

A Policy Maker's Guide to Tobacco-Free Policies for Community Park Systems



In this guide, you will find:

- Model Tobacco-Free Policy
- Sample policies from Minnesota cities with tobacco-free park policies
- Map of Minnesota cities and counties with tobacco-free parks
- Policy enforcement and publicity information
- Ordering information for free tobacco-free metal signs
- Frequently Asked Questions
- References from communities with existing tobacco-free park policies

Tobacco-Free Parks: For a Healthy Community

Playing Tobacco Free:

Tobacco-Free Policies For Park & Recreation Areas

Tobacco-Free Park and Recreation Areas Promote Health

- **Parks are established to promote healthy activities.** The purpose of park areas is to promote community wellness, and tobacco-free policies fit with this idea.
- **Cigarette litter is dangerous.** Discarded cigarettes pollute the land and water and may be ingested by toddlers, pets, birds, or fish.
- **Tobacco-free policies help change community norms.** Tobacco-free policies establish the community norm that tobacco use is not an acceptable behavior for young people or adults within the entire community.
- **Tobacco-free environments promote positive community role modeling** and protect the health, safety, and welfare of community members.
- **Secondhand smoke harms everyone.** Secondhand smoke exposure causes disease and premature death in children and adults who do not smoke.
- **Secondhand smoke is harmful in outdoor settings.** Several studies have found that secondhand smoke levels in outdoor public places can reach levels as high as those found in indoor facilities where smoking is permitted.^{1,2}
- **Policies provide consistency among community athletic facilities and groups.** The majority of community sporting events are held at either city or school athletic facilities, and nearly all school districts prohibit tobacco use on their entire grounds. Also, many local athletic associations have tobacco-free policies but use city facilities and would benefit from a city-wide policy.

The Tobacco-Free Youth Recreation Initiative

Tobacco-Free Youth Recreation (TFYR) is a recreation-based tobacco prevention program that assists recreational groups in promoting healthy tobacco-free lifestyles. TFYR offers free assistance in tobacco-free policy development and implementation. Contact TFYR for policy assistance or more information!



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www.tobaccofreeparks.org
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Tobacco-Free Park and Recreation Policies Work

Over 100 Minnesota communities have adopted tobacco-free policies for their park and recreation areas. In 2004, the University of Minnesota surveyed Minnesota residents to learn about the level of support for tobacco-free park and recreation policies.³ Minnesota park directors were also interviewed to ask how they felt about tobacco-free policies. Here are the study's key findings:

What Minnesota residents say:

- **Most Minnesotans support tobacco-free park and recreation policies.** 70% of Minnesota residents support tobacco-free park and recreation areas. In addition, 66% of golfers and 73% of families with children support these policies.
- **Policies should prohibit all forms of tobacco.** 79% of residents supported tobacco-free policies that prohibit all forms of tobacco use, including spit tobacco.
- **Parks should be tobacco free at all times.** Just over half (53%) of respondents supported the prohibition of tobacco use in parks at all times.
- **Community members support policy enforcement.** 79% of Minnesotans felt that policies should be enforced by asking violators to leave park areas. 64% felt that violators should be fined.

What Minnesota park directors say:

