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# MODEL TOBACCO-FREE PARKS & RECREATION POLICY

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WHEREAS, [City/County/Tribe] believes that commercial tobacco use in the proximity of children and adults engaging in or watching outdoor recreational activities at [City/County/Tribe]-owned or operated facilities is detrimental to their health and can be offensive to those using such facilities; and

WHEREAS, [City/County/Tribe] has a unique opportunity to create and sustain an environment that supports a tobacco-free norm through a tobacco-free policy, rule enforcement, and adult-peer role modeling on [City/County/Tribe]-owned recreational facilities; and

WHEREAS, [City/County/Tribe] 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, people who use smokeless tobacco ingest a similar amount of nicotine as regular smokers and are exposed to at least 30 chemicals that are known to cause cancer; and

WHEREAS, cigarettes, once consumed in public spaces, are often discarded on the ground, requiring additional maintenance expenses, diminishing the beauty of [City/County/Tribe]'s recreational facilities, and posing a risk to toddlers and pets due to ingestion; and

WHEREAS, exposure to e-cigarette aerosol has not been proven to be safe; and e-cigarette aerosol contains harmful and potentially harmful chemicals such as Nicotine, Diacetyl, Benzene, and Tin.

WHEREAS, secondhand smoke levels in outdoor public places can reach levels as high as those found in indoor facilities where smoking is permitted; and

WHEREAS, the Surgeon General has determined that there is no safe level of exposure to secondhand smoke; and

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

## Definitions

- (1) "Tobacco Product" means
  - a) any product containing, made, or derived from tobacco or that contains nicotine that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested, or by any other means, including but not limited to a cigarette, a cigar, hookah, pipe tobacco, chewing tobacco, snuff, and snus.
  - b) any product, regardless of whether or not it contains nicotine, that can be used to deliver nicotine or another substance or solution in any form, including but not limited to aerosolized, vaporized, or heated, to the person inhaling from the device, including but not limited to an e-cigarette, e-cigar, e-pipe, vape pen, e-hookah.

- c) notwithstanding any provision to the contrary, “Tobacco Product” includes any component, part, or accessory intended or reasonably expected to be used with a Tobacco Product, whether or not sold separately. The term “Tobacco Product” does not include drugs, devices or combination products approved for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

### **Tobacco-Free Parks & Recreation Policy and Procedures**

1. No person shall use any Tobacco Product on any [City/County/Tribe]-owned or operated 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].
2. The Tobacco-free Parks & Recreation Policy does not apply to a site that is being used in connection with the practice of cultural activities by American Indians that is in accordance with the American Indian Religious Freedom Act, 42 U.S.C. 1996 and 1996a, whether or not the public is allowed access to those places.
3. It is not a violation of this policy to use a product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.
4. Appropriate signs shall be posted in the above specified areas in a conspicuous manner.

[According to National Recreation and Park Association](#), tobacco-free signage is a common enforcement strategy. The use of signs is directly related to citizen enforcement.

5. Enforcement of the policy is a shared responsibility of the enforcement team and recreational area users. The enforcement team, including [those who make up the enforcement team], will make periodic observations of recreational facilities to monitor for compliance.

Localities can encourage citizen enforcement by posting signs strategically throughout the recreational area.

Some localities enforce their policy by having their staff monitor tobacco-free areas. Other localities that have enacted tobacco-free parks policies did not need to hire additional staff or allocate more resources to carryout enforcement. The localities added staff monitoring into existing job responsibilities.

Staff monitoring may be easier to accomplish when parks are attached to facilities with a consistent staff presence compared to remote parks or trails with less-frequent monitoring.

6. Any individual found violating this policy will be reminded and asked to comply before being subject to ejection from the recreational area. [City/County/Tribe] staff found violating this policy may be subject to disciplinary action. This Tobacco-Free Parks & Recreation Policy is in addition to any federal, state, or local laws that restrict or otherwise regulate the use of Tobacco.
7. This Tobacco-Free Parks & Recreation Policy shall be communicated to the community [30, 60, 120] days prior to its effective date. This policy is effective as of [effective date].