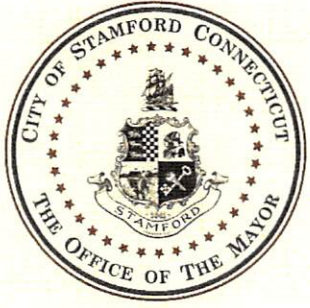


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PR29.032

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DAVID R. MARTIN
MAYOR
CITY OF STAMFORD, CONNECTICUT

Date: May 6, 2015

To: Randall M. Skigen, President
Board of Representatives

From: David R. Martin, Mayor 

Re: Proposed Ordinance – Banning Smoking in City Owned Beaches,
Parks & Other Outdoor Recreational Locations

Attached please find a draft ordinance regarding the above-captioned.

Please note:

1. The Parks & Recreation Commission approved the concept of banning all smoking at beaches and city parks and other outdoor recreational locations.
2. The fine is left blank so that the Board of Representatives can select an amount (suggestion: between \$35 and \$90).
3. I leave it to the Board of Representatives to consider including allowable smoking areas within the parks and beaches (e.g., parking lots?) If the Board decides that it wants to provide allowable smoking areas, we can assist by providing language incorporating this change.

Please place this item on your next agenda. Should you have further questions or require additional information, please contact my office or Ted Jankowski, Director of Public Safety, Health & Welfare.

Thank you for your attention to this matter.

/val

Attachment



DRAFT (5/5/15): SMOKE FREE PARKS ORDINANCE

WHEREAS, the City believes that smoking in the proximity of children and adults engaging in or watching outdoor recreational activities at City-owned or operated facilities is detrimental to their health and can be offensive to those using such facilities; and

WHEREAS, the City has a unique opportunity to create and sustain an environment that supports a non-tobacco norm through a tobacco-free policy, rule enforcement, and adult-peer role modeling on City-owned outdoor recreational facilities; and

WHEREAS, recreational properties are essential, health promoting environments that can provide low to no cost opportunities for play, physical activity, greater family and community connection; and

WHEREAS, tobacco use causes death and disease including lung disease and lung cancer, coronary heart disease deaths, chronic obstructive pulmonary disease and can cause disease in nearly all organ systems, and

WHEREAS, the Surgeon General has concluded that there is no safe level of exposure to secondhand smoke. The negative health consequences associated with exposure to secondhand smoke include increased risk of blood clots, heart attack, asthma attacks, respiratory problems, and eye and nasal irritation, and

WHEREAS, cigarettes, once consumed in public spaces, are often discarded on the ground, requiring additional maintenance expenses, diminish the beauty of the City's recreational facilities, and pose a risk to toddlers and animals due to ingestion; and

WHEREAS, it has been determined that it is in the best interests of the City of Stamford to prohibit smoking on the City's recreational properties in order to protect the health, safety and welfare of the citizens of Stamford.

NOW THEREFORE, BE IT ORDAINED BY THE 29TH BOARD OF REPRESENTATIVES, that _____, of the Code of Ordinances is hereby adopted:

A. Definitions:

1. ***“Recreational Property”*** means any outdoor area that is owned or operated by the City and open to the general public for recreational purposes, regardless of any fee or age requirement. The term “recreational property” includes but is not limited to playing fields, beaches (including sidewalks and boardwalks adjacent to beaches under the jurisdiction of the City), playgrounds, restrooms, parks, golf

courses, walking paths, gardens, hiking trails, swimming pools, and skateboard parks.

2. **“Designating smoking area”** means those areas clearly delineated by signage or clearly marked cigarette /cigar butt receptacles.
3. **“Electronic Smoking Device”** means any electronic product that delivers nicotine or other substances to the person inhaling from the device, including, but not limited to an electronic cigarette, e-cigar, e-pipe, vape pen or e-hookah. Electronic smoking device includes any component, part, or accessory of such a product, whether or not sold separately.
4. **“Smoke Free”** means no smoking is allowed in the area. Smoking is defined as the use of cigarettes, pipes, cigars and other devices that produce smoke. The policy includes electronic cigarettes and water pipes.
5. **“Smoking”** means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, in any manner or in any form. Electronic smoking devices are included.
6. that tobacco use is prohibited in outdoor recreational facilities. No
7. person shall use any form of tobacco at or on any City-owned or operated outdoor recreational
8. facility, including the restrooms, spectator and concession areas. Attachment 1 includes a list of such properties.

B. Prohibition of Smoking on City owned recreational properties. No person shall be permitted to smoke on any City owned recreational property at any time.

C. Violation. Any person who is smoking on City owned recreational property shall be subject to a fine of _____.

D. Enforcement

1. The Stamford Parks Department shall publicize the smoke-free policy and enforcement on its website.
2. The Stamford Parks Department shall update all material, including permits and rental agreements to reflect compliance with the smoke free ordinance.
3. “No Smoking” signs shall be posted on all City recreational properties.

4. City Operations staff will make periodic observations of recreational facilities to monitor for compliance.
5. Any person found violating this policy may be subject to immediate ejection from the recreation property for the remainder of the day.
6. Parks Police Officers, City Citation Officers, and Stamford Police Officers have the authority to enforce this ordinance.