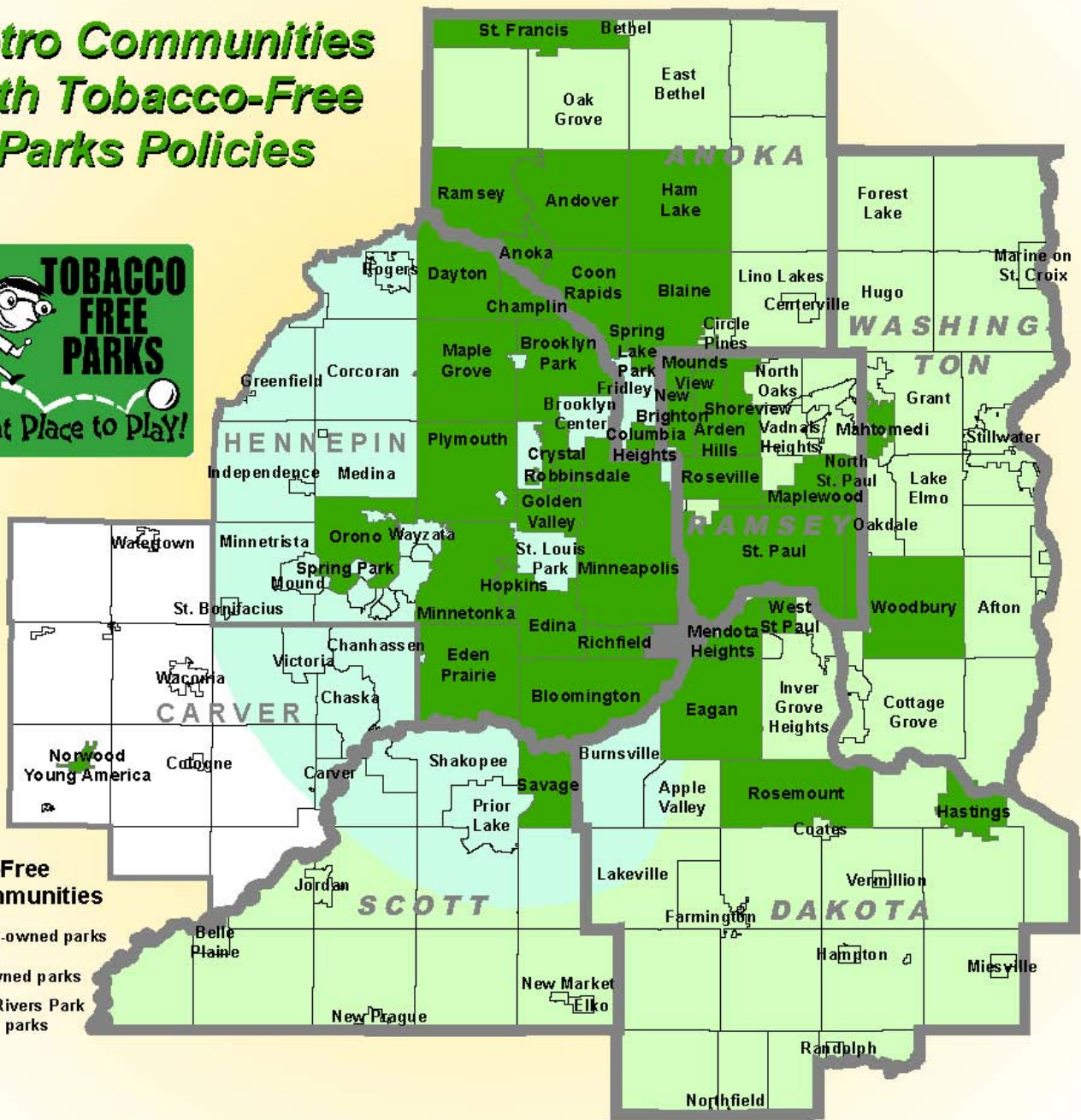
- **Park directors overwhelmingly recommend adopting tobacco-free policies.** 90% of park directors in cities with policies reported that they would recommend tobacco-free policies to other communities.
- **Nearly all park directors personally supported tobacco-free policies.** Out of 257 park directors,
 - 96% wanted to provide positive role models for youth.
 - 92% wanted to reduce youth opportunity to smoke.
 - 92% wanted to avoid litter from cigarette butts.
 - 89% wanted to promote community well-being.
- **Policies reduce litter and maintenance costs.** 58% of Minnesota park directors in cities with policies reported cleaner park areas.
- **Policy enforcement and violations are not issues.** In Minnesota communities with a policy, few park directors (26%) reported compliance issues and 74% reported no problems with park users violating the policy.

¹ Klepeis NE, Ott WR, Switzer P. (May 2007). "Real-Time Measurements of Outdoor Tobacco Smoke Particles." *Journal of Air & Waste Management Association* 57.

² California Environmental Protection Agency, California Air Resources Board. (2003). "Technical Support Document for the Proposed Identification of Environmental Tobacco Smoke as a Toxic Air Contaminant: Part A." Technical Report. Chapter 5, pp. V6-V19.

³ Klein EG, Forster JL, Outley, CW, McFadden, B. (2007). "Minnesota Tobacco-Free Park Policies: Attitudes of the General Public and Park Officials." *Nicotine & Tobacco Research* 9, S1, pp. 49-55.

Metro Communities with Tobacco-Free Parks Policies



Tobacco-Free Park Communities

- County-owned parks
- City-owned parks
- Three Rivers Park District parks

May 2011



**Minnesota Communities with Tobacco-Free Parks,
sorted alphabetically**

Map #	Community	County	Adoption Date
73	Adrian	Nobles	2-27-06
25	Aitkin	Aitkin	6-2-03
90	Albert Lea	Freeborn	11-13-06
64	Alexandria	Douglas	5-23-05
57	Andover	Anoka	9-21-04
53	Anoka	Anoka	7-6-04
70	Arden Hills	Ramsey	9-12-05
113	Arlington	Sibley	10-18-10
85	Ashby	Grant	7-5-06
19	Aurora	St. Louis	4-1-03
31	Austin	Mower	7-2-03
66	Battle Lake	Otter Tail	6-14-05
80	Baudette	Lake of the Woods	5-8-06
8	Baxter	Crow Wing	3-1-02
120	Bemidji	Beltrami	12-14-10
22	Biwabik	St. Louis	5-12-03
115	Blaine	Anoka	11-4-10
3	Bloomington	Hennepin	6-18-01
11	Brainerd	Crow Wing	6-6-02
28	Breckenridge	Wilkin	6-16-03
126	Brooklyn Park	Hennepin	5-16-11
95	Buffalo	Wright	4-16-07
26	Buhl	St. Louis	6-3-03
63	Callaway	Becker	5-10-05
89	Canby	Yellow Medicine	11-8-06
46	Champlin	Hennepin	5-10-04
108	Chatfield	Fillmore	7-12-10
54	Cloquet	Carlton	7-20-04
7	Cohasset	Itasca	1-22-02
119	Columbia Heights	Anoka	11-17-10
40	Coon Rapids	Anoka	2-17-04
48	Crookston	Polk	5-25-04
87	Crystal	Hennepin	9-19-06
76	Dassel	Meeker	4-3-06
67	Dayton	Hennepin	6-14-05

