

Memorandum



CITY OF DALLAS

DATE August 19, 2016

TO Honorable Members of the Quality of Life & Environment Committee: Sandy Greyson (Chair),
Tiffinni A. Young (Vice Chair), Rickey D. Callahan, Mark Clayton, Philip T. Kingston, B. Adam McGough

SUBJECT **Smoke Free Parks Briefing**

On Monday, August 22, 2016, you will be briefed on Smoke Free Parks. The briefing materials are attached for your review.

Please feel free to contact me if you have any questions or concerns.

A handwritten signature in black ink that reads "Willis C. Winters".

Willis C. Winters, FAIA, Director
Park and Recreation Department

Attachments

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Chris Bowers, Interim City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager

Eric D. Campbell, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

SMOKE FREE PARKS

QUALITY OF LIFE COMMITTEE

AUGUST 22, 2016



SMOKE FREE PARKS

- BRIEFING SUMMARY
 - City of Dallas Smoking Ban History
 - Benefits and Challenges
 - Smoking Bans in Municipal Parks

SMOKE FREE PARKS

- CITY OF DALLAS SMOKING BAN HISTORY
 - City of Dallas Smoking Ordinance established March 2003
 - Dallas City Code - Chapter 41
 - Prohibits smoking in indoor and enclosed public places
 - Ordinance is enforced by Dallas Police and Code Compliance
 - Violators, upon conviction, may be subject to a fine of not more than \$200

SMOKE FREE PARKS

- **BENEFITS OF SMOKE FREE PARKS**
 - Promotes cleaner parks, cleaner air and healthier recreation environment
 - Minimizes exposure to secondhand smoke in parks where people, especially children, congregate and engage in physical activity
 - Reduces litter from cigarette butts that pollute the land and water
 - Lowers risk of fire from discarded (lit) cigarette butts
 - Reinforces anti-smoking norms in the community
- **CHALLENGES**
 - Enforcement
 - Compliance

SMOKE FREE PARKS

- SMOKING BANS IN MUNICIPAL PARKS
 - Major United States cities with Park Smoking Bans
- | City, State | Year |
|---------------------|------|
| – Atlanta, GA | 2012 |
| – Boston, MA | 2013 |
| – Chicago, IL | 2014 |
| – Houston, TX | 2014 |
| – Los Angeles, CA | 2007 |
| – New York, NY | 2011 |
| – Philadelphia, PA | 2014 |
| – San Antonio, TX | 2011 |
| – San Diego, CA | 2006 |
| – San Francisco, CA | 2005 |

SMOKE FREE PARKS

City	Designated Area	City Ord / Park Policy	Enforced By	Fines
Atlanta, GA	All Parks	City Ordinance	Code / Atlanta PD	Up to \$1000
Boston, MA	All Parks	City Ordinance	Code / Boston Park Police / Boston PD	Up to \$250
Chicago, IL	All Parks and Beaches	Park District Code	Chicago Park District	Up to \$500
Houston, TX	All Parks	City Ordinance	PKR – Park Ranger/Code/ HPD	Up to \$2000
Los Angeles City and County, CA	All Parks and Beaches	City and County Ordinances	LA PD/County Sheriff Department	Up to \$324
New York City, NY	All Parks and Beaches	City Ordinance	Urban Park Service Park Patrol / NYPD	Up to \$50
Philadelphia, PA	All Parks	City Ordinance	Philadelphia Health Dept./ PPD	\$300
San Antonio, TX	All Park Pavilions and Playgrounds	City Ordinance	SA Metro Health District/ Code/SAPD	Up to \$2000
San Diego, CA	All Parks and Beaches	City Ordinance	City Manager Office/SDPD	Up to \$100
San Francisco, CA	All Parks and Beaches	City Ordinance	SF Park Patrol / SFPD	Up to \$500 for 3+ convictions

SMOKE FREE PARKS

- AUSTIN, TX
 - Location
 - All parks
 - Exceptions
 - Filming
 - Areas specified by permit for filming purposes
 - Golf Courses
 - Allowed between the first tee and end of green of final hole
 - Special Events
 - Designated areas recommended by Park Director and approved by City Council
 - Enforcement
 - Park and Recreation – Park Rangers
 - Austin Police
 - Code Enforcement

SMOKE FREE PARKS

- HOUSTON, TX
 - Location
 - All parks
 - Exceptions
 - None
 - Enforcement
 - Park and Recreation – Park Rangers
 - Houston Police
 - Code Enforcement

SMOKE FREE PARKS

- SAN ANTONIO, TX
 - Location
 - All parks - pavilions and playgrounds located within city-owned parks.
 - Exceptions
 - None
 - Enforcement
 - San Antonio Metropolitan Health District
 - San Antonio Police
 - Code Enforcement

SMOKE FREE PARKS

STAFF RECOMMENDATIONS

SMOKING PROHIBITED.

(a) General Rule: A person commits an offense if he smokes or lights any burning tobacco products, including, but not limited to, cigars, cigarettes, hookahs, cigarillos, and pipes on park property.

(b) Exceptions: It is a defense to prosecution if the person was smoking in a location that was not an indoor or enclosed area, as that term is defined in this chapter, and that was:

(1) a golf course, if the location was:

(i) between the tee box of the first hole and the end of the green of the 18th hole;

(ii) on the driving range; or

(iii) on the outdoor patio.

(2) the Elm Fork Shooting Range; or

(3) a partner site, if pursuant to the terms of a contract that has been fully executed by the partner and the third party on or before the effective date of this ordinance.

SMOKE FREE PARKS

- Education and roll out of Ordinance through
 - Public Outreach
 - Newsletters
 - Social Media
 - Web Site
 - Signage
- Expectations of Compliance to include
 - Peer to Peer Interactions
 - Voluntary Compliance

SMOKE FREE PARKS

- STEPS
 - Park and Recreation Administration/Finance Committee Endorsed June 2, 2016
 - Park and Recreation Board Endorsed June 2, 2016
 - Quality of Life Committee briefed August 22, 2016
 - Presentation to City Council or City Council consideration

SMOKE FREE PARKS

QUALITY OF LIFE COMMITTEE

AUGUST 22, 2016

