

NO SMOKING/NO TOBACCO POLICY

Approved By:  Date: 3/15/2021
Parks, Recreation & Community Services Director

Established: August 4, 2016

BACKGROUND

Smoking, tobacco, and smoking materials that emit nicotine or other chemicals are a major cause of preventable disease and death. Second-hand smoke is a concern for park patrons. As an agency promoting health and wellness in the community, the Town's Parks, Recreation & Community Services Department should lead efforts to facilitate healthy behaviors and environments through programs, services and facilities.

In May 2016, a temporary policy banning smoking and tobacco was recommended on a trial basis at North Santa Cruz Park. Later that summer, temporary bans were also enacted at Anamax Park and Sahuarita Lake Park. A local youth organization, the Student Wellness Advocacy Team (SWAT), led the effort to ban smoking in Town parks and educate the public about the negative health and environmental effects of tobacco and smoking. Surveys conducted by SWAT members indicated that the public was in favor of the park no smoking/no tobacco policy. The Parks and Recreation Commission endorsed a permanent no smoking/no tobacco policy at all parks owned and operated by the Town of Sahuarita at their August 3, 2016 meeting, and a permanent ban was enacted by the Parks, Recreation & Community Services Director on August 4, 2016.

AUTHORITY

The Parks, Recreation & Community Services Director is authorized to make reasonable rules and regulations necessary to manage, use, and preserve park property and activities in the interest of public health, safety, and welfare or for proper operation of the park. (STC Chapter 12.10.010).

The Sahuarita Unified School District #30 (SUSD) regulates property owned by SUSD; school parks are under the jurisdiction of SUSD.

ARS 36-601.01, also known as Smoke-Free Arizona, prohibits smoking in most enclosed public places and places of employment. Smoking is not allowed within 20' of doorways, windows and vent intakes.

Arizona State Statute ARS 13-3622 prohibits the possession of tobacco or smoke products by anyone under the age of 18.

PURPOSE

The purpose of this no smoking/no tobacco policy is to create a smoke and tobacco-free environment in parks at all recreational play areas and park facilities where children play and people of all ages are encouraged to congregate.

DEFINITIONS

Parking Lot; an area designated for motorized vehicular parking with lines delineating parking spaces, which may be paved (cement, asphalt), gravel, or dirt.

Recreational Play Area; any area open to the general public for recreational purposes and designed in whole or in part to be used by children and youth, or that has play or sports equipment installed, or that has been designated or landscaped for play or sports activities, and is located within Town owned or operated parks, including sports fields.

Sidewalk; paved 4 - 8 foot wide pathways for pedestrian and non-motorized vehicles (wheelchairs are permitted) that provide routes to and between recreational play areas, park facilities and parking lots.

Smoke/Smoking; to inhale, exhale, burn, carry or possess a lighted tobacco or smoking product including cigarettes, cigars, medicinal or recreational cannabis, e-cigarettes, vapor, and other synthetic nicotine products, or to use a pipe, water pipe, hookah, shisha and similar devices.

Smokeless Tobacco; chewing tobacco, snuff and other products containing nicotine.

POLICY

No person shall smoke inside, outside, near, or beside any recreational play area in a Town park. Smoking and the use of smokeless tobacco products is prohibited in recreational play areas and all other park facilities, with the exception of parking lots. Only adults of legal smoking age may smoke in a parking lot. Littering of cigarette butts and the dropping or scattering of lighted matches, burning cigars or cigarettes or other flammable or flaming materials is prohibited.

No smoking/no tobacco park facilities include but are not limited to playgrounds, picnic ramadas and picnic tables, sports fields, dugouts, bleachers, basketball, volleyball and tennis courts, skate parks, restrooms, concession stands, benches, dog parks, splash pads, amphitheaters, gazebos, plazas, turf areas, lakes, gardens, and sidewalks. Smoking/tobacco use is prohibited during all activities, programs, rentals, and special events held at park facilities.

The only approved smoking/tobacco use location is within a parking lot, however, smoking/tobacco use is not allowed at school park parking lots, including but not limited to Anza Trail School Park and Wrightson Ridge School Park. These properties are owned by the Sahuarita Unified School District #30 (SUSD) and SUSD properties are smoke and tobacco free zones, including parking lots.

Smoking and tobacco use restrictions are in effect 24 hours a day, 365 days per year.

COMPLIANCE

Park rules are enforceable by any Town official.

Park users are responsible for compliance with this policy. Violators are subject to penalties, fines, and ejection from the park.

Criminal trespass refer to ARS 13-1502. Underage smoking refer to ARS 13-3622.

REFERENCES

Sahuarita Town Code: Chapters 12.10.010, 12.15.030, 12.15.070.B, 12.35.010 and 12.35.020, 12.40.010

Arizona State Statutes: 13-1502, 13-3622