Map #	Community	County	Adoption Date
77	Donnelly	Stevens	4-3-06
14	Duluth	St. Louis	2-12-03
17	Eagan	Dakota	3-25-03
43	Eagle Lake	Blue Earth	4-5-04
12	Eden Prairie	Hennepin	9-17-02
56	Edina	Hennepin	8-17-04
78	Elbow Lake	Grant	4-3-06
59	Elk River	Sherburne	10-18-04
75	Ellsworth	Nobles	3-13-06
27	Eveleth	St. Louis	6-3-03
41	Faribault	Rice	2-25-04
23	Fayal Township	St. Louis	5-20-03
55	Fergus Falls	Otter Tail	8-9-04
102	Gaylord	Sibley	5-29-08
117	Glencoe	McLeod	11-15-10
15	Golden Valley	Hennepin	3-4-03
32	Grand Rapids	Itasca	7-14-03
93	Ham Lake	Anoka	1-2-07
83	Hancock	Stevens	6-12-06
94	Hardwick	Rock	2-13-07
96	Hastings	Dakota	5-7-07
62	Henning	Otter Tail	5-3-05
88	Herman	Grant	10-16-06
72	Hermantown	St. Louis	2-10-06
18	Hibbing	St. Louis	3-31-03
110	Hinckley	Pine	8-3-10
82	Hoffman	Grant	6-5-06
114	Hopkins	Hennepin	10-19-10
21	Hoyt Lakes	St. Louis	4-8-03
50	International Falls	Koochiching	5-28-04
39	Kent	Wilkin	1-1-04
65	La Prairie	Itasca	6-6-05
106	Lester Prairie	McLeod	10-13-09
44	Luverne	Rock	4-13-04
38	Mahtomedi	Washington	12-3-03

**Minnesota Communities with Tobacco-Free Parks,
sorted alphabetically**

Map #	Community	County	Adoption Date
1	Maple Grove	Hennepin	1-1-93
61	Maplewood	Ramsey	1-24-05
47	Marshall	Lyon	5-17-04
74	Mendota Heights	Dakota	3-6-06
107	Minneapolis	Hennepin	5-5-10
122	Minnetonka	Hennepin	2-14-11
51	Monticello	Wright	6-14-04
118	Mora	Kanabec	11-16-10
42	Morris	Stevens	3-9-04
84	Mounds View	Ramsey	6-27-06
34	Mountain Iron	St. Louis	8-18-03
24	New Brighton	Ramsey	5-27-03
123	New Richland	Waseca	4-11-11
69	New York Mills	Otter Tail	8-8-05
81	North St. Paul	Ramsey	5-16-06
36	Nwd Young America	Carver	9-22-03
109	Orono	Hennepin	8-24-10
6	Owatonna	Steele	12-11-01
68	Parkers Prairie	Otter Tail	7-18-05
52	Pelican Rapids	Otter Tail	6-29-04
111	Pine City	Pine	9-2-10
121	Pipestone	Pipestone	2-7-11
112	Plato	McLeod	10-12-10
37	Plymouth	Hennepin	10-28-03
35	Prinsburg	Kandiyohi	9-9-03
49	Ramsey	Anoka	5-25-04
4	Richfield	Hennepin	9-1-01
60	Robbinsdale	Hennepin	12-7-04
2	Rochester	Olmsted	11-1-00
103	Rosemount	Dakota	12-16-08
5	Roseville	Ramsey	12-1-01
97	Round Lake	Nobles	5-8-07
13	Sartell	Stearns	10-28-02
33	Savage	Scott	7-15-03

Map #	Community	County	Adoption Date
45	Shoreview	Ramsey	5-3-04
98	Silver Bay	Lake	5-9-07
116	Silver Lake	McLeod	11-15-10
20	Spicer	Kandiyohi	4-2-03
86	Spring Lake Park	Anoka	7-17-06
124	Spring Park	Hennepin	5-2-11
9	St. Cloud	Stearns	5-13-02
92	St. Francis	Anoka	1-2-07
30	St. Paul	Ramsey	7-1-03
10	Virginia	St. Louis	5-31-02
125	Waseca	Waseca	5-3-11
91	Wendell	Grant	12-4-06
101	West St. Paul	Dakota	4-14-08
71	Wheaton	Traverse	1-26-06
100	White Earth	Becker	8-16-07
79	Williams	Lake of the Woods	4-10-06
29	Willmar	Kandiyohi	6-16-03
99	Windom	Cottonwood	7-17-07
105	Winthrop	Sibley	10-5-09
58	Wolverton	Wilkin	10-12-04
104	Woodbury	Washington	3-25-09
16	Zimmerman	Sherburne	3-17-03
Counties/Districts			
A	Rock County	Rock	5-18-04
B	Three Rivers Park Dist.	Hennepin	1-6-05
C	Anoka County	Anoka	7-12-05
D	Washington County	Washington	5-23-06
E	Olmsted County	Olmsted	1-23-07
F	Dakota County	Dakota	5-22-07
G	Lower Sioux	Redwood	
H	Ramsey County	Ramsey	05-13-08
I	Scott County	Scott	05-26-09
J	Lac qui Parle County	Lac qui Parle	03-01-11



Frequently Asked Questions

about Tobacco-Free Policies for Park Areas in Minnesota

What is current Minnesota state law on smoking outdoors?

