

**AN ORDINANCE
TO PROHIBIT THE USE OF TOBACCO PRODUCTS
AT COUNTY PARKS AND RECREATIONAL FACILITIES;
AND FOR OTHER PURPOSES**



WHEREAS, a consensus exists within the scientific and medical communities that tobacco products are inherently dangerous and cause cancer, heart disease, and other serious adverse health effects;

WHEREAS, secondhand smoke is a recognized cause of acute and chronic diseases in non-smokers, and exposure to the dangers of second hand smoke poses a health hazard to all;

WHEREAS, in addition to health concerns, cigarettes, once consumed in public spaces, are often discarded on the ground requiring additional maintenance expenses, diminishing the beauty of parks and recreational facilities, and posing a risk to young children and animals due to ingestion;

WHEREAS, research has suggested that the adoption of tobacco-free policies creates a change in social norms about tobacco use, helps users of tobacco products to reduce consumption or quit, and helps keep youth from starting to use tobacco products;

WHEREAS, there are a number of state and federal laws, including the Georgia Smoke Free Air Act of 2005 (O.C.G.A. § 31-12A-1, *et seq.*), O.C.G.A. § 16-12-171, the Pro-Children Act of 1994 (Title X of Public Law 103-227), and the Family Smoking Prevention and Tobacco Control Act (Public Law 111-31), intended to protect the public health and morals of children and adults from the problems associated with tobacco use; and the Georgia Smoke Free Air Act, which prohibits smoking in most enclosed public places, authorizes the person in control of an outdoor area to declare it as a non-smoking place;

WHEREAS, the Board of Commissioners of Newton County, Georgia believes that tobacco use in the proximity of children and adults visiting Newton County owned or operated parks and recreational facilities is detrimental to their health and can be offensive to those using such facilities;

WHEREAS, the Board of Commissioners of Newton County, Georgia has determined that tobacco products currently present a litter problem at Newton County parks and recreational facilities;

WHEREAS, the Board of Commissioners of Newton County, Georgia 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;

WHEREAS, the Board of Commissioners of Newton County, Georgia had determined that a prohibition on the use of tobacco products at Newton County parks and recreational facilities

will lessen exposure to secondhand smoke, reduce litter in park grounds, and discourage youth from smoking or using smokeless tobacco products by helping to change community norms and establishing positive role models for youth; and

WHEREAS, the Board of Commissioners of Newton County, Georgia determines that the prohibition on the use of tobacco products at Newton County parks and recreational facilities serves to protect the health, safety and welfare of the citizens of Newton County.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners, Newton County, Georgia, and by the authority of the same that Chapter 23 of Division II of the Code of Newton County, Georgia, 2001, be amended to provide a new section, Section 23-301, to be entitled Tobacco Free Parks and Recreation Facilities, to read as follows:

Section 23-301 Tobacco Free Parks and Recreation Facilities

- A. Tobacco use prohibited in all indoor and outdoor parks and recreational facilities at all times.
 - 1. It shall be unlawful for any person to use any form of tobacco, including but not limited to cigarettes, E-Cigarettes and smokeless tobacco, in all areas of County-owned or operated indoor and/or outdoor parks and recreational facilities, including but not limited to restrooms, athletic fields, rivers, parks, walking/hiking trails, agency owned vehicles, and spectator and concession areas.
 - 2. County-owned or operated parks and recreational facilities including the following:
 - a. Anderson Field
 - b. Baker Field
 - c. B. C. Crowell Park
 - d. Beaver Park
 - e. Chimney Park
 - f. City Pond Park
 - g. Conyers Street Gym
 - h. Covington Square Park
 - i. Denny Dobbs Park
 - j. Factory Shoals Recreation Area
 - k. Fairview Community Park
 - l. Lake Varner
 - m. Mary Louise Fowler Park
 - n. Old Cousins Gym/Wolverine Field
 - o. Pactiv Field
 - p. RotaDyne Field
 - q. South Street Park
 - r. Spillers Park
 - s. Stone Road Complex
 - t. Trailblazers Park

u. Turner Lake Park

B. Notification and Enforcement.

1. The community, particularly facility users and staff, will be notified about the prohibition on the use of tobacco products.
 - a. Appropriate signs shall be posted in all parks and recreational facilities where tobacco use is prohibited.
 - b. Newton County, in conjunction with the Newton County Recreation Commission, shall develop an education campaign to assist in informing citizens about the policy prohibiting tobacco use.
2. Staff shall make periodic observations of parks and recreational facilities to monitor for compliance. Visitors using tobacco products shall be asked to refrain from such use while on parks/recreation property or leave the premises. If they refuse, law enforcement officers will be contacted to escort the person off the premises or cite the person for trespassing in case the person refuses to leave the property.

C. Opportunities for cessation.

1. Newton County, in conjunction with the Newton County Recreation Commission, will promote the Quit Line, a free service offered by the Georgia Department of Community Health, for all employees who request assistance with quitting tobacco use.

D. Effective date. This Ordinance shall be effective beginning April 1, 2013.

SO ORDAINED, this 4th day of December 2012.

Newton County Board of Commissioners

By: *Kathryn G. Morgan*
Kathryn G. Morgan, Chairman

Attest: *Jackie Smith*
Jackie Smith, Clerk

