



TOWN OF APPLE VALLEY

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor and Town Council

Date: January 14, 2014

From: Ralph Wright
Parks and Recreation Manager
Parks and Recreation Department

Item No: 19

Subject: DISCUSSION ON SMOKING POLICY IN PARKS

T.M. Approval: _____

Budgeted Item: Yes No N/A

RECOMMENDED ACTION:

Provide Direction to Staff.

SUMMARY:

It was the consensus of The Town Council that a discussion is brought forward regarding the current policy on Smoking in Town Parks.

BACKGROUND:

In June of 2008, an ordinance was adopted by the Town Council that amended the Apple Valley Municipal Code to allow smoking within Town parks in designated areas only. Staff developed an area plan within each park to set up the designated smoking areas. The selected designated smoking areas were strategically placed in accessible areas usually close to the entrance of our parks and when possible downwind from park amenities. The areas were to chosen to hopefully aid in the compliance by our smoking patrons and to have the least impact on other park patrons.

In most parks, there is one smoking area and the placement of these areas has been successful in providing a smoking area that allows for compliance with the rules and minimizes the impact on our non-smoking park patrons. In our larger parks; Civic Center Park, Horsemen's Center, James Woody and Lenny Brewster, there are multiple designated areas. James Woody Park is the only facility that has received multiple complaints regarding smoking and the complaints have been mostly regarding the signage and trash/butt receptacles in the designated smoking areas and smoking near the skate park. Attached as Exhibit A, is a schematic of James Woody Park with the current locations of the designated smoking areas.

On October 31st, Staff sent out an inquiry through the California League of Cities list-serve asking the following questions:

- 1) What is the municipality's current smoking policy in their parks?
- 2) How is the policy enforced?
- 3) When was their current policy adopted?
- 4) How has the policy been accepted by the Community?
- 5) Have they seen any decrease in participation based on the policy?

Fifteen cities responded to the list serve question. Additionally, staff independently inquired with the City of Victorville, the Hesperia Park and Recreation District and the Big Bear Park and Recreation District. The responses have been compiled and are attached as Exhibit B in this staff report. A large percentage of the responding cities have a no smoking policy in their parks. Additionally, one city sent me a listing of 18 additional cities in San Diego that have joined a smoke free parks and beaches program in San Diego County.

Parks and Recreation Commission Review of Smoking Policy in Parks

At the December 5, 2013 meeting of the Parks and Recreation Commission, the Commission discussed the park smoking policy. The goal of the discussion, was to evaluate the current Smoking Policy in parks and determine whether there was any significant reason to recommend a change to the existing policy. The following considerations were part of the discussion:

- 1) The public discussion/complaints regarding the current policy.
- 2) Vandalism associated with designated smoking areas. – In the designated smoking areas in each of the parks, there are signage and smoking urns for disposal of the cigarette butts. These items are the single most vandalized items in our parks.
- 3) Enforcement of the policy. – Enforcement is usually handled by politely asking people to move to the designated smoking areas and they either put their cigarette butts out or move. Calling the police to cite someone who is non-compliant is for the most part not feasible.
- 4) Option of reducing the number of designated smoking areas.
- 5) Changing the methodology of designated smoking area placement.
- 6) No longer allow smoking within our Park System.

After a thorough discussion, it was the consensus of the Parks and Recreation Commission to offer the following recommendation to the Town Council:

- 1) Continue with the existing policy of allowing smoking in our parks in designated smoking areas only.
- 2) If possible reduce the number of designated smoking areas at James Woody Community Park.
- 3) Further recommendations included:
 - a. Within the constraints of the allocated funding for parks, increase signage in parks notifying the public of our smoking policy. In James Woody in particular, place signage on each of the ballfields.
 - b. Within the constraints of the allocated funding for parks, replace and maintain the smoking urns and designated smoking areas to ensure usability.