There is currently no state law that regulates tobacco use in outdoor areas.

Are local governments able to enact policies restricting tobacco use?

Neither federal nor state law prohibits local governments from regulating tobacco use outdoors.¹

What is the difference between a park policy and an ordinance?

In general, *park policies* are rules regarding city or county-owned park property that are established by local park boards and are often approved by city councils or county boards. Generally, those who ignore park policies do not receive a fine, but are asked to refrain from using tobacco or leave the premises.

Ordinances are local government enactments that regulate people or property and carry a penalty such as a fine for violations. Ordinances often originate from a recommendation passed by the park board.²

For both park policies and ordinances, tobacco use is prohibited on park property.

Should a policy cover all property and activities or just youth events?

In Minnesota, both types of policies exist, but the recent trend is toward “all property” policies because they may be simpler for citizens to understand, rather than to determine which activities qualify as “youth events.”

How do other Minnesota communities enforce their policies?

Minnesota communities with tobacco-free park policies post signs in their park areas that announce the policy. These signs provide communities with the ability to rely on community and self-enforcement. Many tobacco users look for “no tobacco” signs. These signs empower everyone using the parks to provide friendly reminders about the policy to violators. Signs also help to eliminate the need for any law enforcement presence. The majority of Minnesota communities with policies have utilized Tobacco-Free Youth Recreation’s free signs.

In addition to signs, communities notify their residents in a variety of ways: local media, newsletters, policy reminder cards, recreation brochures, policy statements sent to sports associations, and coaches’ trainings.

Are existing policies working?

Yes! According to a 2004 University of Minnesota survey of Minnesota park directors in cities with such policies, 88% of park directors reported no change in park usage (no loss of park users), 71% reported less smoking in parks, and 58% reported cleaner park areas.

What effect do tobacco-free park policies have on youth?

Research has not been completed on this particular topic, but in general, tobacco-free policies help prevent youth tobacco use, particularly by establishing tobacco-free community norms and by providing adults the opportunity to be tobacco-free role models throughout the community.³

What other benefits result from tobacco-free policies?

Cigarette filters are not biodegradable, so they do not decay and cannot be absorbed by the environment. A policy reduces park and beach litter and protects toddlers from ingesting filters that are discarded. In Minnesota, smoking-related debris accounted for 62% of total debris during a 2005 coastal cleanup.⁴

Will policies keep some people from using public park and recreation areas?

Tobacco-free policies for park areas ensure that all citizens have a healthy recreational environment. People go to parks to exercise or relax, not to use tobacco. Smokers work, eat, shop, travel, and reside in smoke-free environments every day. No court has determined that smoking is a constitutionally protected right.⁵

Aren’t tobacco-free policies for parks a needless regulation?

These policies are similar to those prohibiting alcohol and litter or requiring that pets be leashed. It is the duty of policy makers to enact policies that protect the health of their citizens.

¹ Minnesota Attorney General Mike Hatch. (5/4/00). Legal opinion letter to Peter Vogel.

² League of Minnesota Cities. (2003). *Handbook for Minnesota Cities*. [Online]. Available: <http://www.lmnc.org/handbook/chapter07.pdf>.

³ Perry, C. (1999). *Creating Health Behavior Change: How to Develop Community-Wide Programs for Youth*. Thousand Oaks, CA: Sage Publications.

⁴ The Ocean Conservancy. (2006). *International Coastal Cleanup 2005 Minnesota Summary Report*. [Online]. Available: <http://www.coastalcleanup.org>.

⁵ Tobacco Control Legal Consortium. (2004). “Legal Authority to Regulate Smoking and Common Legal Threats and Challenges.”



TOBACCO-FREE PARKS AND RECREATION STUDY

Summary of Findings

Park areas in Minnesota are used regularly by state residents. Tobacco use restrictions in outdoor environments such as parks and recreation areas are being established in Minnesota and other states across the U.S. The purpose of this study is to describe the support for tobacco-free park policies in Minnesota. To learn more about the public's perceptions of these policies, we conducted a survey of Minnesota residents. We also interviewed park and recreation professionals to ask specific questions about tobacco-free policies in Minnesota.

Is secondhand smoke a problem?

Yes. Secondhand smoke is a recognized cause of acute and chronic diseases in nonsmokers, and is a major source of indoor air pollution. Secondhand smoke is also responsible for an estimated 3,000 lung cancer deaths and 38,000 heart disease deaths in nonsmoking individuals each year in the United States. The most effective approach to reducing secondhand smoke exposure is to establish smoke-free environments. Research has suggested that the adoption of smoke-free policies creates a change in social norms around smoking, helps smokers reduce consumption or quit, and helps keep youth from starting.

