

**ORDINANCE NO. __ SUPPLEMENTAL
BANNING SMOKING IN CITY OWNED BEACHES, PARKS &
OTHER RECREATIONAL LOCATIONS**

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 30TH BOARD OF REPRESENTATIVES, that Chapter 175, Article III, Smoke-Free Recreational Property, of the Code of Ordinances is hereby adopted.

ARTICLE III. - SMOKE-FREE RECREATIONAL PROPERTY

Sec. 175-12. – Definitions.

For the purposes of this Article, the following words or terms shall have the following meanings:

“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 and parking lots adjacent thereto.

“*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.

“*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.

“*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.

Sec. 175-13. – Prohibition of Smoking on City owned recreational properties.

No person shall smoke on any City-owned recreational property at any time.

Sec. 175-13. – Violations and Penalties.

Any person violating Section 175-13 shall be subject to a fine of _____ dollars (\$_____) for each separate offense or violation.

Sec. 175-14. – Notice of Smoke-Free Zones.

- (a) The City shall publicize the smoke-free ordinance and enforcement on its website.
- (b) The City shall update all material, including permits and rental agreements, to reflect compliance with the smoke free ordinance.
- (c) The City shall post a sign or signs at each recreational property stating that such recreational property is a "Smoke-Free Zone" to indicate that said recreational property is subject to this section. Said sign or signs shall identify this section by number and shall state the penalty for violating this section.
- (d) City staff shall make periodic observations of recreational properties to monitor compliance with this Article.

Sec. 175-15. – Enforcement

In addition to other methods of enforcement, this Article may be enforced through the civil citation process.