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KENDAL A. TRACY  
MARY MAKLEY WOLFF

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ADMINISTRATOR  
JEFFREY A. WRIGHT



ADMINISTRATION  
248-3725  
248-3730 (FAX)  
COMMUNITY DEVELOPMENT  
248-3731  
SERVICE DEPARTMENT  
248-3728  
POLICE DEPARTMENT  
248-3721  
FIRE / EMS  
248-3700  
PARKS / RECREATION  
248-3727

## MIAMI TOWNSHIP

6101 MEIJER DRIVE • MILFORD, OH 45150-2189  
**RESOLUTION 2016-50**

The Board of Trustees of Miami Township, Clermont County, Ohio met in regular session at the Miami Township Civic Center on August 16, 2016 with the following members present: Karl Schultz and Mary Makley Wolff.

MS. WOLFF made a motion to adopt the following Resolution:

### **RESOLUTION PROHIBITING SMOKING CIGARETTES AND CIGARS, VAPING, ELECTRONIC CIGARETTES AND THE USE OF TOBACCO AND OTHER SMOKELESS TOBACCO ON ALL TOWNSHIP PROPERTY, DISPENSING WITH A SECOND READING AND DECLARING AN EMERGENCY**

**WHEREAS**, The Board of Trustees of Miami Township, Clermont County, Ohio (the "Board") desires to protect the residents of Miami Township ("the "Township") from the harmful effects of using cigarettes, cigars, nicotine, vaping, electronic cigarettes and the use of tobacco and other smokeless tobacco; and

**WHEREAS**, cigarettes and cigars, once consumed on Township properties, are often discarded on the ground requiring additional maintenance expenses and diminishes the beauty of Township property; and

**WHEREAS**, the Board believes that it is in the best interest of the residents of the Township and further believes that it will promote the health, safety and welfare of the residents of the Township to prohibit the use of nicotine, tobacco and certain tobacco related products on all Township property.

**NOW THEREFORE BE IT RESOLVED** by the Board of Trustees of Miami Township, Clermont County, Ohio as follows:

- Section 1.** The Board hereby determines that it is in the best interest of the residents of the Township and further believes that it will promote the health, safety and welfare of the residents of the Township to prohibit the use of any and all Tobacco Products on all Township Property.
- Section 2.** For purposes of this Resolution, the term "Tobacco Products" shall include any manufactured product containing tobacco or nicotine, including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco,

dipping tobacco, bidis, snus, dissolvable tobacco products, and all electronic cigarette cartridges and products.

**Section 3.** For purposes of this Resolution, the term "Township Property" shall include any and all property, buildings and vehicles owned by Miami Township, Clermont County, Ohio.

**Section 4.** Any person in violation of his Resolution shall receive a warning for a first time violation. Thereafter, any violation of this Resolution shall be a minor misdemeanor.

**Section 5.** That this Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 6.** The Board does hereby dispense with the requirement that this Resolution be read on two separate days, pursuant to Section 504.10 of the Ohio Revised Code, and authorizes the adoption of this Resolution upon its first reading.

**Section 7.** This Resolution is declared to be an emergency measure necessary for the preservation of the health, safety and well-being of the residents of the Township in order to regulate the activity described herein and protect residents.

**Section 8** This Resolution shall take effect immediately, but shall not be enforced until January 1, 2017.

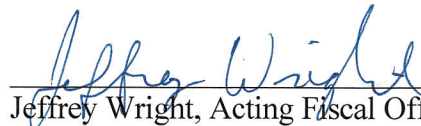
First Reading:	<u>August 16, 2016</u>
Second Reading:	<u>Dispensed With</u>
Effective:	<u>August 16, 2016</u>

MR. SCHULTZ seconded the motion to adopt the Resolution. On the roll call being called the vote resulted as follows:

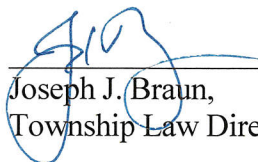
Mr. Schultz	<u>AYE</u>
Ms. Wolff	<u>AYE</u>

Resolution 2016-50 was adopted August 16, 2016

ATTEST:

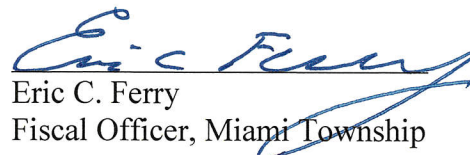
  
\_\_\_\_\_  
Jeffrey Wright, Acting Fiscal Officer

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Joseph J. Braun,  
Township Law Director

**CERTIFICATION OF FUNDS**

I hereby certify that at the time of making of this certification the amount required to meet the obligations set forth in this Resolution has been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrance.

  
\_\_\_\_\_  
Eric C. Ferry  
Fiscal Officer, Miami Township