Public support for tobacco-free parks

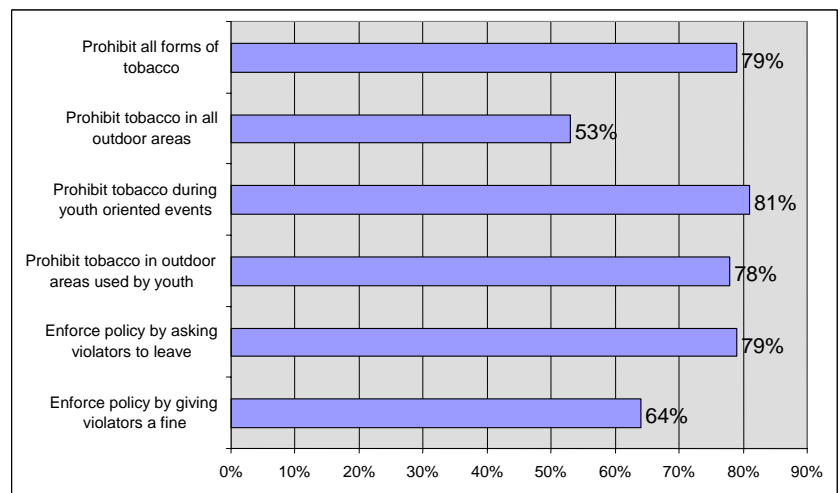
A survey was sent to Minnesota residents by mail in summer 2004. Of the 1,500 respondents, 75% had used any park area in the past month. Overall, 70% of those surveyed supported tobacco-free policies for outdoor park and recreation areas. The attitude of Twin Cities metro area residents was not different from residents living in other parts of the state. Respondents expressed support for tobacco-free policies to:

- Reduce litter in park grounds.
- Avoid the health effects of secondhand smoke.
- Discourage youth smoking.
- Establish positive role models for youth.
- Promote community well-being.

Policy components

We also asked residents about the components of tobacco-free park policies (shown, right). Most people supported strong policies that prohibit tobacco use in youth areas, and asking policy violators to leave park areas. Just over half (53%) of respondents supported the prohibition of tobacco use in all parks at all times. Smokers were the only group generally less supportive of these policies.

Preferences for tobacco-free park policies among Minnesota residents, 2004



Golfers

Thirty-five percent of our sample were golfers. Most golfers (81%) were non-smokers, and 74% of non-smoking golfers supported tobacco-free park policies. We found that being a golfer did not make a difference in support for tobacco-free policies, but being a smoker did.

How do park staff in communities with an existing park policy feel about the policy?

In the summer of 2004, we interviewed 257 park directors from cities and counties in Minnesota's 200 largest cities. Overall, 70 communities reported a tobacco-free policy, which represents 36% of communities surveyed. Park directors with policies had positive experiences, as most reported that park policies were "not difficult" to pass, and 90% would recommend such a policy to other communities.

Changes after implementation

When park directors were asked about changes after tobacco-free policy adoptions:

- 58% reported less litter in park areas.
- 74% reported no problems with policy violators.
- 88% reported no changes in park usage.
- For those reporting a change in park use following the policy, 71% reported an increase in usage.
- Publicity about the policy was reported to be adequate (86%), and few (7%) reported any negative publicity.

Enforcement

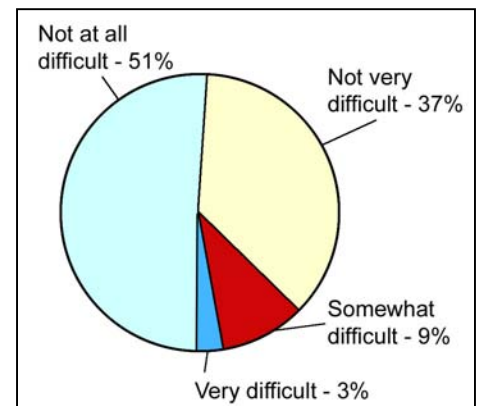
Enforcement was an area of worry for nearly all park directors without a policy. However, in communities with a policy, few park directors (26%) reported compliance problems. Staffing was an issue, as 74% reported too few staff to enforce the policy and/or monitor all park areas.

Park director support

Out of the 257 park directors interviewed, nearly all personally supported tobacco-free policies. Reasons for their support included:

- 96% wanted to establish positive role models for youth.
- 89% wanted to promote community well-being.
- 92% wanted to reduce youth opportunity to smoke.
- 92% wanted to avoid litter from cigarette butts.

Difficulty in passing a tobacco-free park policy, Minnesota 2004



Major Conclusions:

- ❑ The majority of Minnesotans support tobacco-free park and recreation policies.
- ❑ Park staff have experienced few problems and many benefits with the policies, and overwhelmingly recommend tobacco-free policies to other communities.

This study was conducted by the University of Minnesota, Schools of Public Health and Kinesiology, in partnership with Tobacco-Free Youth Recreation and the Minnesota Recreation and Park Association, and supported by the Minnesota Partnership for Action Against Tobacco. For more information, contact study coordinator Liz Klein at klein_L@epi.umn.edu or call (612) 626-1799.





City-Owned Outdoor Recreational Facilities *Model Tobacco-Free Policy*

Section 1: Rationale

WHEREAS, the City believes that tobacco use 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, the City believes parents, leaders, and officials involved in recreation are role models for youth and can have a positive effect on the lifestyle choices they make; and

WHEREAS, the tobacco industry advertises at and sponsors recreational events to foster a connection between tobacco use and recreation; 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 due to ingestion; and

WHEREAS, the City Park & Recreation Board determines that the prohibition of tobacco use at the City's recreational facilities serves to protect the health, safety and welfare of the citizens of our City.

