restrictions on tobacco and e-cigarette retailers to protect youth from the negative health effects of tobacco, nicotine, or vapor products.

All three ordinances must be approved as they are presented in order to achieve the desired level of grant funding (TSET representatives have approved all three ordinances as compliant with the requirements for the highest level of grant funding).

City staff are scheduled to discuss all the proposed ordinance changes with Council at the February 18, 2025 Study Session prior to the second and final reading of the ordinances.

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**DISCUSSION:**

The restrictions contained in this Ordinance O-2425-12 come directly from those contained and allowed in 63 O.S. § 1-229.11, et seq.

The proposed amendments to Section 24-311 of Chapter 24 are fairly minimal. The majority of the amendments are general formatting edits (capitalizations, consistent numbering schemes, gender neutral terms, etc.). There are only two substantive changes in the proposed amendments:

- 1) The addition of nicotine products to the prohibited products under this ordinance (seen in subsection (a) - definitions and everywhere the prohibitions are referenced throughout the ordinance); and
- 2) A clear enumeration of the enforcement officials and process (seen in subsection (g)).

**RECOMMENDATION:**

Staff forwards Ordinance O-2425-12 to Council for consideration.