- c. Work with the assisted user groups to ensure that they inform their participants of our smoking policy
- d. Add smoking policy information in our Recreation brochure and on flyers when appropriate

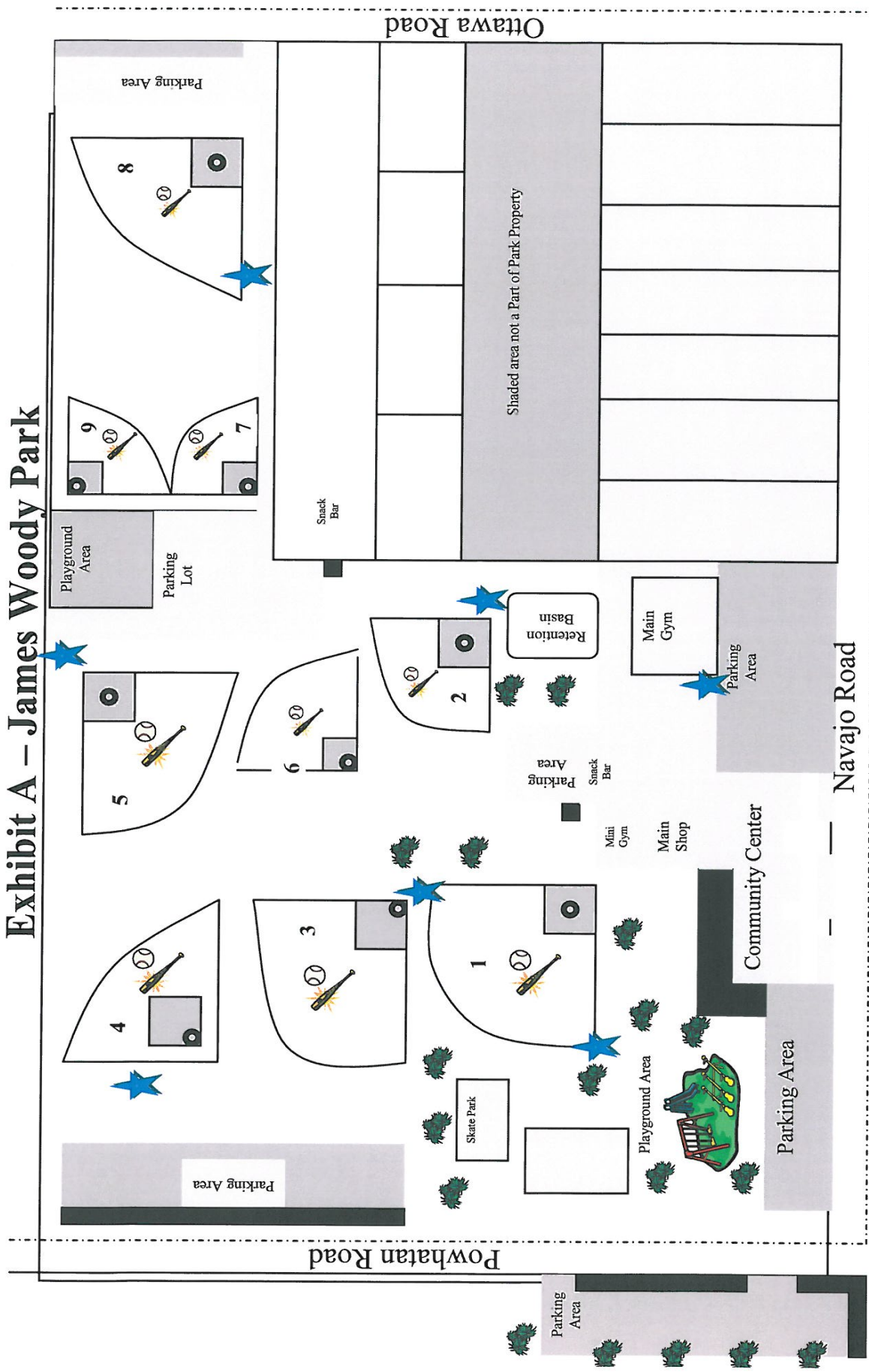
ATTACHMENTS:

- 1) Exhibit A – Diagram of James Woody Park including the designated smoking areas
- 2) Exhibit B - Listserve survey results

FISCAL IMPACT:

N/A

Exhibit A – James Woody Park



Designated Smoking Areas ★

North Arrow
Not to Scale

Community Center (22 acres)

EXHIBIT B

Smoking in Parks Survey - Oct - Nov 2013

Municipality	Current park smoking policy	How is smoking policy enforced	When did this policy begin?	How has change been received by the public	Any reduction in participation applicable to the change	Any other information
South San Francisco	No Smoking	Not enforced	2012	97% positive	None	None
Southgate	Smoking only in designated smoking areas -They have set to set designated smoking areas as no one has asked for them.	Education through informational business cards delivered by Park Rangers	2012	Everyone happy	N/A	"Wish other ordinances were this successful"
Vista	Smoking only in designated smoking areas -Based on requests and City Manager approval - Only a few areas designated (Usually outside community centers)	Usually, just asking people to discontinue.	prior to 2010	Well received - Applause when no smoking is announced during their concert series.	None	Significant reduction in cigarette butts left in the parks!
Emeryville	No Smoking	Mostly self or staff enforced. Proactive no smoking rules throughout city so people used to it.		Positive - 0 complaints regarding parks	N/A	N/A
Santee	State Law - No smoking within 25 feet of a tot-lot.					

Municipality	Current park smoking policy	How is smoking policy enforced	When did this policy begin?	How has change been received by the public	Any reduction in participation applicable to the change	Any other information
Rosemead	No Smoking	All Staff required to enforce and if necessary contact public safety.	In effect many years	N/A	Haven't seen any but policy in place so long, not sure.	N/A
Grover Beach	No Smoking		Last year			
Redding	No Smoking	County Health Officer does walk thru in parks. Education - through PSAs, Website, flyers etc.	2013	Most positive. Some have complained because someone is dictating how they can act when it doesn't effect others.	In year, more park users and less smoking incidents.	
Lawndale	No Smoking	Rec staff requests removal. Code Enforcement and Sheriff's Department cite, if necessary.	Oct-13	Too Early to tell	Two unstaffed parks might present a concern - rely on park users.	
Cerritos	No Smoking	N/A	2005	N/A	N/A	
Santa Maria	State Law - No smoking within 25 feet of a tot-lot 20 feet of public building entrance or window.	Not actively enforced - Signage posted each park.				Effort to ban smoking in parks defeated at Council level in 2010
Colton	No Smoking		A few years ago	Positive - no complaints	None	
Murrieta	No Smoking	Park Rangers actively discuss with park users to ensure compliance. Have not issued citations.	revised - 2011	No complaints to their knowledge	None	

Municipality	Current park smoking policy	How is smoking policy enforced	When did this policy begin?	How has change been received by the public	Any reduction in participation applicable to the change	Any other information
Lafayette	No Smoking	General signage and temporary specific	Not recent implementation	Well received		Fire Hazards of the area lead to
La Mesa	No Smoking	Will Call PD if necessary		98% of East County - San Diego are for no smoking in Parks and beaches in County	No decrease in participation	At least 18 Cities have passed Smoke free parks and beaches ordinances in San Diego.
CONTACTED LOCAL CITIES SEPERATELY						
Hesperia	State Law - No smoking within 25 feet of a tot-lot 20 feet of public building entrance or window.					
Victorville	State Law - No smoking within 25 feet of a tot-lot 20 feet of public building entrance or window.					
Big Bear	No Smoking	General Signage - Just kindly ask people to discontinue prohibited activity.		Once in a while a complaint at their softball fields in tournaments.	None	