

ORDINANCE 14-04

AN ORDINANCE OF THE CITY OF WOODWAY, TEXAS; AMENDING CHAPTER 12, OFFENSES-MISCELLANEOUS, OF THE CODE OF ORDINANCES OF THE CITY OF WOODWAY, TEXAS, SECTION 12-91, DEFINITIONS, SUBSECTIONS 12 (“SMOKING”) AND 13 (“TOBACCO”); PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE, AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED WAS NOTICED AND WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOODWAY, TEXAS:

SECTION I

That Chapter 12, Offenses-Miscellaneous, of the Code of Ordinances of the City of Woodway, Texas, Section 12-91 (Definitions), Subsection 12 is hereby amended, in its entirety, to read as follows:

- (12) Smoking means inhaling, exhaling, burning or carrying any lighted cigar, cigarette, pipe, weed, or plant, or utilizing an electronic cigarette, personal vaporizer or similar device that simulates smoking a tobacco product.

SECTION II

That Chapter 12, Offenses-Miscellaneous, of the Code of Ordinances of the City of Woodway, Texas, Section 12-91 (Definitions), Subsection 13 is hereby amended, in its entirety, to read as follows:

- (13) Tobacco means any tobacco, cigarette, cigar, pipe, weed, plant, electronic cigarette, personal vaporizer or similar device which may be utilized for smoking (or the simulation thereof), chewing, inhalation or other means of ingestion or absorption.

SECTION III

That if any provision of this ordinance is found by a Court of competent jurisdiction to be invalid, unconstitutional or unenforceable, or if the application of this ordinance to any person or circumstances is found to be invalid, unenforceable or unconstitutional, such invalidity, unenforceability or unconstitutionality shall not affect the other provisions or application of this ordinance which can be given effect without the invalid, unenforceable or unconstitutional provisions or application.

SECTION IV

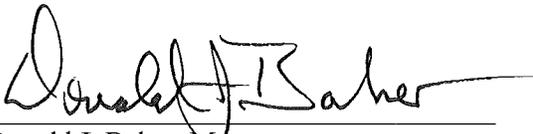
That all ordinances, codes, regulations, policies and guidelines of and in the City of Woodway, in conflict herewith are hereby repealed to the extent of such conflict.

SECTION V

That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required by law.

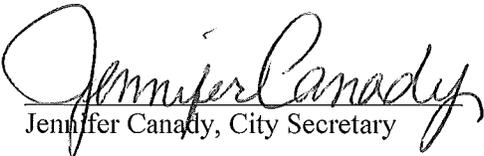
PASSED AND APPROVED this 14th day of April 2014.

CITY OF WOODWAY, TEXAS



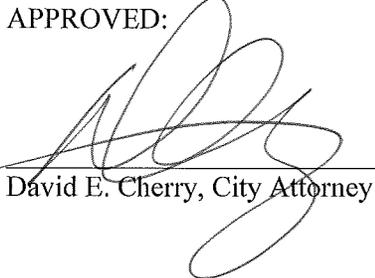
Donald J. Baker, Mayor

ATTEST:



Jennifer Canady, City Secretary

APPROVED:



David E. Cherry, City Attorney