

REPORT OF GENERAL MANAGER

NO. 02-100

DATE: March 6, 2002

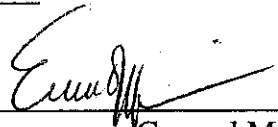
C.D. _____

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: APPROVAL OF PRELIMINARY DRAFT ORDINANCE – SMOKE FREE ZONES

* J. Combs _____
 T. Corrales _____
 J. Duggan _____
 H. Fujita _____

J. Kolb _____
 M. Tamuri _____
 M. Matthews _____



 General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

It is recommended that the Board:

1. Approve the attached "Smoke Free Zone" Policy, and
2. Review and approve the attached draft ordinance for the enforcement of the "Smoke Free Zone" policy; and
3. Direct the Board Secretary to submit the draft Ordinance to the City Attorney for presentation to the Mayor's Office and the City Council.

SUMMARY:

On June 6, 2001, the Board of Recreation and Park Commissioners approved Board Report No. 01-191, which requested the establishment of "Smoke Free Zones" at or near Department operated childrens' play areas and ball diamonds. In addition, staff was to prepare a draft ordinance for the enforcement of a "Smoke Free Zone" policy, to be reviewed by the Board at a subsequent meeting.

Soon after the approval of Board Report No. 01-191, Councilmember Jan Perry introduced a Motion to City Council to enhance the Recreation and Parks proposed ordinance to include additional "Smoke Free" sites. This matter was referred to the Arts, Health and Humanities Committee on December 14, 2001 and the Committee unanimously endorsed this Motion, and directed the City Attorney to draft an ordinance amending the Los Angeles Municipal Code to create no-smoking zones in parks. The number of sites was enhanced to include play pits, play structures, bleachers, backstops, sports fields, basketball, handball, tennis and paddle tennis

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courts, and areas posted to require permits to be reserved for picnics. As this represents a substantial modification to the Board's previous action, the draft ordinance is now submitted for consideration. Additionally, staff has drafted a Departmental "Smoke Free Zone" Policy for Board approval.

On August 6, 2001, Assembly Bill 188, authored by Assemblyman Vargas, was approved by the Governor and filed with the Secretary of State. The bill prohibits the smoking of any cigarette, cigar, or other tobacco-related product within a public playground or tot lot sandbox area, and would make a violation of the provisions an infraction. By creating a new infraction, a state-mandated local program would result.

Representatives of the Committee for Smoke Free Parks and Other Public Places reviewed and approved the wording of the draft ordinance. If adopted, the Department will post signs to provide for the necessary enforcement at over 2,000 impacted locations.

Prepared by Vicki Israel and Bara King

**CITY OF LOS ANGELES
DEPARTMENT OF RECREATION AND PARKS**

SMOKE FREE ZONE POLICY

3/6/02

The Department of Recreation and Parks finds and declares all of the following:(a) Secondhand smoke also known as environmental tobacco smoke is responsible for approximately 3,000 lung cancer deaths each year in nonsmoking adults and impairs the respiratory health of hundreds of thousands of children. (b) Secondhand smoke exposure increases the risk of lower respiratory track infections, including bronchitis and pneumonia, which occur in infants and young children up to 18 months of age. (c) Secondhand smoke increases the prevalence of fluid in the middle ear, a sign of middle ear disease. (d) Secondhand smoke increases the frequency and episodes and severity of symptoms of asthmatic children.

It is the policy of the Department of Recreation and Parks that it shall be unlawful to smoke in the following places:

Within 20 feet of areas where playground equipment has been installed for public use by children, play pits, play structures, bleachers, backstops, sports fields, ball diamonds, basketball, handball, tennis and paddle tennis courts, and areas posted to require permits to be reserved for picnics.