THEREFORE, be it resolved that tobacco use is prohibited in outdoor recreational facilities. No person shall use any form of tobacco at or on any City-owned or operated outdoor recreational facilities, including the restrooms, spectator and concession areas. These facilities include [insert specific facilities here, e.g. playgrounds, athletic fields, beaches, aquatic areas, parks, and walking/hiking trails].

Section 2: Enforcement

1. Appropriate signs shall be posted in the above specified areas.
2. The community, especially facility users and staff, will be notified about this policy.
3. Staff will make periodic observations of recreational facilities to monitor for compliance.
4. Any person found violating this policy may be subject to immediate ejection from the recreation facility for the remainder of the event.

Section 3: Effective Date

This policy statement is effective immediately upon the date of adoption, which is _____, 20__.

Appropriate City Official

Date



PLYMOUTH, MN PARKS AND RECREATION

SUBJECT

Plymouths Parks and Recreation Tobacco-Free Policy

POLICY STATEMENT

The City of Plymouth Parks and Recreation Department is committed to the quality of life for all residents, therefore, we believe that:

1. Tobacco product use in the proximity of children, youth and adults engaging in or watching recreational activities is unhealthy and detrimental to the health of others.
2. Tobacco products once consumed in public spaces are often discarded on the ground, thus posing a risk of ingestion to toddlers and causing a litter problem.
3. As parents, leaders, coaches, and officials we are thought of as role models, and the use of tobacco products around youth has a negative effect on their lifestyle choices.

TOBACCO-FREE FACILITIES

No person shall use tobacco products on city-owned parkland, park facilities, open space or joint city/school district properties, except within the confines of a vehicle in a designated parking area.

COMPLIANCE PROCEDURES

The emphasis on enforcing the Tobacco-Free park policy is through voluntary compliance:

1. Appropriate city-owned parkland, park facilities, open space or joint city/school district properties will be signed.
2. Plymouth Park and Recreation staff will meet with activity organizations and/or leaders or coaches to discuss the policy and to distribute flyers with the "Tobacco Free" regulations.
3. Plymouth Park and Recreation staff will make periodic observations of activity sites to monitor compliance.
4. Plymouth Park and Recreation will take an active role to encourage the surrounding communities to adopt the "Tobacco Free" policy, so that we may act as a united front to ensure the health and wellbeing of our community.

Date of Adoption: 10/28/03

Maple Grove Parks and Recreation Board

Maple Grove, MN

Policy for Usage of Public Parks, Recreation Facilities and Equipment

General Regulations

Maple Grove Parks and Recreation Board is committed to providing quality leisure opportunities that meet the interest and needs of all City residents. This section of the policy governs general regulations so as to ensure the proper use of all parks and recreation facilities and so that all residents may equally enjoy their visit.

1. All activities and events held at a park or recreation facility must comply with all City Codes and regulations that apply.
2. All activities must be for wholesome leisure time activities.
3. Tobacco use is prohibited at all public buildings, park property and ISD #279 property operated by the Board through a joint powers agreement.
4. Alcoholic beverages are prohibited except upon Board approval. The Board will consider requests for alcoholic beverages only from clubs, charities, religious groups and other non-profit organizations whose activities are significantly conducted in the City of Maple Grove. Persons interested in this request must review City Code 22-66 with staff.
5. The sale of articles, items or services is prohibited except upon Board approval. Persons interested in this request must review City Code 22-65 with staff.
6. Gambling of any kind including but not limited to bingo, pull-tabs and raffles may not be conducted without approval from Park Board and demonstration of compliance with all City and State Codes.
7. All outdoor events must take place between 6:00 a.m. and 11:00 p.m. An event may extend beyond Park curfew times, only upon approval and written on the permit. Consideration for extended use will be based on adequate supervision and safety of participants.
8. Users must place all trash in designated garbage cans. Events requiring additional garbage pick-up other than the routine maintenance may be assessed a service fee.
9. Items brought onto the park property for temporary use must be delivered and removed or properly disposed of by park user; nothing can be left in the park overnight without prior approval.

Approved 11/20/03.



Park & Recreation Tobacco-Free Park System Policy

1. Guideline Statement

City of Champlin Parks and Recreation Tobacco-Free Policy is designed to protect the health, welfare, and safety of our park patrons.

2. Policy Statement

The City of Champlin is committed to the quality of life for all residents, therefore, we believe that:

- Tobacco product use in the proximity of children, youth and adults engaging in or watching recreational activities is unhealthy and detrimental to the health of others.
- Tobacco products consumed in public spaces are often discarded on the ground, thus posing a risk of ingestion to toddlers and causing a litter problem.
- As parents, leaders, coaches, and officials, we are thought of as role models and the use of tobacco products around youth has a negative effect on their lifestyle choices.

3. Tobacco-Free Facilities

The City of Champlin does not allow the use of tobacco products on City-owned park land, recreational facilities, City facilities, and open space.

