

ORDINANCE

AN ORDINANCE OF THE COMMISSION
OF KNOX COUNTY, TENNESSEE,
AMENDING KNOX COUNTY CODE,
CHAPTER 27, ARTICLE I ENTITLED
“PARKS” TO DELETE CERTAIN DEFINITIONS
IN SECTION 27-1, DELETE SUBSECTION
27-9(b) IN ITS ENTIRETY, AND ADD A
NEW SECTION 27-16 ENTITLED “USE
OF TOBACCO AND VAPOR PRODUCTS
PROHIBITED” TO EXPAND THE SMOKING
PROHIBITION ON THE GROUNDS OF
COUNTY-OWNED PLAYGROUNDS TO
INCLUDE THE USE OF TOBACCO AND
VAPOR PRODUCTS ON THE GROUNDS
OF A COUNTY-OWNED OR CONTROLLED
PUBLIC PARK, PUBLIC PLAYGROUND,
PUBLIC GREENWAY, OR ANY PUBLIC
PROPERTY THAT IS ACCESSIBLE TO
USE BY YOUTH. (Ord. No. O-10-4-102,
adopted 5-24-10, Ord. No. O-20-11-101,
adopted 12-21-20, and establishing Section 27-16)

ORDINANCE: O-21-7-103

REQUESTED BY: COMMISSIONER DAILEY

PREPARED BY: KNOX COUNTY LAW
DIRECTOR'S OFFICE

APPROVED AS TO FORM
AND CORRECTNESS: 
DIRECTOR OF LAW

APPROVED 1ST READING: July 26, 2021
DATE

APPROVED 2ND READING: August 23, 2021
DATE

APPROVED EMERGENCY: _____
(YES) (NO)

VETOED: _____
DATE

VETO
OVERRIDE: _____
DATE

MINUTE
BOOK _____ PAGE _____

WHEREAS, the Knox County Commission (the “Commission”) previously adopted rules and regulations for Knox County Parks and Recreation facilities by Ordinance No. O-10-4-102, codified at Chapter 27, Article I of the Knox County Code; and

WHEREAS, by means of Ordinance No. O-20-11-101 adopted on December 21, 2020, the Knox County Commission amended Chapter 27 of the Knox County Code to prohibit smoking on the grounds of county-owned playgrounds pursuant to Tenn. Code Ann. § 39-17-1551; and

WHEREAS, on May 27, 2021, Governor Bill Lee signed into law Public Chapter No. 574, amending Tenn. Code Ann. § 39-17-1551(e) to authorize local governments to prohibit the use of tobacco products or vapor products, or both, on the grounds of a public park, public playground, public greenway, or any public property that is accessible to use by youth as long as the public park, public playground, public greenway, or public property is owned or controlled by the respective municipality or county; and

WHEREAS, the Commission has deemed it in the best interest of the citizens of Knox County to amend the Knox County Code to expand the previously adopted prohibition on smoking on the grounds of county-owned playgrounds to include the use of tobacco products and vapor products on the grounds of a county-owned or controlled public park, public playground, public greenway, or any public property that is accessible to use by youth, as provided by Tenn. Code Ann. § 39-17-1551(e).

NOW THEREFORE BE IT ORDAINED BY THE COMMISSION OF KNOX COUNTY AS FOLLOWS:

SECTION 1. The Code of Knox County, Tennessee, Chapter 27, Article I, Section 27-1 entitled “Definitions” is hereby amended by deleting the definitions for “playground” and “smoking”.

SECTION 2. The Code of Knox County, Tennessee, Chapter 27, Article I, Section 27-9 entitled “Certain behavior declared unlawful” is hereby amended by deleting “(a)” at the beginning of Sec. 27-9 and by deleting subsection (b) in its entirety.

SECTION 3. The Code of Knox County, Tennessee, Chapter 27, Article I entitled “Parks”, is hereby amended by adding a new section to be numbered Sec. 27-16, which section reads as follows:

Sec. 27-16. Use of tobacco and vapor products prohibited.

(a) The use of tobacco products and vapor products are prohibited on the grounds of a public park, public playground, public greenway, or any public property that is accessible to use by youth as long as the public park, public playground, public greenway, or public property is owned or controlled by Knox County. This prohibition does not apply to buildings, sidewalks, or roads.

(b) As used in this Sec. 27-16:

(1)(A) *Greenway* means:

(i) An open-space area following a natural or man-made linear feature designed to be used for recreation, transportation, and conservation, and to link services and facilities; or

(ii) A paved, gravel-covered, woodchip-covered, or wood-covered path that connects one greenway entrance with another greenway entrance;

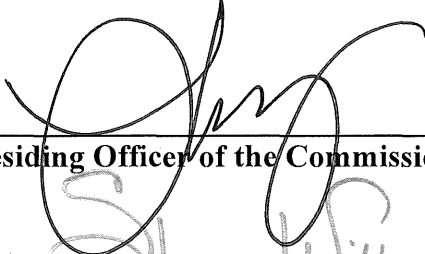
(B) If a greenway traverses a park that is owned or operated by Knox County, or instrumentality thereof, the greenway is considered a portion of that park unless designated otherwise by the County Commission.

(2) *Playground* means an indoor or outdoor facility that is intended for recreation of children;

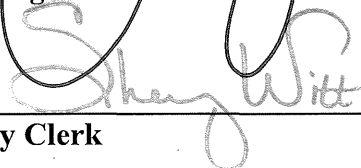
(3) *Tobacco product* means any product that contains tobacco that is intended for human use; and

(4) *Youth* means persons under twenty-one (21) years of age.

SECTION 4. This Ordinance shall take effect as provided by the Charter of Knox County, Tennessee, the public welfare requiring it.



Presiding Officer of the Commission 8/23/21 Date



County Clerk 8/24/2021 Date

Approved: _____
County Mayor Date

Vetoed: _____
County Mayor Date