

Section 1. The Town of Smithfield Code of Ordinances Part II, General Legislation is hereby amended by adding thereto Chapter 119 entitled "Prohibited Consumption Of Cannabis On Town Owned Property "

Section 119-1. Prohibited Consumption of Cannabis On Town Owned Property.

A. Authorization

1. Under Rhode Island General Laws §21-28.11-16(b) "Local control," any city or town may adopt ordinances that ban or impose restrictions on the smoking or vaporizing of cannabis products in public places.

B. Definitions

1. For the purposes of this section, the following terms have the following meanings:
 - i. Public Place - A "public place" includes, but shall not be limited to public ways, streets, sidewalks, walkways, alleys or alleyways, highways, bridges, overpasses, parking lots, municipal buildings, municipal parking lot facilities, municipal parking lot ramps, vacant or undeveloped lots, transportation facilities, parks (including trails and conservation areas), athletic fields and their seating areas, pools, plazas, building facades, stairwells, alcoves, doorways, entranceways, pedestrian malls, playgrounds, places of amusement, hallways, lobbies, and other portions of apartment houses and hotels not constituting rooms or apartments designed for actual residence.
 - ii. Smoke or vaporize - inhaling, exhaling, burning or carrying any lighted or vaporized cannabis in any manner or form.
 - iii. Cannabis products - products that have been manufactured and contain cannabis or an extract from cannabis, including concentrated forms of cannabis and products composed of cannabis and other ingredients that are intended for use or consumption, including oils.

C. Enforcement

1. No person shall smoke or vaporize in any public place.
2. Nothing in this section shall preclude the Town of Smithfield or any law enforcement officer of any jurisdiction from charging an offender for a violation of any other applicable law or ordinance arising from the offender's prohibited conduct.
3. Nothing in this section shall be construed to prohibit the transportation of cannabis or cannabis products.

D. Penalties

1. Any person who violates this section is liable for a fine of not more than \$100.00 for the first offense and not more than \$150.00 for each subsequent offense.

E. Notwithstanding any of the provisions herein, shall there be a conflict with any provisions of the Rhode Island General Laws governing the regulation of the consumption of cannabis, the provisions of State law shall control.

Section 2. This ordinance shall take effect thirty (30) days after its adoption.

APPROVED AS TO ITS FORM AND LEGALITY:


TOWN SOLICITOR

ADOPTED: January 17, 2023



TOWN COUNCIL PRESIDENT



ACTING TOWN CLERK