4. Compliance Procedures

The emphasis on enforcing the Tobacco-Free parks and recreation policy is through voluntary compliance:

- Appropriate City-owned park land, recreational facilities, open space will be signed.
- City of Champlin staff will meet with activity organizations and \ or leaders or coaches to discuss the policy and to distribute flyers with the "Tobacco Free" regulations.
- City staff will make periodic observations of activity sites to monitor compliance.

5. Adoption date: May 10, 2004

ORDINANCE NO. 310, 2ND SERIES
AN ORDINANCE AMENDING THE CITY CODE
Amending Chapter 10 Adding Section 10.67 "Smoke Free Environment"

The City Council for the City of Golden Valley hereby ordains as follows:

Section 1. City Code Chapter 10 is hereby amended by adding Section 10.67, "Smoke Free Environment" to read as follows:

Section 10.67. Smoke Free Environment.

Subdivision 1. Findings and Purpose. The inhalation of secondhand tobacco smoke has been documented as hazardous to human health by the American Medical Association, the U.S. Surgeon General, the National Institute on Occupational Safety and Health, the National Cancer Institute, the U.S. Environmental Protection Agency, the National Academy of Sciences, the National Toxicology Program, and the World Health Organization. Therefore, the purpose of this Section is to:

- A. Protect the public health, safety, and welfare of citizens by increasing the ability of all citizens to breathe safe and uncontaminated air;
- B. Affirm that the necessity to breathe safe and uncontaminated air takes priority over the desire to smoke; and
- C. Protect vulnerable populations including employees, children, the elderly, and those with chronic health conditions.

Subdivision 2. Definitions. For the purposes of this Section, the following terms are defined as follows:

- A. "Food Establishment" – Any establishment, however designated, engaged in the preparation or serving of food for consumption either on or off the premises; or anywhere consumption of food occurs on the premises.
- B. "Liquor Establishment" – An establishment that has an On Sale 3.2 percent malt liquor license issued pursuant to Minnesota Statutes Section 340A.403, as amended from time to time, or an On Sale intoxicating liquor license issued pursuant to Minnesota Statutes Section 340A.404, as amended from time to time.
- C. "Other Person in Charge" – The agent of the Proprietor authorized to perform administrative direction to and general supervision of the activities within a public place or place of work at any given time.
- D. "Place of Work" – Any location at which two or more individuals perform any type of a service for consideration of payment under any type of employment relationship, including but not limited to an employment relationship with or for a private corporation, partnership, individual, or government agency. This term includes any location where two or more individuals gratuitously perform service for which individuals are ordinarily paid. Examples of a place of work include, but are not limited to an office, a public conveyance, a factory, a warehouse, or a similar place of work.

E. "Proprietor" – The party, regardless of whether the party is owner or lessee of the place of work or public place, who ultimately controls, governs, or directs the activities within the place or work or public place. The term does not mean the owner of the property unless the owner ultimately controls, governs, or directs the activities within the public place. The term "Proprietor" may apply to a corporation as well as an individual.

F. "Public Place" – Any enclosed, indoor area used by the general public or serving as a place of work, including, but not limited to, restaurants, retail stores, offices and other commercial establishments, public conveyances, educational facilities other than public schools, hospitals, nursing homes, auditoriums, arenas, meeting rooms, and common areas of rental apartment buildings.

G. "Smoking" – The inhaling, exhaling, or combustion of any pipe, cigarette, cigar, tobacco product, weed, plant, or any other similar article. Smoking includes possessing or carrying a lighted pipe, cigarette, cigar, or any other lighted smoking equipment.

Subdivision 3. Smoking Restrictions.

A. Smoking is prohibited in the following locations:

1. Public places and places of work, including both indoor and outdoor dining areas of liquor and food establishments;
2. Within twenty-five (25) feet of entrances, exits, open windows, and ventilation intakes of public places and places of work;
3. Within twenty-five (25) feet of any outdoor dining area at any liquor or food establishment; and
4. Public parks and recreation facilities.

B. Exceptions. The prohibitions of this Section shall not apply to the following:

1. Private residences;
2. Privately rented sleeping rooms in hotels and motels;
3. Locations where smoking is expressly authorized by State or Federal law or rule;
4. Motor vehicles; and
5. The use of tobacco as part of a recognized religious ritual, activity, or ceremony.

Subdivision 4. Responsibilities of Proprietors. The proprietor or other person in charge of a public place, place of work, liquor establishment, or food establishment shall:

A. Post "No Smoking" signs that comply with the Minnesota Clean Indoor Air Act Rules, Minnesota Rules, part 4620.0500 as amended from time to time;

B. Ensure that ashtrays, lighters, and matchbooks are not provided in areas where smoking is prohibited;

C. Ask any person who smokes in an area where smoking is prohibited to refrain from smoking and, if the person does not refrain from smoking after being asked to do so, take the appropriate action to remove the person from the premises. Appropriate action shall include calling the Golden Valley Police Department for assistance.

D. Failure to comply with this Subdivision shall constitute grounds for revocation of any food, liquor, or other business license held by the establishment.

Subdivision 5. Retaliation Prohibited. No person or employer shall discharge, refuse to hire, or in any manner retaliate against, any employee, applicant for employment, or customer because the employee, applicant or customer exercises any right to a smoke-free environment afforded by this ordinance or other law.

Subdivision 6. Private Prohibitions. Nothing in this Section prevents the proprietor or other person in charge of any place, including, without limitation, any residence, motor vehicle, or outdoor space, from prohibiting smoking in any such place.

Subdivision 7. Employees' Rights Preserved. An employee who consents to work in a setting where an employer allows smoking does not waive or otherwise surrender any legal rights the employee may have against the employer or any other party.

Subdivision 8. Other Laws. This Section is intended to complement the Minnesota Clean Indoor Air Act, Minnesota Statutes, Sections 144.411 to 144.417, as amended from time to time. Nothing in this ordinance authorizes smoking in any location where smoking is prohibited or restricted by other laws.

Subdivision 9. Severability. If any portion of this Section is held invalid, the remaining provisions shall be considered severable and shall be given effect to the maximum extent possible.

Subdivision 10. Effective Date. The provisions of this Section shall become effective March 31, 2005.

Section 2. City Code Chapter 1 entitled "General Provisions and Definitions Applicable to the Entire City Code Including Penalty for Violation" and Section 10.99 entitled "Violation a Misdemeanor" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 3. This Ordinance shall take effect from and after its passage and publication as required by law.

Adopted by the City Council this 19th day of October, 2004

/s/Linda R. Loomis
Linda R. Loomis, Mayor

ATTEST:

/s/Donald G. Taylor
Donald G. Taylor, City Clerk

Enforcing and Publicizing Your Tobacco-Free Park Policy

A well-publicized policy informs park users about the reasons why the policy has been adopted and helps enforce the policy by reducing violations.

1. Post Signs

The most important way to publicize your tobacco-free policy is by posting signs.

If you have not done so already, contact Tobacco-Free Youth Recreation to order metal tobacco-free signs.



The following locations are suggested places for posting your tobacco-free signs:

- Fencing around playgrounds and fields
- Backstops
- Picnic shelters
- Restrooms
- Concession stands
- Parking lot entrances
- Beach entrances
- Lifeguard stands
- Hiking trail entrances
- Skating rink warming houses

3. Ask for Assistance!

These groups will assist you in publicizing your tobacco-free policy:

- Tobacco-Free Youth Recreation, (651) 646-3005, tfyr@ansrmn.org
- Your local tobacco-free coalition
- Your local public health agency

2. Let Community Members Know About the Policy

In addition to posting signs, park and recreation staff has used a variety of means to educate citizens about their tobacco-free policies:

- Staff notification of the new policy and setting procedures for handling violations.
- Bookmarks or small notification cards explaining the policy distributed by park staff or community members to park users.
- Articles in a local or regional newspaper, as the result of a news release or reporters' coverage of city council meetings.
- Park and recreation department and city newsletters.
- Recreation program brochures, catalogs, and announcements.
- Rulebooks or policy statements that are distributed to sports league administrators, coaches, officials, parents, and participants.
- Other fact sheets or educational articles about tobacco and secondhand smoke distributed at coaches' meetings, in mailings, or through newsletters.
- Postings on the recreation department's or city's website.
- Public address announcements at recreation events, or public service announcements on local radio stations or public access cable channels.
- Kick-off celebration or community event with tobacco-free pledges, activities, etc. Potential dates for this event: March/April—Kick Butts Day; May 31—World No Tobacco Day; Thursday prior to Thanksgiving—Great American Smoke Out.

Please note: computer artwork files are available from TFYR for the tobacco-free sign image.

Free Signs!

Minnesota cities that adopt comprehensive tobacco-free policies for their recreational facilities and park property can order FREE metal 12" x 18" tobacco-free signs from TFYR to help with policy implementation.

To qualify for the signs, the tobacco-free policy must include:

- A list of all the facilities it covers
- A statement that all forms of tobacco use are prohibited
- An enforcement plan that includes a) user and staff notification; and b) signage.



Tobacco-Free Signs

Please contact Tobacco-Free Youth Recreation to find out how a tobacco-free policy for parks and outdoor recreational facilities can benefit your community.

For technical assistance in policy development and suggestions for tobacco prevention strategy implementation, contact:

Brittany McFadden, Program Director
Tobacco-Free Youth Recreation
2395 University Ave. West, Suite 310
St. Paul, MN 55114-1512
(651) 646-3005; bhm@ansrmn.org



Please contact the people listed below to find out how a tobacco-free policy for outdoor recreational facilities can benefit your community.

For suggestions or feedback from communities who have implemented tobacco-free policies, contact:

Plymouth Parks & Recreation Department
Diane Evans, Supt. of Recreation
3400 Plymouth Blvd.
Plymouth, MN 55447
(763) 509-5220; devans@ci.plymouth.mn.us

Coon Rapids Parks & Recreation Department
Bruce Thielen, Public Works Director
1831 – 111th Ave. NW
Coon Rapids, MN 55433
(763) 767-6578; thielen@ci.coon-rapids.mn.us

Morris Community Education
Cindy Perkins, Director
600 Columbia Ave.
Morris, MN 56267
(320) 589-4394; cperkins@maes.morris.k12.mn.us

Grand Rapids Parks & Recreation Department
Dale Anderson, Director
420 N. Pokegama Ave.
Grand Rapids, MN 55744
(218) 326-2500; danderson@ci.grand-rapids.mn.us